



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

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

October 15, 2019

Delivered electronically to "tonyforseatac@mail.com"

Subject: PDC Case 55593

Dear Tony Anderson:

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

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

PDC staff is reminding you about the importance of fully disclosing the following paid or unpaid relationships on the Personal Financial Affairs Statement (F-1 report) and F-1 Supplemental report: 1) ownership and membership in any business, company or similar entity; and 2) directorship and officer positions with any non-profit corporation or other entity. PDC staff expects that you will report this information in future years in accordance with PDC laws and rules.

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

Sincerely,

/s _____
Tabatha Blacksmith
Compliance Coordinator

Endorsed by,

/s _____
Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director



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October 15, 2019

Delivered electronically to "glen@wethegoverned.com"

Subject: Complaint regarding Anthony "Tony" D. Anderson, PDC Case 55593

Dear Glen Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on July 25, 2019. Your complaint alleged that Tony Anderson (the "Respondent") may have violated RCW 42.17A.700 by failing to report membership and/or ownership interest in the Emerald City Media and board directorship with Puget Sound Access on his statement of financial affairs for election years 2018 and 2019.

PDC staff reviewed your allegations; the applicable statutes, rules, and reporting requirements; the response provided by the Respondent; and the applicable PDC reports filed by Respondent 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 candidate for SeaTac City Council, position 1. The Respondent registered with the PDC on June 4, 2019 and selected the mini-reporting option. The Respondent served as a SeaTac City Council member through 2017 but was not an elected official in 2018 or 2019. Although not a first-time candidate, the Respondent has limited filing experience due to the small size of his previous campaigns and status as a mini reporter.
- Pursuant to RCW 42.17A.700, every candidate is required to file a Personal Financial Affairs Statement (F-1 report) with the PDC, certifying financial activity for the preceding twelve months, within two weeks of becoming a candidate. On the F-1 report, candidates are required to disclose, among other things, any officer, director and member positions held with, and ownership interest in, any corporation or limited liability company.
- According to documents the non-profit corporation Puget Sound Access filed with the Washington Secretary of State's Office, the Respondent was a "Director" from 2008 - 2013, its "Secretary" from 2014-2016, and a "Governor" (governing person) in 2018. Puget Sound Access has not yet filed its *Annual Report* for 2019 with the Secretary of State.
- According to documents the limited liability company Emerald City Media filed with the Washington Secretary of State's Office, the Respondent was a "member/manager" of the LLC in 2017 and a "Governor" (governing person) in 2018. Emerald City Media failed to file its *Annual Report* with the Secretary of State for 2019.

- PDC records show that the Respondent contacted the PDC in 2017 to ask whether volunteer, non-profit board member positions need to be disclosed on the F-1 and was told the question was being evaluated by the PDC. The Respondent subsequently amended his 2017 F-1 report to disclose his 2016 position with Puget Sound Access “to be on the safe side.”
- The Respondent filed F-1 reports for election year 2018, certifying financial activity for 2017, with the PDC on March 26, 2018 and again on September 5, 2018. The Respondent’s positions with Emerald City Media, LLC and Puget Sound Access were not disclosed on the reports.
- The Respondent’s F-1 report for election year 2019, certifying financial activity for 2018, was filed with the PDC on June 3, 2019. The Respondent’s position with Emerald City Media, LLC was disclosed on the report but his position with Puget Sound Access was not disclosed.
- In his response to the allegation regarding Emerald City Media, LLC, the Respondent indicated that the entity is a self-funded video production project for which he derives no income. The Respondent’s failure to report his 2017 relationship with Emerald City Media in 2018 was the result of his erroneous belief that unpaid positions do not need to be reported.
- In response to the allegations regarding Puget Sound Access, the Respondent relayed the details of his 2017 inquiry regarding volunteer, non-profit board member positions and the F-1 report (see paragraph one above). The Respondent indicated he contacted the PDC again, prior to becoming a candidate for election year 2019, to ascertain if the agency had completed its evaluation regarding reporting voluntary non-profit positions on the F-1 report but says he did not receive a response. Subsequently, the Respondent stepped down from his board member position with Puget Sound Access and resigned effective May of 2019. Uncertainty regarding PDC requirements contributed to the Respondent’s failure to report his 2017 and 2018 relationships with Puget Sound Access in 2018 and 2019.
- Upon being informed of his F-1 omissions, the Respondent made several good-faith efforts to resolve noncompliance by filing amended F-1 & F-1 Supplemental reports between August 10, 2019 - October 8, 2019. Due to technical issues, some of the amended reports had to be submitted by mail, which delayed resolution. However, the Respondent was cooperative and worked with PDC staff to ensure his amended F-1 reports contain the missing information.
- Pursuant to WAC 390-37-061, the following are mitigating factors in this case: The Respondent’s incomplete reports were the result of good-faith omissions, which he took steps to remedy. Noncompliance resulted, in part, from demonstrated good-faith uncertainty concerning past PDC guidance or instructions concerning the requirement to report volunteer non-profit board member positions on the F-1 report. The Respondent’s campaign is relatively small and unsophisticated, and he has limited filing experience due to his mini-reporting status. Finally, the Respondent does not have any prior violations with the PDC.

Based on these findings, staff has determined that, in this instance, failure to timely and accurately report business ownership interest and non-profit board directorship on the financial affairs statement does not amount to a violation warranting further investigation.

PDC staff is reminding Tony Anderson about the importance of fully disclosing paid or unpaid 1) business ownership and memberships; and 2) non-profit board directorship and officer positions on the Personal Financial Affairs Statement (F-1 report).

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 pdcc@pdc.wa.gov

Sincerely,

/s _____
Tabatha Blacksmith
Compliance Coordinator

Endorsed by,

/s _____
Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director

cc: Tony Anderson