



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
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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

In the Matter of Enforcement Action
Against

Avrum (Alex) Tsimmerman

Respondent.

PDC Case 136406

Notice of Administrative Charges

I. JURISDICTION

The Public Disclosure Commission (PDC) has jurisdiction over this proceeding pursuant to Chapter 42.17A RCW, the state campaign finance and disclosure laws; Chapter 34.05 RCW, the Administrative Procedure Act; and Title 390 WAC.

II. ALLEGATION(S)

PDC Staff alleges the Respondent, Avrum (Alex) Tsimmerman, violated RCW 42.17A.235 and RCW 42.17A.240 by failing to file the required Cash Receipts Monetary Contributions (C-3) and Summary, Full Report Receipts and Expenditures (C-4) reports for election years 2022 and 2023.

III. FACTS

1. On or about May 17, 2022, the Respondent filed his Declaration of Candidacy for State Senator in the 46th Legislative District with the Secretary of State's office. The Respondent appeared on the primary election ballot, but did not advance to the general election.

2. The Respondent was required to file weekly C-3 reports starting on or about June 1, 2022. He was required to continue filing C-3 reports each Monday for deposits made during the previous 7 days (Monday through Sunday). The Respondent was also required to file a monthly C-4 report on June 10, 2022, covering the month of May 2022. In addition, the Respondent was also required to file 21- and 7- day C-4 reports which were due on July 12, and July 26, 2022, respectively. To date, the Respondent has not filed the required reports.
3. On or about May 18, 2023, the Respondent filed his Declaration of Candidacy for Bellevue City Council, Position 3, with the Secretary of State's office. The Respondent advanced to the general election, and is currently a 2023 general election candidate.
4. The Respondent was required to begin filing weekly C-3 reports starting on or about June 1, 2023. He was required to continue filing C-3 reports each Monday, for deposits made during previous 7 days (Monday through Sunday). The Respondent was also required to file a monthly C-4 report on June 12, 2023, covering the month of May 2023. In addition, the Respondent was also required to file the 21-and 7-day C-4 reports which were due on July 11 and July 25, 2023, respectively. To date, the Respondent has not filed the required reports.
5. On April 28, 2023, PDC Staff received a complaint filed against the Respondent alleging that he failed to timely file the required statutory C-3 and C-4 reports for election years 2022 and 2023.
6. On May 9, 2023, PDC Staff sent a copy of the complaint to the Respondent and requested a response to the allegations by May 23, 2023. To date, the Respondent has failed to respond to the complaint.
7. On July 27, 2023, PDC Staff held an Initial Hearing (Case Status Review), after opening a formal investigation for PDC Case 136406 concerning the Respondent. Although Mr. Tsimerman was not required to appear at the Initial Hearing, he was notified of the Initial Hearing and did not appear.

8. The Respondent's C-3 and C-4 reports were due to be filed with the PDC on or about June 2022 and June 2023 to disclose filing fees and other expenditures in excess of \$200 (\$750 beginning April 2023), including filing the 21- and 7-days C-4 reports for both election years. To date, Mr. Tsimerman has not filed the required C-3 and C-4 reports.

V. LAW

RCW 42.17A.235 and .240 require political candidates to file timely, accurate reports of contributions and expenditures. Under the full reporting option, until five months before the general election, C-3 and C-4 reports are required monthly when contributions or expenditures exceed \$200 (\$750 beginning April 2023) since the last report. In addition, C-4 reports are also required 21 and 7 days before each election in which the candidate makes expenditures, and in the month following the election. Contributions are reported weekly the same time period and must be disclosed on Monday for contributions deposited during the previous seven days.

RCW 42.17A.005(8) states that a "Candidate" means any individual who seeks nomination for election or election to public office. An individual seeks nomination or election when the individual first:

- (a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote the individual's candidacy for office;
- (b) Announces publicly or files for office;
- (c) Purchases commercial advertising space or broadcast time to promote the individual's candidacy; or
- (d) Gives consent to another person to take on behalf of the individual any of the actions in (a) or (c) of this subsection.

RESPECTFULLY SUBMITTED this 18th day of September 2023.

/s/ Peter Frey Lavallee

Peter Frey Lavallee
Executive Director



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PUBLIC DISCLOSURE COMMISSION

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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

In RE COMPLIANCE WITH
RCW 42.17A

Avrum (Alex) Tsimerman

Respondent.

PDC Case 136406

Report of Investigation

I. BACKGROUND

- 1.1 On or about May 17, 2022, the Respondent Avrum (Alex) Tsimerman filed his Declaration of Candidacy for State Senator in the 46th Legislative District with the Secretary of State's office. The Respondent appeared on the primary election ballot, but did not advance to the general election.
- 1.2 Between January 3 and January 12, 2023, the Respondent appeared at three different venues holding public meetings and declared his candidacy for public office. Specifically, the Respondent appeared and declared his candidacy for public office at meetings held before the Kirkland City Council, Port of Seattle Commission, and Sound Transit Board held on January 3, 2023, January 10, 2023, and January 12, 2023, respectively.
- 1.3 Since on or about January 2023, the Respondent has maintained a campaign website, which clearly identifies him as a "2023 – Candidate for King County, Bellevue" on the landing page of the website. On or about May 2023, the Respondent updated his campaign's website landing page to specify the race he is running for "2023 – Bellevue City Council Position 3."
- 1.4 On or about May 18, 2023, the Respondent formally filed his Declaration of Candidacy for Bellevue City Council, Position 3, with the Secretary of State's office. The Respondent advanced to the general election, and is currently a 2023 general election candidate.
- 1.5 On April 28, 2023, PDC Staff received a complaint filed against the Respondent, alleging that the Respondent failed to timely file the required statutory C-3 and C-4 reports for election years 2022 and 2023.

- 1.6 On September 7, 2023, PDC Staff served the Respondent by electronic mail/email, with an Enforcement Hearing Notice for an enforcement action against him to be held on Thursday, September 28, 2023, concerning the alleged violations of RCW 42.17A.235 and .240.

II. ALLEGATION(S)

- 2.1 PDC staff alleges that the Respondent, Avrum (Alex) Tsimerman, violated RCW 42.17A.235 and RCW 42.17A.240 by failing to file the required Cash Receipts Monetary Contributions (C-3) and Summary, Full Report Receipts and Expenditures (C-4) reports for political office in election years 2022 and 2023.

