



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908
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Toll Free 1-877-601-2828 • E-mail: pdc@pdc.wa.gov • Website: www.pdc.wa.gov

October 1, 2021

Delivered electronically to campaign@benforrenton.com

Subject: PDC Case 96987

Dear Ben Johnson:

Below is a copy of an electronic letter sent to Michael Fertakis concerning a complaint filed July 27, 2021 with the Public Disclosure Commission (PDC) alleging violations of RCW 42.17A.235 and .240 for failure to timely and accurately report contributions and expenditures on Monetary Contributions (C-3) and Full Summary Contributions and Expenditures (C-4) reports and an allegation of RCW 42.17A.205 for failure to timely register as a candidate.

As noted in the letter below, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1) and will not conduct a more formal investigation into the allegations or take further enforcement action in this matter.

Pursuant to WAC 390-37-060(1)(d), however, this letter serves as a formal written warning concerning your failure to timely and accurately report as required. Staff expects you will, in the future, timely and accurately file PDC reports and disclose contributions and expenditures as required by law.

The Commission will consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

If you have questions, contact Alice Fiman toll-free at 1-877-601-2828 or by e-mail at pdc@pdc.wa.gov.

Sincerely,

/s

Alice Fiman
Compliance Officer

/s

Peter Lavallee
Executive Director



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Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdca.wa.gov

October 1, 2021

Delivered electronically to michaelfertakis@gmail.com

Subject: Complaint regarding Ben Johnson, PDC Complaint 96987

Dear Michael Fertakis:

The Public Disclosure Commission (PDC) completed its review of the complaint you filed July 27, 2021. The complaint alleged Ben Johnson, a 2021 candidate for Renton City Council, Position 2, violated RCW 42.17A.235 and .240 by failing to timely and accurately report contributions and expenditures on Monetary Contributions (C-3) and Full Summary Contributions and Expenditures (C-4) reports and an allegation of RCW 42.17A.205 for failure to timely register as a candidate.

PDC staff reviewed the allegations; the applicable statutes, rules, and reporting requirements; the applicable PDC reports, the evidence provided in the complaint and a response from Ben Johnson, to determine whether the record supports a finding of one or more violations. We found the following:

- Johnson registered with the PDC as a 2021 candidate for Renton City Council, Pos. 2, on May 20, 2021.
- According to King County records, there were five candidates on the 2021 Primary Election ballot for Renton City Council, Position 2. Johnson advanced to the 2021 General Election, receiving 22.89 percent of the 14,582 votes counted.
- On July 27, 2021, Johnson timely filed a 7-day pre-primary C-4 report, listing \$7,445 in contributions and \$ 4,502.04 in expenditures, \$ 2,942.96 cash on hand, with \$6,000 in liabilities. The \$6,000 in liabilities is reported as a loan from Johnson.
- In response to the complaint, Johnson stated “Being a new candidate to the office without a campaign manager, I was also new to the process.”
- Johnson filed an additional C-4 report, for the period covering June 1 to July 12, 2021, on August 9, 2021. This report, filed 27 days late and six days after the 2021 primary, included the expenditures made for campaign signs, mailers, and a website domain registration. These were listed as in-kind donations.

- After review by PDC staff, it was found Johnson did not list the required detail on C-4 reports. On September 6, 2021, Johnson updated the reports to list the required detail.

PDC staff has determined, in this instance, the failure to timely and accurately report expenditures does not amount to a violation warranting further investigation.

However, Johnson will receive a formal written warning pursuant to WAC 390-37-060(1)(d) concerning the failure to timely report contributions and expenditures. The formal written warning includes staff's expectation Johnson will, in the future, timely and accurately file PDC reports and disclose contributions and expenditures as required by law. The Commission will consider the formal written warning in deciding on future Commission action if there are future violations of PDC laws or rules.

Based on this information, the PDC finds that no further action is warranted and has dismissed this matter in accordance with RCW 42.17A.755(1). If you have questions, contact Alice Fiman toll-free at 1-877-601-2828 or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

/s

Alice Fiman
Compliance Officer

/s

Peter Lavalley
Executive Director