



August 17, 2021

BY E-MAIL

Munya Chiro
Nikkita for the People
1143 Martin Luther King Jr. Way, #57
Seattle, WA 98122

Dear Mr. Chiro:

During the final three weeks before the Primary, the Nikkita for the People committee (the “Committee”), filed eight C3s reporting deposits of \$11,581 a total of fifteen days late. In addition, the Committee amended the 7-day pre-Primary C4 six days after the original due date to include an expenditure of \$1,850 for yard signs that had not previously been reported. I am imposing a \$300 penalty.

FACTS

Late C3s

The Committee reached their Maximum Campaign Valuation (MCV) in early May 2021. At that time, C3s were filed *monthly*. On or about July 21, 2021, the Committee requested and was released from the MCV. The Committee then began soliciting and depositing contributions for the first time since May. On July 27, 2021, SEEC staff contacted the Committee to remind them that C3s were due *weekly* as of the start of June. The Committee filed four C3s later that day, one day late, and another the next day that was eight days late. The following week, the Committee filed three C3s one day late.

Late reported expenditure

On August 2, 2021, SEEC staff asked the Committee about an expenditure for yard signs that did not appear to be included in your C4 reports. Later that day, the Committee amended the 7-day pre-Primary C4 to add an expenditure of \$1,850 for yard signs and stakes. This expenditure was reported 6 days late.

RELEVANT LAW

The Seattle Elections Code requires that from June 1 through the Monday before Election Day of an election year, C3s must be reported each Monday when a deposit has been made during the prior seven days. SMC 2.04.250 C. The law requires that all expenditures be timely reported. The Code authorizes the Commission's Executive Director to assess penalties up to \$50 per day per report and \$150 per day for reports late-filed in the thirty days before the election. SMC 2.04.250 B., and SMC 2.04.330 B-D.

LATE FILING PENALTIES

Because C3s reporting deposits after the Committee's release from the MCV were filed late so close to the election, and because the Committee failed to timely file its expenditure for yard signs, I am imposing a \$300 penalty.

RIGHT TO APPEAL

You may appeal this decision by submitting to this office, by 4:00 pm. August 31, 2021, a written request for appeal, pursuant to the Commission's Administrative Rule 4.¹

ACTION TO TAKE

No later than August 31, 2021, deliver payment, payable to City of Seattle, to the Seattle Ethics and Elections Commission at 700 Fifth Avenue, Suite 4010, P.O. Box 94729, Seattle, WA 98124-4729, or your request for appeal.

CONCLUSION

A major purpose of the Seattle Elections Code is to give the public timely access to the campaign finances of each political committee. Any delay in reporting inhibits this purpose and prevents the opportunity for scrutiny, to which the public is entitled.

¹ Rule 4 APPEALS

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.

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.

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

Very truly yours,



Wayne Barnett
Executive Director

cc: Seattle Ethics and Elections Commission
Peter Lavalley, Public Disclosure Commission