III. FINDINGS

- 3.1 On May or about 17, 2022, the Respondent registered his candidacy for State Senator in the 46th Legislative District with the Washington Secretary of State. The Respondent did not advance past the primary election.
- 3.2 Since the Respondent appeared in the 2022 primary election, he was required to file weekly C-3 reports starting on or about June 1, 2022. He was required to continue filing C-3 reports each Monday for deposits made during the previous 7 days (Monday through Sunday). The Respondent was also required to file a monthly C-4 report on June 10, 2022, covering the month of May 2022. In addition, the Respondent was also required to file 21- and 7- day C-4 reports which were due on July 12 and July 26, 2022, respectively.
- 3.3 On January 3, 2023, the Respondent attended the Kirkland City Council meeting and announced his candidacy for public office during the public comment portion of the meeting, stating: “My name Alex Tsimerman and I right now candidate for King County Bellevue Council 2023.” **(Exhibit 1).**
- 3.4 On January 10, 2023, the Respondent attended and announced his candidacy at the Port of Seattle Commission meeting during the public comment portion of the meeting, stating: “My name Alex Tsimerman I’m president of Standup America and I am a candidate right now for King County District No. 6 2023.” **(Exhibit 2).**
- 3.5 On January 12, 2023, the Respondent attended a public meeting at the Sound Transit Board, where he announced his candidacy for public office in the 2023 election year, stating: “Hi my name Alex Tsimerman and I very appreciate you council Balducci mention my name because I’m right now candidate for King County Council 23.” **(Exhibit 3).**
- 3.6 At all times mentioned herein, Respondent Tsimerman maintained a campaign website that clearly depicted his candidacy for 2023 as noted on the landing page of the campaign website – “2023 – Bellevue City Council Position 3.” **(Exhibit 4).**
- 3.7 On April 28, 2023, PDC Staff received a complaint alleging that the Respondent failed to timely file the required statutory C-3 and C-4 reports for election years 2022 and 2023, and so was in violation of RCW 42.17A.235 and .240. **(Exhibit 5)**

- 3.8 On May 9, 2023, PDC Staff sent a copy of the complaint to the Respondent via email attachment and requested a response to the allegation(s) outlined in the complaint by May 23, 2023. The Respondent did not respond to PDC Staff's inquiry. **(Exhibit 6)**
- 3.9 On May 18, 2023, the Respondent formally filed his candidacy for Bellevue City Council, Position 3, with the Secretary of State's office. The Respondent advanced to the general election, and is a current general election candidate.
- 3.10 Since the Respondent appeared in the 2023 primary election, and he advanced to the general, he was required to begin filing weekly C-3 reports starting on or about June 1, 2023. He was required to continue filing C-3 reports each Monday, for deposits made during previous 7 days (Monday through Sunday). The Respondent was also required to file a monthly C-4 report on June 12, 2023, covering the month of May 2023. In addition, the Respondent was also required to file the 21-and 7-day C-4 reports which were due on July 11 and July 25, 2023, respectively.
- 3.11 PDC Staff confirmed that the Respondent did not timely file any of the required C-3 and C-4 reports for his 2022 and 2023 political campaigns.
- 3.12 On July 27, 2023, PDC Staff held an Initial Hearing (Case Status Review), after opening a formal investigation for PDC Case 136406 concerning the Respondent. Although the Respondent was not required to appear at the Initial Hearing, he was notified of the Initial Hearing and did not appear. **(Exhibit 7)**
- 3.13 The Commission found that the Respondent violated the FCPA on three prior occasions:
- a. PDC Case 95308 – the Respondent was found to have violated RCW 42.17A.700 for failing to timely file a Personal Financial Affairs Statement (F-1 report) as a 2021 candidate for public office. The Respondent was assessed a civil penalty of \$250 with \$100 suspended under the condition that the report was filed, and the non-suspended portion of the penalty was paid within 30 days of the date of order issued on September 13, 2021. **(Exhibit 8)**
 - b. PDC Case 109529 – the Respondent was found to have violated RCW 42.17A.205 and RCW 42.17A.700 for failing to timely file the required Candidate Registration (C-1 report) and Personal Financial Affairs Statement (F-1 report) as a 2022 candidate for public office. The Respondent was assessed a civil penalty of \$1,000, pursuant to the Commission Order dated August 11, 2022. **(Exhibit 9)**
 - c. PDC Case 120879 – the Respondent was found to have violated RCW 42.17A.205 and RCW 42.17A.700 for failure to file the C-1 and F-1 reports within two weeks of becoming a candidate for the 2023 election year. The Respondent was assessed a civil penalty of \$5,000 with \$2,000 suspended under the condition the reports were filed, and the non-suspended portion of the penalty was paid within 30 days of the date the order was issued on May 4, 2023. **(Exhibit 10)**
 - d. To date, the Respondent has not paid the non-suspended portions of the penalties assessed in PDC Cases 95308 and 120879, and the non-suspended portions in both cases

have since been reinstated and full penalty amounts are currently past due. Additionally, the Respondent has also not paid the penalty assessed in PDC Case 109529.

3.14 The Respondent's C-3 and C-4 reports related to his 2022 and 2023 candidacies were due to be filed with the PDC on or about June 2022 and June 2023 to disclose the filing fees and any contributions received, including filing the 21- and 7-days C-4 reports for both election years. To date, the Respondent has not filed the required C-3 and C-4 reports.

IV. SCOPE

4.1 PDC staff reviewed the following:

- The complaint filed by Joe Kunzler on April 28, 2023, and the supporting documentation provided with the complaint.
- The PDC database for prior enforcement actions against the Respondent.

V. LAW

RCW 42.17A.235 and .240 require political candidates to file timely, accurate reports of contributions and expenditures. Under the full reporting option, until five months before the general election, C-3 and C-4 reports are required monthly when contributions or expenditures exceed \$200 (\$750 beginning April 2023) since the last report. C-4 reports are also required 21 and 7 days before each election in which the candidate makes expenditures, and in the month following the election. Contributions are reported weekly during the same time period and must be disclosed on Monday for contributions deposited during the previous seven days.

RCW 42.17A.005(8) states that a "Candidate" means any individual who seeks nomination for election or election to public office. An individual seeks nomination or election when the individual first:

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- (b) Announces publicly or files for office;
- (c) Purchases commercial advertising space or broadcast time to promote the individual's candidacy; or
- (d) Gives consent to another person to take on behalf of the individual any of the actions in (a) or (c) of this subsection.

