



**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

September 13, 2019

Delivered electronically to "nick4lynnwood@gmail.com"

Subject: PDC Case 55603

Dear Nicholas Coelho:

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

As noted below to Marylou Eckart, Charles Eakins and 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 timely & accurately identifying and disclosing the sponsor on all political advertising, including campaign websites. PDC staff expects that you will timely & accurately disclose sponsor ID 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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September 13, 2019

Delivered electronically to "m-eckart@hotmail.com" "ceakins@gmail.com" and "glen@wethegoverned.com"

Subject: Complaint regarding Nicholas Coelho, co-owner of Lynnwood Forward, PDC Case 55603

Dear Marylou Eckart, Charles Eakins and Glen Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaints you filed July 11, 2019 through July 16, 2019. Your complaints alleged that Nicholas Coelho, co-owner of the slate website Lynnwood Forward, may have violated RCW 42.17A..320 by failing to identify sponsors on political advertising (e.g. the Lynnwood Forward website).

PDC staff reviewed your allegations; the applicable statutes, rules, and reporting requirements; and the response provided by Nicholas Coelho (the "Respondent") to determine whether the record supports a finding of one or more violations.

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

- Lynnwood Forward, is a slate¹ website co-owned by three first-time candidates for Lynnwood City Council (Nicholas Coelho, Ashkan Amouzegar and Naz Lashgari), all of which are registered as candidates with the PDC. The website is a cost-sharing measure and each candidate was billed and paid separately for web design work from their respective bank accounts. Lynnwood Forward's Facebook page is run under Nicholas Coelho's Facebook account.
- The Respondent registered with the PDC as a candidate on May 17, 2019 and selected the mini-reporting option. As a mini-reporter, the Respondent is not required to file monthly and weekly reports of deposits, contributions & expenditures with the PDC pursuant to RCW 42.17A.235 & .240.
- Pursuant to RCW 42.17A.320, all written political advertising shall include the sponsor's name and address, which must 1) be set apart from other printed matter; 2) appear on the first page of the advertisement or communication; 3) be in at least 10-point type or 10% of the largest type used in the advertising, whichever is larger; and 4) not be subject to a half-tone or screening process. RCW 42.17A.005(46(a) defines "sponsor" as the person paying for the political advertising.

¹ A "slate" is a group of candidates that run in multi-seat or multi-position elections on a common platform.

- When the complaints were filed in mid-July, the candidates that sponsored the Lynnwood Forward website were not clearly identified on the political advertising (website) as required under RCW 42.17A.320. As a result, the public was unable to ascertain who funded the website. After being notified of the missing sponsor identification, the co-owners updated the Home and Candidate pages of the website to include each sponsor's name and address; this information was added to the website sometime between 7/26/19 - 8/2/19.
- As Lynnwood Forward is a website and therefore cannot violate RCW 42.17A.320, the obligation to disclose sponsor ID lies with the candidates who sponsored the political advertising (website). Please note:
 - The original complaint allegations against Lynnwood Forward were addressed in PDC Case 54873; and
 - Separate cases were opened to address the alleged violation of RCW 42.17A.320 by Ashkan Amouzegar and Naz Lashgari; these case numbers are 55605 and 55606 respectively.

Mitigating factors in this case include: The Respondent's status as a first-time candidate; noncompliance was the result of a good-faith error or omission for which the Respondent quickly took corrective action; and the relatively small size of the Respondent's campaign.

Based on these findings, staff has determined that, in this instance, failure to identify the sponsor on political advertising does not amount to a violation warranting further investigation.

PDC staff is reminding Nicholas Coelho about the importance of timely & accurately identifying and disclosing the sponsor on all political advertising, including campaign websites.

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: Nicholas Coelho