

State of Washington PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908 (360) 753-1111 • FAX (360) 753-1112

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

June 5, 2023

Delivered electronically to jamesforseatac@gmail.com

Subject: Complaint filed by Glen Morgan, PDC Case 136236

Dear James Lovell:

Below is a copy of an electronic letter sent to Glen Morgan concerning a complaint filed with the Public Disclosure Commission (PDC).

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

However, pursuant to WAC 390-37-060(1)(d), this serves as a formal written warning concerning your failure to timely comply with the F-1 filing requirement noted in the enclosed letter sent to Mr. Morgan. Staff expects you to timely file all required *Personal Financial Affairs Statements* (F-1 reports) in future years. The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

If you have questions, you may contact Tabatha Blacksmith at 1-360-586-8929, toll-free at 1-877-601-2828 or by e-mail at pdc@pdc.wa.gov

Sincerely, Endorsed by,

Electronically signed Tabatha BlacksmithElectronically signed Peter Frey LavalleeTabatha BlacksmithPeter Frey LavalleeCompliance OfficerExecutive Director



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June 5, 2023

Delivered electronically to glen@wethegoverned.com

Subject: Complaint regarding James Lovell, PDC Case 136236

Dear Glen Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on May 1, 2023. The complaint alleged that James Lovell, 2023 candidate for City Council Member for the City of SeaTac, may have violated RCW 42.17A.700 by failing to timely file a *Personal Financial Affairs Statement* (F-1 report) disclosing financial information for the twelve months preceding his candidacy that was due within two weeks of becoming a candidate.

PDC staff reviewed the allegation and evidence you submitted; the applicable statutes, rules, and reporting requirements; the response(s) provided by James Lovell (the "Respondent"); the applicable PDC reports filed by the Respondent; and other relevant information to determine whether the record supports a finding of one or more violations.

Based on staff's review, we found the following:

- The Respondent is a 2023 candidate for City Council Member for the City of SeaTac. He filed a *Candidate Registration* (C-1 report) with the PDC on February 3, 2023 and selected the Full Reporting option.
- Pursuant to <u>RCW 42.17A.700</u>, the Respondent was required to file a *Personal Financial Affairs Statement* (F-1 report) with the PDC within two weeks of candidacy, disclosing activity for the preceding twelve months.
- On May 3, 2023, the PDC notified the Respondent of the complaint. He replied the same day indicating he was working on completing the report and researching answers to some of the questions.
- On May 12, 2023, the Respondent electronically filed an F-1 report with the PDC covering 2/3/22 2/2/23. Based on the campaign start date shown on the Respondent's C-1 report (2/3/23), the F-1 report was due by February 17, 2023 and was therefore 84 days late.
- The Respondent responded to the allegation by email on May 12, 2023 and said his F-1 report was late because he is a first-time candidate and was not aware of the form.

• The Respondent does not have previous warnings or violations of PDC requirements.

Non-compliance appears to be the result of a good-faith omission and is further mitigated by the fact that the Respondent is a first-time candidate.

Based on our findings, staff has determined that, in this instance, the Respondent's failure to timely file an F-1 report within two weeks of becoming a candidate does not amount to a violation that warrants further investigation.

Pursuant to WAC 390-37-060(1)(d), however, James Lovell will receive a formal written warning concerning his failure to timely file an F-1 report within two weeks of candidacy. The formal written warning will include staff's expectation that James Lovell timely file all future required F-1 reports. The Commission will consider the formal written warning in deciding on further 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, you may contact Tabatha Blacksmith at 1-360-586-8929, toll-free at 1-877-601-2828 or by e-mail at pdc@pdc.wa.gov

Sincerely,

Endorsed by,

<u>Electronically signed Tabatha Blacksmith</u> Tabatha Blacksmith

Peter Frey Lavallee Executive Director

Electronically signed Peter Frey Lavallee

Compliance Officer

cc: James Lovell