Respectfully submitted this 18th day of September 2023.

s/ Erick O. Agina

Erick O. Agina
Compliance Officer

EXHIBIT LIST

- Exhibit 1** [City Council Meeting \(granicus.com\)](#) at the 1:13:04 mark.
- Exhibit 2** [Regular Meeting Jan 10, 2023 12:00pm - The Port of Seattle Commission \(portseattle.org\)](#) at the 00:49:54 mark.
- Exhibit 3** [Sound Transit Board Meeting on Livestream](#) at the 15:25 mark.
- Exhibit 4** Screenshot of the Respondent's current Campaign Website.
- Exhibit 5** Complaint, PDC Case 136496, filed on January 23, 2023.
- Exhibit 6** Email to Respondent with attached Complaint Notice
- Exhibit 7** Initial Hearing Notice for Case 136406
- Exhibit 8** Commission Order dated September 13, 2021, for PDC Case No. 95308 against Respondent Tsimerman.
- Exhibit 9** Commission Order dated August 11, 2022, for PDC Case No.109529 against Respondent Tsimerman.
- Exhibit 10** Commission Order dated May 4, 2023, for PDC Case 120879 against Respondent Tsimerman.

Exhibit 1 [City Council Meeting \(granicus.com\)](#) at the 1:13:04 mark.

Exhibit 1

[Regular Meeting Jan 10, 2023 12:00pm - The Port of Seattle Commission](#)
[\(portseattle.org\)](#) at the 00:49:54 mark.

Exhibit 4

[Sound Transit Board Meeting on Livestream](#) at the 15:25 mark.

Exhibit 3

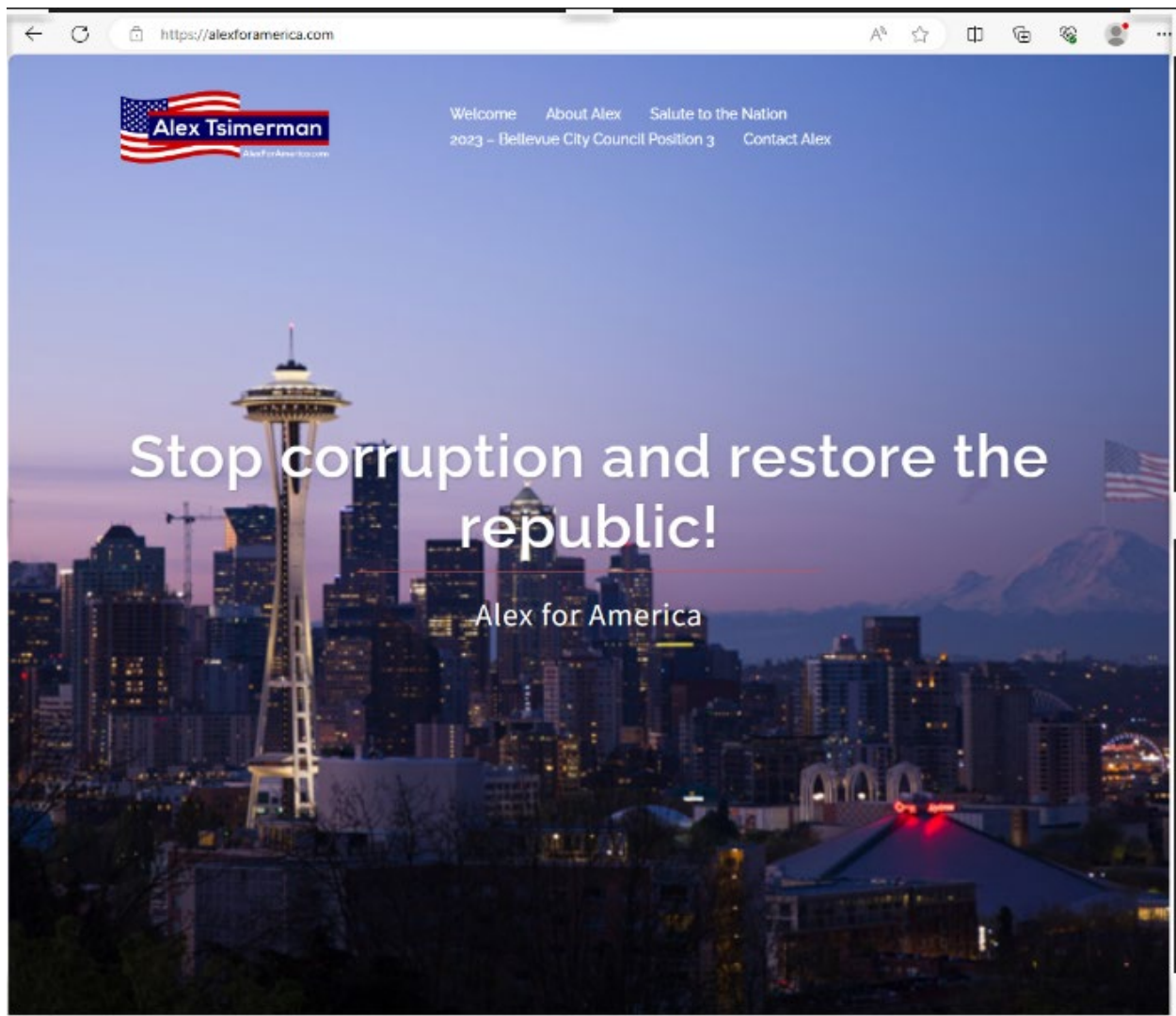


Exhibit 4

| |
|---|
| Respondent Names |
| Avrum (Alex) Tsimerman |
| Complainant Name |
| Joe Kunzler |
| Complaint Description |
| <p>Joe Kunzler</p> <p>Fri, 28 Apr 2023 at 1:06 AM</p> <p>The full complaint is attached but basically all the deadlines Tsimerman missed in 2022 for a C-3 and C-4 being Tsimerman did not declare his candidacy on time and request mini reporting. This behavior was substantial, malicious noncompliance with RCWs 42.17A.235 plus 42.17A.240.</p> <p>As I repeatedly stressed during case #120879, Tsimerman's behavior is malicious, prolific and repetitive. I believe the only thing that is going to get Tsimerman to comply is RCW 42.17A.755(4) invocation.</p> |
| What impact does the alleged violation(s) have on the public? |
| <p>Alex Tsimerman's failure to file C-3s and C-4s for at least 2022 and 2023 is ALSO a violation of campaign finance law. This is Tsimerman hiding for instance paying for his website and potentially other campaign activity.</p> <p>Also how many times will Mr. Avrum (Alex) Tsimerman be allowed to violate campaign finance law, hurl hate and pave a path of making the PDC irrelevant? Because I have to say that as a layman dreaming of running for office, I sure see Avrum (Alex) Tsimerman as a case study to point to show that I don't need to comply with the PDC. I can just ignore them and nothing will happen to me. Is that the conclusion you want folks to draw?</p> |
| List of attached evidence or contact information where evidence may be found |
| PDC website that doesn't have Tsimerman's C-3s & C-4s. |
| List of potential witnesses with contact information to reach them |
| Avrum (Alex) Tsimerman |
| Certification (Complainant) |
| I certify (or declare) under penalty of perjury under the laws of the State of Washington that information provided with this complaint is true and correct to the best of my knowledge and belief. |

28 April 2023

Public Disclosure Commission
711 Capitol Way S. #206
P.O. Box 40908
Olympia, WA 98504

Dear Public Disclosure Commission (PDC) and PDC Staff;

Yesterday, to my gratitude, the Commission found that Alex Tsimerman is a candidate in the 2023 election cycle and has been since at least January 3, 2023 as per Case 120879's Notice of Administrative Charges. Surprisingly no one has mentioned Tsimerman's need to file C-3 and C-4 Contribution Reports yet, so I am noting that Tsimerman has kept his website alexforamerica.com with an active link to 2023 – Candidate for King County, Bellevue.

