City of Seattle

Ethics and Elections Commission

October 15, 2009

BY E-MAIL

Theresa Szeliga, Treasurer
Tom Carr for City Attorney

Dear Ms. Szeliga:

On October 9, 2009, you notified the SEEC that a May campaign contribution had not yet been reported. Two days later, you filed a C-3 reporting a $400 deposit made on May 25. The C-3 for this deposit was due no later than June 1, 2009, meaning that it was filed 132 days late.

A major purpose of the Seattle Elections Code is to give the public timely access to information regarding all contributions and expenditures made supporting or opposing City candidates. One of the contributors whose identity was not timely reported is Gilbert Levy, Esq. Our records show that Mr. Levy's last two contributions to City of Seattle candidates were refunded to him by the candidates. Given this history, it is unlikely that this contribution would have gone unnoticed had it been timely reported.

LATE FILING PENALTIES

The Seattle Elections Code requires that all contributions be timely reported. The Elections Code authorizes me to assess penalties of $10 for each day a report is late filed, so the campaign could be subject to a penalty of up to $1,320.

Balancing the small amount of funds the campaign failed to timely report, and the fact that the campaign self-reported the error, with the likely public interest in one of the contributions had it been timely reported, I have decided to impose a penalty of $125.

RIGHT TO APPEAL

You may appeal the Executive Director's assessments to the Commission by **4:00 PM, Thursday, October 29, 2009**, pursuant to Administrative Rule 4, which provides in relevant part:

A. Upon the written request of a party aggrieved by the Executive Director's decision to dismiss a complaint, or to impose late-filing penalties under SMC 2.04.330, the action may be reviewed by the Commission.

...

700 Fifth Avenue, Suite 4010, PO Box 94729, Seattle, WA 98124-4729
Tel: (206) 684-8500, Fax: (206) 684-8590, E-Mail: ethicsandelections@seattle.gov, Web: http://www.seattle.gov/ethics
An equal employment opportunity, affirmative action employer. Accommodations for people with disabilities provided upon request.

C. An appeal of late-filing penalties shall be served at the Commission's office no later than 14 days after the date of mailing the decision of which review is sought.
D. A request for review shall state the grounds therefor, and shall be no longer than twelve 8-1/2" x 11" double-spaced pages in length with margins of at least 1" on every side, and no more than 12 characters per inch.

ACTION TO TAKE

Deliver to the Commission office a check in the amount of $125, payable to the City of Seattle, or an appeal, no later than 4:00 PM on Thursday, October 29, 2009.

If you have any questions, please call me at 684-8577.

Very truly yours,

Wayne Barnett
Executive Director

cc: Seattle Ethics and Elections Commission
Doug Ellis, Public Disclosure Commission