



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

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February 10, 2022

Delivered electronically to Richard Erwin at “erwinr@yahoo.com”

Subject: Complaint regarding Lisa Anderl, PDC Case 96486

Dear Richard Erwin:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on July 14, 2021. The complaint alleged that Lisa Anderl, a 2019 City Council candidate for the City of Mercer Island may have violated: (1) RCW 42.17A.240(2) for failure to timely disclose complete address information for individual donors giving more than \$100 in the aggregate on Monetary Contribution reports (C-3 reports); and (2) RCW 42.17A.405(14) for accepting over limit contributions from a political action committee.

PDC staff reviewed the allegations; the applicable statutes, rules, and reporting requirements; the responses provided by the Respondent; the applicable PDC reports filed by the Respondent; and queried the Respondent’s data in the PDC contribution and expenditure database, to determine whether the record supports a finding of one or more violations.

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

- On May 23, 2019, Lisa Anderl submitted a Candidate Registration Statement (C-1 report) declaring her candidacy for Mercer Island City Council in the 2019 election and selecting the “Full Reporting” option.
- The C-1 report was amended on October 11, 2021, to reflect Mike Cero as Ministerial Treasurer.

Allegation One - failure to timely disclose complete address information for individual donors giving more than \$100 in the aggregate on C-3 reports

- RCW 42.17A.235 states, in part, that each candidate must file with the commission a report of all contributions received and expenditures made on the next reporting date pursuant to the timeline established in this section.
- RCW 42.17A.240(2) requires disclosure of the name and address of each person who has made one or more contributions during the period, together with the money value and date of each contribution and the aggregate value of all contributions received from each person during the campaign.
- The 2019 Anderl Campaign timely filed eight C-3 reports disclosing individual donations that contained incomplete address information. Seven of the eight incomplete reports included contributors’ street names, but no house numbers, and the last C-3 lacked any house number or street information.

- Upon receipt of the complaint, the Respondent amended all C-3 reports with missing or incomplete addresses. Seven C-3 reports were amended on August 3, 2021, and one was amended on August 7, 2021, to update ten individual donor addresses.
- In her response, Ms. Anderl stated that her treasurer noted the data entry requirement for contributors includes the term “address” not “number and street”, which led to a misunderstanding of the disclosure requirements.

Allegation Two - accepting over limit contributions from a political action committee

- RCW 42.17A.005(15)(a) states, in part, that “contribution” includes an expenditure made by a person in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, a political or incidental committee, the person or persons named on the candidate’s or committee’s registration form who direct expenditures on behalf of the candidate or committee, or their agents.
- WAC 390-05-210(3)(d) states, in part, that an expenditure made by a person in cooperation, consultation, concert, or collaboration with, or at the request or suggestion of a candidate, or the candidate's authorized committee or agent, is a contribution to such candidate. An expenditure is presumed to be made in cooperation, consultation, concert, or collaboration with, or at the request or suggestion of a candidate, or the candidate's authorized committee or agent, when an expenditure is made by or in consultation with any person who, during the twelve months preceding the expenditure, is or has been receiving any form of campaign-related compensation or reimbursement from the candidate, or the candidate's authorized committee or agent. However, there is no presumption that an expenditure is made in cooperation, consultation, concert, or collaboration with, or at the request or suggestion of a candidate, or the candidate's authorized committee or agent, when a person performs only ministerial functions for two or more candidates or political committees pursuant to RCW 42.17A.005 and WAC 390-05-243.
- The complaint alleged that the 2019 Anderl campaign violated RCW 42.17A.405(14) for accepting over limit contributions from a political action committee because the two committees shared an officer who was not identified as performing only ministerial duties for two or more candidates or political committees.
- In a supplemental response, Ms. Anderl confirmed that the committee treasurer, Mike Cero, performed ministerial duties and did not direct any substantive or strategic campaign matters. She indicated that any violation was unintentional as she was not aware of limitations on a ministerial treasurer’s ability to work with a separate political committee.

The Respondent was a first-time candidate in the 2019 election. It appears that the missing donor address information was due to a general misunderstanding of the detailed address disclosure requirements expected on C-3 reports and not done intentionally to mislead the public. The acceptance of the over limit contribution appears to be unintentional and due to a lack of awareness by the Respondent of the restrictions on individuals performing ministerial duties for only one campaign.

Pursuant to WAC 390-37-060(1)(f), the PDC received a completed Statement of Understanding (SOU) on February 10, 2022, from Lisa Anderl acknowledging a violation of RCW 42.17A.405(14) for accepting over limit contributions from Mercer Islanders for Sustainable Spending, a political action committee. Ms. Anderl paid a \$150 civil penalty in accordance with WAC 390-37-143 (Brief Enforcement Penalty Schedule), which resolves the issue.

Based on our findings staff has determined that, in this instance, failure to timely file eight C-3 reports with complete house number and street addresses for ten individual donors, and failure initially to identify the committee treasurer as ministerial, does not amount to a finding of a violation that warrants further investigation. Pursuant to WAC 390-37-070, PDC staff is dismissing the remaining allegations and reminding Lisa Anderl about the importance of the accurate disclosure of all contribution and expenditure activities, specifically the inclusion of a full address for individual donors giving more than \$100 in the aggregate, and the timely and accurate filings of all future PDC reports in accordance with the statutes and rules.

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 Jennifer Hansen at 1-360-586-4560 toll-free at 1-877-601-2828, or by e-mail at pdcc@pdc.wa.gov.

Sincerely,

Electronically signed

Jennifer Hansen
Compliance Officer

Endorsed by,

Electronically signed

Peter Frey Lavalley
Executive Director

cc: Lisa Anderl