I agree with your attorney Susie Giles-Klein that Tsimerman's misconduct is as follows:

It's also an aggravating factor, that Mr. Tsimerman's repeated violations of PDC laws and rules appears to be intentional, and they are ongoing, and he has made no attempt to come into compliance. Then finally, it's an aggravating factor that Mr. Tsimerman has displayed bad faith by repeatedly ignoring PDC staff's attempts at outreach, including his failure to respond or participate in this proceeding as well as the two prior proceedings for the commission.

One would expect with this complaint a similar response. One would hope that Tsimerman this time would be criminally prosecuted if my interpretation of the law is correct.

FAILURE TO FILE C-3 CASH RECEIPTS + C-4 RECEIPTS & EXPENDITURE SUMMARY FOR 2022 AND 2023

Alex Tsimerman has now been found in cases 109529 and 120879 to conduct campaigns and did not file for "mini reporting," as was only available when filing his C-1 form *on time*. Since Tsimerman started his announcement tour on January 3, 2023 – Tsimerman has missed at least these 2023 deadlines as per the PDC website:

January 10 File a C-3 for each deposit made in the previous month and a C-4 report that covers the period through Dec. 31

February 10 File a C-3 for each deposit made in the previous month and a C-4 report that covers the period through Jan. 31

March 10 File a C-3 for each deposit made in the previous month and a C-4 report that covers the period through Feb. 28

April 10 File a C-3 for each deposit made in the previous month and a C-4 report that covers the period through March 31

Not to mention all the deadlines Tsimerman missed in 2022 for a C-3 and C-4 being Tsimerman did not declare his candidacy on time and request mini reporting. This behavior was substantial, malicious noncompliance with RCWs [42.17A.235](#) plus [42.17A.240](#) – and in particular 42.17A.235 with my emphasis:

(1)(a) In addition to the information required under RCW [42.17A.205](#) and [42.17A.210](#), *each candidate or political committee must file with the commission a report of all contributions received and expenditures made as a political committee on the next reporting date* pursuant to the timeline established in this section.

PLEASE INVOKE RCW 42.17A.755(4)

As I repeatedly stressed during case #120879, Tsimerman's behavior is malicious, prolific and repetitive. I believe the only thing that is going to get Tsimerman to comply is RCW 42.17A.755(4) invocation. To quote your Chair Fred Jarrett as he told TVW back in March:

Most of the court cases now that we're seeing are ones that are being initiated by the PDC, for reasons that we just can't get compliance. ... The Attorney General picks that up and they have done an outstanding job of supporting compliance litigation.

Exhibit 5
Pg. 3 of 4

How many times will Mr. Avrum (Alex) Tsimerman be allowed to violate campaign finance law, hurl hate and pave a path of making the PDC irrelevant? Because I have to say that as a layman dreaming of running for office, I sure see Avrum (Alex) Tsimerman as a case study to point to show that I don't need to comply with the PDC. I can just ignore them and nothing will happen to me. Is *that* the conclusion you want folks to draw?

Also, I want to know at least two things:

- 1) How is Alex Tsimerman paying for his campaign website?
- 2) Does Alex Tsimerman actually live in Bellevue/King County Council District Six considering the years he's run for Seattle offices?

Without the proper forms, Tsimerman is keeping the public out of the loop.

We are all that is left of campaign finance transparency. It's up to us to maintain the integrity of the system, but especially the Commissioners. This complaint is a second chance for the Commission to invoke RCW 42.17A.755(4) and get Alex Tsimerman to a court of law so the message is clear: Blow off the PDC is the Washington State equivalent of, "Tuck Around and Find Out"!

Very respectfully;

A handwritten signature in black ink, appearing to read "Joe A. Kunzler". The signature is fluid and cursive, with a small "id" written below the first part of the name.

Joe A. Kunzler
growlernoise@gmail.com

Exhibit 5
Pg. 4 of 4

Erick Agina

replied

Tue, 9 May 2023 at 7:57 AM

To: standup@alexforamerica.com

Hello Avrum (Alex) Tsimerman,

The Public Disclosure Commission received a complaint from Joe A Kunzler on April 28, 2023, which has been assigned PDC Case Number 136406. The Complaint alleges the following:

- **Alleged violation of RCW 42.17A.235 and .240 for failure to timely and accurately file contribution and expenditure reports.**

Please review the attached complaint and provide your response by **Tuesday, May 23, 2023.**

If you determine there is a need to file or amend reports as part of this case, you may review our guides and instructions at the website (<https://www.pdc.wa.gov/registration-reporting>).

If further assistance filing or amending reports beyond the guides and videos is needed, please reply to this message with a request to be assigned a Filer Assistance Specialist so that you receive timely and coordinated guidance.

For more information about the enforcement process, please see our [Enforcement Guide](#).

If you have any questions, please reply to this email.

Thank you,

Erick O. Agina
Compliance Officer
Public Disclosure Commission
360. 360.753.1111

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Washington State law established email as the PDC's official means of communication as of June 7th, 2018 (RCW 42.17A.055). Filers have a duty to amend their reports within 10 days of any material changes, such as new email addresses. Please ensure your email address is up to date.

To respond, please reply to this email.

Washington Public Disclosure Commission
<http://www.pdc.wa.gov>
1.360.753.1111

136406 Tsimerman Avrum (Alex) Complaint.pdf
326.13 KB

Exhibit 6



State of Washington
PUBLIC DISCLOSURE COMMISSION
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Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdcca.wa.gov

July 24, 2023

PDC Case: 136406

Avrum Tsimerman
14150 NE 20th St. Bldg. F-1, Apt. 258
Bellevue, WA 98007

Sent electronically to Avrum Tsimerman at standup@alexforamerica.com/alexforamerica.com

Notice of Case Status Review (Initial Hearing)

| | |
|-----------------------|---|
| Respondent: | Avrum Tsimerman |
| Hearing/meeting date: | Thursday, July 27, 2023 |
| Time: | 4:00 PM |
| Place: | Remotely by Telephone/Microsoft Teams |
| PDC Staff: | Kim Bradford, Deputy Director for Peter Lavalley, Executive Director, Public Disclosure Commission |
| Authority: | RCW 42.17A.755(3) & WAC 390-37-071 |

This is to notify you that the Public Disclosure Commission (PDC) intends to open a formal investigation, and on the above date, PDC Staff will conduct a case status review, referred to as an Initial Hearing, concerning a complaint filed on April 28, 2023, by Joe Kunzler. The complaint alleges that you, Avrum Tsimerman, may have violated RCW 42.17A.235 and .240 for failure to timely and accurately file contribution and expenditure reports during the 2022 and 2023 election years.

The initial hearing is not an adjudicative proceeding. It is conducted in accordance with WAC 390-37-071, and is intended to provide you with information concerning the investigative process, including possible alternatives to resolve the matter.

You are not required to participate in the hearing. Further, your failure to participate will not prejudice your rights concerning the investigative process, or any potential future adjudicative proceeding in the matter.

With the transmittal of this notice, I am including a link to the [PDC Enforcement Guide](#), and a link to the agency's recently adopted [emergency rules concerning enforcement](#), including case status reviews (initial hearings)

If you would like to participate by telephone, please contact Erick Agina, Compliance Officer, by replying to the email to which this letter is attached.

Let me know if you have questions.

Thank you.

Sincerely,

/s/

Kim Bradford, Deputy Director for
Peter Lavalley, PDC Executive Director



Exhibit 7
Pg. 2 of 2



State of Washington
PUBLIC DISCLOSURE COMMISSION
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September 13, 2021

TSIMERMAN AVRUM (ALEX)
PO BOX 4222
SEATTLE WA 98104

And delivered electronically to standup@alexforamerica.com

Subject: PDC Order, Case 95308

Dear TSIMERMAN AVRUM (ALEX),

Enclosed is a copy of the Public Disclosure Commission's Order Imposing Fine that was entered in the above-referenced case.

At the August 12, 2021, Brief Enforcement hearing, the Presiding Officer assessed a total civil penalty of \$250, of which \$100 is suspended, in accordance with WAC 390-37-143. The \$150 non-suspended penalty is payable within 30 days of the date of this Order.

The \$150 non-suspended penalty is payable no later than October 13, 2021.

Please make the check or money order payable to the WA State Treasurer, and mail the payment to the following:

Public Disclosure Commission
PO Box 40908
Olympia, WA 98504-0908

It is also ordered that you file the missing F-1 report within 30 days of this order, or no later than October 13, 2021.

Thank you for your prompt attention to this matter. If you have questions, please contact us by email at pdcc@pdcc.wa.gov.

Sincerely,

Electronically Signed by Tabitha Townsend
PDC Staff

Enclosure: Initial Order

Exhibit 8
Pg. 1 of 5



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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

In Re: Compliance with RCW 42.17A

PDC Case 95308

TSIMERMAN AVRUM (ALEX),
Respondent.

Findings of Fact,
Conclusions of Law, and
Order Imposing Fine

Pursuant to the brief enforcement hearing (brief adjudicative proceeding) notice sent to TSIMERMAN AVRUM (ALEX) dated July 14, 2021, a brief adjudicative proceeding was held on August 12, 2021, remotely from Olympia, WA by live audio and online transmission, to consider whether the Respondent violated RCW 42.17A.700 by failing to timely file a Personal Financial Affairs Statement (F-1 report), which was due to be filed within two weeks of candidacy or no later than June 4, 2021, disclosing personal financial information for the preceding twelve months.

The hearing was held in accordance with Chapters 34.05 RCW, 42.17A RCW and Chapter 390-37 WAC. Commissioners Fred Jarrett and Nancy Isserlis were the Presiding Officers. The Commission staff was represented by Compliance Coordinators Tabitha Townsend and Tabatha Blacksmith, and Jennifer Hansen, Political Finance Officer. The Respondent did not participate in the hearing or submit any written materials.

Having considered the evidence, the Presiding Officer finds as follows:

FINDINGS OF FACT

1. The Respondent is/was a candidate for CITY COUNCIL MEMBER of CITY OF SEATTLE.
2. As a candidate, the Respondent was required to file an F-1 report by June 4, 2021.
3. The Respondent did not file the F-1 report by the date of the enforcement hearing.
4. The Respondent has no prior violations.

CONCLUSIONS OF LAW

Based on the above facts, as a matter of law, the Presiding Officer concludes as follows:

1. This matter was duly and properly convened, and all jurisdictional, substantive, and procedural requirements have been satisfied.
2. The Respondent violated RCW 42.17A.700 by failing to file the F-1 report by June 4, 2021.

ORDER

ON the basis of the foregoing Findings of Fact and Conclusions of Law,

1. **IT IS HEREBY ORDERED** that the Respondent is assessed a total civil penalty of \$250 with \$100 suspended, in accordance with the candidate F-1 penalty schedule set forth in WAC 390-37-143.
2. It is further ordered that the Respondent:
 - a. Pay the \$150 civil penalty within 30 days of the date of this Order. If the Respondent fails to pay the \$150 within 30 days, PDC staff is directed to refer the matter to collections.
 - b. File the missing F-1 report within 30 days of the date of this Order.
3. It is further ordered that \$100 of the \$250 penalty is suspended on the following conditions:
 - a. The Respondent is not found to have committed any further violations of Chapter 42.17A RCW or Title 390 WAC within four years of the date of this Order. The suspended penalty shall not be assessed based solely upon any remediable violation, minor violation, or error classified by the Commission as appropriate to address by a technical correction.
 - b. The non-suspended portion of the penalty (\$150) is paid by the Respondent within 30 days of the date of this Order. If the Respondent fails to pay the non-suspended penalty of \$150 within 30 days, the suspended portion of the penalty (\$100) shall immediately become due without further action by the Commission and PDC staff is directed to refer the matter to collections for the full assessed penalty amount of \$250.

This is an **Initial Order** of the Public Disclosure Commission.

Entered this 13th of September 2021.

Public Disclosure Commission

Electronically signed by Peter Frey Lavallee

Peter Frey Lavallee

Executive Director

I, Tabitha Townsend, certify that I mailed a copy of this order to the Respondent at their respective address postage pre-paid, on the date stated herein, and by email.

Electronically Signed Tabitha Townsend

Signed

September 13, 2021

Date

APPEALS OF INITIAL ORDER

REVIEW OF INITIAL ORDER - BY THE COMMISSION

You may request that the full Commission review this initial order. To seek review, you must:

- Make the request by email, stating the reason for review, and identifying what alleged errors are contained in the initial order. *See* WAC 390-37-144(1).
- All requests for review must be submitted electronically to pdcc@pdcc.wa.gov

REQUESTS FOR REVIEW MUST BE RECEIVED BY THE COMMISSION WITHIN TWENTY-ONE (21) CALENDAR DAYS AFTER THE THIS INITIAL ORDER WAS ELECTRONICALLY DISTRIBUTED TO YOU.

If review of this initial order is timely requested, the full Commission will hear the matter. If the Commission is unable to schedule a meeting to consider the request within twenty (20) calendar days, this initial order becomes a final order, and any request for review will automatically be considered a request for reconsideration of a final order. *See* WAC 390-37-144(4). The matter would then be scheduled for consideration and disposition at the next Commission meeting at which it is practicable to do so.

A Respondent does not need to pay a penalty until after the Commission rules on a request for review of an initial order.

FURTHER APPEAL RIGHTS – SUPERIOR COURT

If the Commission does not receive a request for review of this initial order within twenty-one (21) calendar days, the initial order shall be the FINAL ORDER. *See* WAC 390-37-142(7).

YOU HAVE THE RIGHT TO APPEAL A FINAL ORDER TO SUPERIOR COURT, PURSUANT TO THE PETITION FOR JUDICIAL REVIEW PROVISIONS OF RCW 34.05.542.



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: pdcc@pdcc.wa.gov • Website: www.pdca.wa.gov

August 11, 2022

Avrum (Alex) Tsimerman
PO BOX 4222
SEATTLE, WA 98104

And delivered electronically to standup@alexforamerica.com

Subject: PDC Order, Case 109529

Dear Avrum (Alex) Tsimerman,

Enclosed is a copy of the Public Disclosure Commission's Order Imposing Fine that was entered in the above-referenced case.

At the July 21, 2022 Brief Enforcement hearing, the Presiding Officer assessed a total civil penalty of \$1000 of which \$500 is suspended, in accordance with WAC 390-37-143. The \$500 non-suspended penalty is payable within 30 days of the date of this Order, which is September 12, 2022.

Please make the check or money order payable to the WA State Treasurer, and mail the payment to the following:

Public Disclosure Commission
PO Box 40908
Olympia, WA 98504-0908

It is also ordered that you file the missing C-1 and F-1 and resolve any prior violations including filing all reports and pay any outstanding penalty within 30 days of this order, which is September 12, 2022.

Thank you for your prompt attention to this matter. If you have questions, please contact us by email at pdcc@pdcc.wa.gov.

Sincerely,

Electronically Signed by Jordan Campbell
PDC Staff

Enclosure: Initial Order

Exhibit 9
Pg. 1 of 5



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

BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

In Re: Compliance with RCW 42.17A

PDC Case 109529

Avrum (Alex) Tsimmerman,
Respondent.

Findings of Fact,
Conclusions of Law, and
Order Imposing Fine

Pursuant to the brief enforcement hearing (brief adjudicative proceeding) notice sent to Avrum (Alex) Tsimmerman dated June 22, 2022, a brief adjudicative proceeding was held on July 21, 2022, remotely from Olympia, WA by live audio and online transmission, to consider whether the Respondent violated RCW 42.17A.205 by failing to file or timely file a Candidate Registration (C-1 report) and RCW 42.17A.700 by failing to file or timely file a Personal Financial Affairs Statement (F-1 report), disclosing personal financial information for the preceding twelve months, which were both due to be filed within two weeks of candidacy or no later than June 3, 2022.

The hearing was held in accordance with Chapters 34.05 RCW, 42.17A RCW and Chapter 390-37 WAC. Commission Chair Fred Jarrett was the Presiding Officer and Commissioner Nancy Isserlis attended. Commission staff was represented by Compliance Coordinators Tabatha Blacksmith and Jordan Campbell, and Compliance Officers Jennifer Hansen and Alice Fiman. The Respondent did not participate in the hearing or submit any written material.

Having considered the evidence, the Presiding Officer finds as follows:

FINDINGS OF FACT

1. The Respondent is or was a candidate for State Senator, Leg District 46.
2. As a candidate, the Respondent was required to file C-1 and F-1 reports by June 3, 2022.
3. The Respondent did not file the C-1 report by the date of the enforcement hearing.
4. The Respondent did not file the F-1 report by the date of the enforcement hearing.
5. The Respondent has one prior violation.

CONCLUSIONS OF LAW

Based on the above facts, as a matter of law, the Presiding Officer concludes as follows:

1. This matter was duly and properly convened, and all jurisdictional, substantive, and procedural requirements have been satisfied.
2. The Respondent violated RCW 42.17A.205 by failing to file the C-1 report by June 3, 2022.
3. The Respondent violated RCW 42.17A.700 by failing to file the F-1 report by June 3, 2022.

ORDER

ON the basis of the foregoing Findings of Fact and Conclusions of Law,

1. **IT IS HEREBY ORDERED** that the Respondent is assessed a total civil penalty of **\$1000, in accordance with the candidate C-1 & F-1 penalty schedule set forth in WAC 390-37-143, of which \$500 is suspended based on the conditions described below.**
2. **It is further ordered that the Respondent:**
 - a. **File the missing C-1 report within 30 days of the date of this Order.**
 - b. **File the missing F-1 report within 30 days of the date of this Order.**
 - c. **Pay the \$500 non-suspended portion of the civil penalty within 30 days of the date of this Order. If the Respondent fails to pay the \$500 within 30 days, PDC staff is directed to refer the matter to collections.**
3. **It is further ordered that \$500 of the \$1000 civil penalty is suspended upon the following conditions:**
 - a. **The Respondent is not found to have committed any further violations of Chapter 42.17A RCW or Title 390 WAC within four years of the date of this Order. The suspended penalty shall not be assessed based solely upon any remediable violation, minor violation, or error classified by the Commission as appropriate to address by a technical correction.**
 - b. **The missing report(s) and all outstanding reports for PDC Case 95308 are filed within 30 days of the date of this Order. If the Respondent fails to file the report(s) within 30 days, the suspended portion of the penalty shall immediately become due without further action by the Commission and PDC is directed to refer the matter to collections.**
 - c. **The non-suspended portion of the penalty (\$500) and the outstanding penalty amount from PDC Case 95308 is paid by the Respondent within 30 days of the date of this Order. If the Respondent fails to pay the non-suspended penalty of \$500 and/or the outstanding penalty for PDC Case 95308 within 30 days, the full penalty amount (\$1000) shall immediately become due without further action by the Commission and PDC staff is directed to refer the matter to collections.**

This is an **Initial Order** of the Public Disclosure Commission.

Exhibit 9
Pg. 3 of 5

Entered this 11th day of August, 2022.

Public Disclosure Commission

Electronically signed by Peter Frey Lavallee

Peter Frey Lavallee

Executive Director

I, Jordan Campbell, certify that I mailed and emailed a copy of this order to the Respondent at their respective address postage pre-paid, and by email on the date stated herein.

Electronically Signed by Jordan Campbell

August 11, 2022

Signed

Date

APPEALS OF INITIAL ORDER

REVIEW OF INITIAL ORDER - BY THE COMMISSION

You may request that the full Commission review this initial order. To seek review, you must:

- Make the request by email, stating the reason for review, and identifying what alleged errors are contained in the initial order. *See* WAC 390-37-144(1).
- All requests for review must be submitted electronically to pdcc@pdcc.wa.gov

REQUESTS FOR REVIEW MUST BE RECEIVED BY THE COMMISSION WITHIN TWENTY-ONE (21) CALENDAR DAYS AFTER THE THIS INITIAL ORDER WAS ELECTRONICALLY DISTRIBUTED TO YOU.

If review of this initial order is timely requested, the full Commission will hear the matter. If the Commission is unable to schedule a meeting to consider the request within twenty (20) calendar days, this initial order becomes a final order, and any request for review will automatically be considered a request for reconsideration of a final order. *See* WAC 390-37-144(4). The matter would then be scheduled for consideration and disposition at the next Commission meeting at which it is practicable to do so.

A Respondent does not need to pay a penalty until after the Commission rules on a request for review of an initial order.

FURTHER APPEAL RIGHTS – SUPERIOR COURT

If the Commission does not receive a request for review of this initial order within twenty-one (21) calendar days, the initial order shall be the FINAL ORDER. *See* WAC 390-37-142(7).

YOU HAVE THE RIGHT TO APPEAL A FINAL ORDER TO SUPERIOR COURT, PURSUANT TO THE PETITION FOR JUDICIAL REVIEW PROVISIONS OF RCW 34.05.542.

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8 **BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON**

9 In Re: The Matter of Enforcement Action
10 Against:

PDC CASE NO. 120879

FINAL ORDER

11 AVRUM (ALEX) TSIMERMAN,
12 Respondent.
13
14

15 This matter was heard by the Washington State Public Disclosure Commission
16 (Commission) on April 27, 2023, by in-person, telephonic, and online streaming access. The
17 hearing was held in accordance with Chapters 34.05 and 42.17A RCW, and Chapter 390-37
18 WAC.

19 Commissioners present in-person were Fred Jarrett, Commission Chair (presiding);
20 Nancy Isserlis, Commission Vice-Chair; and Commissioners William Downing and Allen
21 Haywood. Also present both in-person and online were Assistant Attorney General John S.
22 Meader representing the Commission, Assistant Attorneys General Chad Standifer and Susie
23 Giles-Klein representing PDC Staff, and Erick Agina, PDC Compliance Officer. Notice was
24 provided to the Respondent and he did not appear on his own behalf. The proceeding was open
25 to the public and recorded.

26 The Commissioners had before them the following materials:

Exhibit 10
Pg. 1 of 8

- Notice of Administrative Charges and Report of Investigation dated April 14, 2023, prepared by Erick Agina, PDC Compliance Officer;
- Link to the Kirkland City Council’s January 3, 2023, meeting marked at 1:13:04;
- Link to the Port of Seattle Commission’s January 10, 2023, meeting marked at 00:49:54;
- Link to the Sound Transit Board’s January 12, 2023, meeting marked at 15:25;
- Screenshot of Respondent’s campaign website;
- Complaint, PDC Case 120879, filed on January 23, 2023;
- PDC Case No. 95308: August 12, 2021, Group Enforcement Hearing Notice;
- PDC Case No. 109529: July 21, 2022, Group Enforcement Hearing Notice;
- Commission Order dated September 13, 2021, for PDC Case 95305;
- Commission Order dated August 11, 2022, for PDC Case 109529;
- PDC staff Witness and Exhibit List dated April 18, 2023.

I. FINDINGS OF FACT

This matter involves allegations the Respondent violated RCW 42.17A.205 and RCW 42.17A.700(2) by failing to file the required Candidate Registration (C-1 Report) and Personal Financial Affairs Statement (F-1 Report) within two weeks of declaring his candidacy for public office in the 2023 election year, as required by law. The Respondent has two prior violations with the PDC.

1. On January 3, 2023, the Respondent attended a City of Kirkland Council meeting and announced his candidacy for public office during the public comment portion of the meeting, stating: “[m]y name is Alex Tsimerman and I right now candidate for King County Bellevue Council 2023” [sic].

Exhibit 10
Pg. 2 of 8

2. On January 10, 2023, the Respondent attended a Port of Seattle Commission meeting and announced his candidacy during the public comment portion of the meeting, stating: “[m]y name is Alex Tsimerman I’m president of Standup America and I am a candidate right now for King County District No. 6, 2023.”
3. On January 12, 2023, the Respondent attended a Sound Transit Board meeting and announced his candidacy for public office in the 2023 election year stating: “[h]i, my name is Alex Tsimerman and I very much appreciate you council Balducci mention my name because I’m right now candidate for King County Council 23” [sic].
4. On January 23, 2023, PDC Staff received a complaint from Joe Kunzler against the Respondent alleging he failed to timely file the required C-1 and F-1 reports within two weeks of becoming a candidate as required by statute.
5. On February 1, 2023, PDC staff sent a copy of the complaint to the Respondent and requested a response to the allegations by February 15, 2023. No response to the complaint was received.
6. On March 9, 2023, PDC staff held an Initial Hearing (Case Status Review) after opening a formal investigation concerning the Respondent (PDC Case 120879). Although the Respondent was not required to appear, he was notified of the Initial Hearing and did not appear.

Exhibit 10
Pg. 3 of 8

- 1 7. As of the date of the Commission’s April 27, 2023, Regular Meeting,
2 Respondent has not filed the C-1 or F-1 reports that were required to be filed
3 within two weeks of declaring his candidacy for office in the 2023 election year.
4
- 5 8. At all times during the investigation Respondent maintained a campaign website
6 that depicted his candidacy for 2023. The landing page of the campaign website
7 noted: “2023 candidate for King County, Bellevue.”
8
- 9 9. Respondent has two prior enforcement matters.
10
- 11 a. PDC Case 95308. Respondent was found to have violated RCW
12 42.17A.700 for failing to timely file an F-1 report as a 2021 candidate
13 for public office. Respondent was assessed a civil penalty of \$250 with
14 \$100 suspended under the condition that the report was filed and the
15 non-suspended portion of the penalty was paid within 30 days of the
16 date of the September 13, 2021, order.
- 17 b. PDC Case 109529. Respondent was found to have violated
18 RCW 42.17A.205 and RCW 42.17A.700 for failing to timely file F-1
19 and C-1 reports as a 2022 candidate for public office. In the August 11,
20 2022, order the Respondent was assessed a civil penalty of \$1,000.
21

22 II. CONCLUSIONS OF LAW

- 23
- 24 1. The Commission has jurisdiction over this proceeding pursuant to Chapter
25 42.17A. RCW, the State campaign finance and disclosure law; Chapter 34.05
26 RCW, the Administrative Procedure Act; and Title 390 WAC.

Exhibit 10
Pg. 4 of 8

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2. Pursuant to RCW 42.17A.205, a candidate for an election year must file a Candidate Registration (C-1 Report) within two weeks of declaring his candidacy for public office.
 3. Pursuant to RCW 42.17A.700(2) a candidate for an election year must file a Financial Affairs Statement (F-1 Report) within two weeks of declaring his candidacy for public office.
 4. RCW 42.17A.005(8) defines a candidate as any individual who seeks nomination for election or election to public office. An individual seeks nomination or election when the individual first: ...(b) Announces publicly or files for office...
 5. The definition of “candidate” in RCW 42.17.005(8) is broad enough to encompass the Respondent’s public declarations of his candidacy. There is also sufficient evidence to support the conclusion that the Respondent declared his candidacy for office and the Commission can infer the office referred to was King County Council Position 6 for election year 2023.

III. ORDER

This Order will be the Final Order. After consideration of the mitigating and aggravating factors, the Findings of Fact, and the Conclusions of Law, the Respondent is assessed a civil penalty of \$5,000 with \$2,000 suspended on the following conditions:

Exhibit 10
Pg. 5 of 8

- 1 a. The non-suspended portion (\$3,000) of the \$5,000 civil penalty
2 for failure to file the F-1 and C-1 reports within two weeks of becoming
3 a candidate for the 2023 election year in violation of RCW 42.17A.700
4 and RCW 42.17A.205 is paid by the Respondent within 30 days of the
5 date of this Final Order.
6
7 b. The Respondent remains in full compliance with all PDC
8 reporting requirements and is not found to have committed any further
9 violations of Chapter 42.17A RCW or Title 390 WAC within four years
10 of the date of this Final Order. The suspended penalty shall not be
11 assessed based solely upon any remediable violation, minor violation, or
12 error classified by the Commission as appropriate to address by a
13 technical correction.
14
15 2. If the Respondent fails to meet the conditions in Section III(1) of this order within
16 30 days of the date of this order, the suspended portion of the penalty for calendar
17 year 2023 shall immediately become due and the matter may be sent to collection
18 or brought to Superior Court as allowed by law without further action by the
19 Commission.
20

21 SO ORDERED this 4th day of May, 2023.

22 WASHINGTON STATE PUBLIC
23 DISCLOSURE COMMISSION

24 FOR THE COMMISSION:

25 *Fred Jarrett*
Fred Jarrett (May 4, 2023 14:33 PDT)

26 Fred Jarrett,
Chair, Public Disclosure Commission

Exhibit 10
Pg. 6 of 8

1
2 *This order sent by email to:*

3 Avrum (Alex) Tsimmerman, Respondent
4 standup@alexforamerica.com

5 *Hard copies to:*

6 P.O. Box 4222, Seattle WA. 98104, and
7 14150 NE 20th St. Bldg. F1, Apt. 258
8 Bellevue, WA 98007

9 Erick O. Agina,
10 PDC Compliance Officer,
11 erick.agina@pdc.wa.gov

12 Susie Giles-Klein,
13 Assistant Attorney General for PDC Staff
14 susie.gilesklein@atg.wa.gov

I, _____, certify that I emailed a
copy of this order to the Respondent at his respective
email address.

Signed _____

Date _____

15 **NOTICE: RECONSIDERATION**

16 Pursuant to the provisions of RCW 34.05.470 and WAC 390-37-150, you may file a Petition for
17 Reconsideration with the PDC within ten (10) days from the date this Final Order is served upon
18 you. Any Request for reconsideration must state the specific grounds for the relief requested.
19 Petitions must be delivered or mailed to the Washington State Public Disclosure Commission,
20 711 Capitol Way, Room 206, Box 40908, Olympia WA 98504-0908.

21 **NOTICE: PETITION FOR JUDICIAL REVIEW**

22 You have the right to appeal this Final Order to Superior Court, pursuant to the Petition for
23 Judicial Review provisions of RCW 34.05.542. Any Petition for Judicial Review of this Final
24 Order must be filed with the court and also served upon both the Commission and the Office of
25 the Attorney general within thirty (30) days after the date this Final Order is served upon you.

26
Exhibit 10
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Final_Order-Tsimerman-F1-C1-120879

Final Audit Report

2023-05-04

| | |
|-----------------|--|
| Created: | 2023-05-04 |
| By: | Jana Greer (jana.greer@PDC.WA.GOV) |
| Status: | Signed |
| Transaction ID: | CBJCHBCAABAAZFV0BFOWwA1Wg5Bjnglp34Y0Q9agY96Z |

"Final_Order-Tsimerman-F1-C1-120879" History






-  Document created by Jana Greer (jana.greer@PDC.WA.GOV)
2023-05-04 - 8:54:21 PM GMT- IP address: 73.11.163.250
-  Document emailed to fred.jarrett@pdc.wa.gov for signature
2023-05-04 - 8:55:05 PM GMT
-  Email viewed by fred.jarrett@pdc.wa.gov
2023-05-04 - 9:32:14 PM GMT- IP address: 104.47.65.254
-  Signer fred.jarrett@pdc.wa.gov entered name at signing as Fred Jarrett
2023-05-04 - 9:33:16 PM GMT- IP address: 24.17.73.80
-  Document e-signed by Fred Jarrett (fred.jarrett@pdc.wa.gov)
Signature Date: 2023-05-04 - 9:33:18 PM GMT - Time Source: server- IP address: 24.17.73.80
-  Agreement completed.
2023-05-04 - 9:33:18 PM GMT

Exhibit 10
Pg. 8 of 8