



State of Washington
PUBLIC DISCLOSURE COMMISSION

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Memorandum

To: Public Disclosure Commission

From: Erick O. Agina, Compliance Officer

Date: October 10, 2022

Subject: Enforcement Hearing Memorandum: PDC Case #97281 – Siabhon Ayuso

Allegation(s):

PDC staff alleges that Siabhon Ayuso, a candidate for Lakewood City Council Member, Position 3, in the 2021 election, violated RCW 42.17A.235 & .240 by failing to timely and accurately file Monetary Contribution (C-3) and Summary, Full Campaign Contribution and Expenditure (C-4) reports, disclosing contributions and expenditures undertaken by the Campaign, as required for candidates registered under the “Full Reporting” option.

Background:

- Siabhon Ayuso was a candidate for City Council Member for the City of Lakewood in the in the 2021 election year. Ms. Ayuso’s name appeared on the November 2, 2021, General Election. declaring her candidacy with the Pierce County Auditor’s Office on May 19, 2021, making the C-1 report due no later than June 2, 2021.
- Ms. Ayuso declared her candidacy for City Council Member for the City of Lakewood on May 19, 2021.
- On June 5, 2021, Siabhon Ayuso filed the Candidate Registration (C-1) report, selecting the “Full Reporting” option and listing Damien Clinton as Ministerial treasurer **[Exhibit A]**.
- On June 10, 2021, Siabhon Ayuso filed a Personal Financial Affairs Statement (F-1) report.
- On August 4, 2021, PDC staff received a complaint filed by Thomas Leroy Perry alleging that Siabhon Ayuso had violated RCW 42.17A.235 and .240 for failure to timely and accurately file Monetary Contribution (C-3) and Summary, Full Campaign Contribution and Expenditure (C-4) reports, disclosing contributions and expenditures undertaken by the

Campaign, as required by a candidate registered under the “Full Reporting” option during the 2021 election cycle **[Exhibit B]**.

- PDC staff sent notice of the complaint to Ms. Ayuso on August 16, 2021, and requested a response to the complaint by August 30, 2021 **[Exhibit C]**.
- PDC staff received an initial response to the complaint on the same day, August 16, 2021, from Ms. Ayuso, confirming receipt of the complaint and requesting technical assistance from PDC Filer Assistance staff to file the required statutory Monetary Contributions (C3) and Summary, Full Campaign Contributions and Expenditures (C-4) reports **[Exhibit D]**.
- Staff forwarded Mr. Ayuso’s request for filer assistance help to the Filer Assistance team on the same day (August 16, 2021), and a filer assistance staff was assigned to Ms. Ayuso’s campaign for help with filing the campaign’s statutory reports.
- On August 17, 2021, the filer assistance staff assigned to the *Ayuso* case contacted Ms. Ayuso via email; however, Siabhon Ayuso never responded to the email for assistance sent by the filer assistance team/staff **[Exhibit E]**.
- On October 18, 2021, staff called and talked with Ms. Ayuso by phone, and notified her that staff had scheduled an initial hearing since she had not reached out to the filer assistance assigned to her complaint. Ms. Ayuso informed staff by phone that she had all the information and could send it to us but had no idea how to use ORCA and neither did her treasurer. Ms. Ayuso also informed staff that she had some health issues but promised to check her email. She also confirmed that the email address staff had on record for her campaign was accurate.
- On October 19, 2021, staff sent a Notice of Initial Hearing (Case Status Review) to Ms. Ayuso, via electronic mail/email **[Exhibit F]**.
- On October 20, 2021, staff sent, via electronic mail/email, the Initial Hearing Results for the Initial Hearing/Case Status Review to Ms. Ayuso, after opening a formal investigation **[Exhibit G]**.
- On March 8, 2022, staff sent a hard copy of the Initial Hearing Results for the Initial Hearing/Case Status Review to Ms. Ayuso via the United States Postal Service (USPS). This was after staff conducted a virtual identity Search to try and locate Ms. Ayuso, after no response was received and no reporting done.
- On August 19, 2022, staff sent a letter from the PDC general counsel to Ms. Ayuso via certified mail, to her new mailing address in Killeen, Texas **[Exhibit H]**.
- On August 31, 2022, staff received a signed receipt for the certified mail sent on August 19, 2022, signed by Ms. Ayuso **[Exhibit I]**.
- During the investigation of the complaint, staff found that Ms. Ayuso received \$617 in total contributions on crowdpac.com website/platform and failed to disclose the contribution(s) on

a C-3 report as required by the statutory scheme. Staff also found that Ms. Ayuso's campaign purchased yard signs for the campaign and failed to report the expenditure(s) on a C-4 report.

- On September 30, 2022, PDC staff served Ms. Ayuso, by U.S. mail and electronic mail, with a Hearing Notice for a Brief Adjudicative Proceeding (Brief Enforcement Hearing) to be held on October 20, 2022, concerning alleged violations of RCW 42.17A.235 and .240 for failure to timely and accurately file Monetary Contributions (C3) and Summary, Full Campaign Contributions and Expenditures (C-4) reports, disclosing contributions received on the crowdpac.com platform and the expenditures for yard signs by the campaign [**Exhibit J**].

Laws & Rules:

RCW 42.17A.235 and **RCW 42.17A.240** require candidates to file timely, accurate reports of contributions and expenditures. Under the "Full Reporting" option, until five months before the general election, C-3 and C-4 reports are required monthly when contributions exceed \$200 since the last report; on the twenty-first day and the seventh day preceding the date of the primary and general election date(s); and on the tenth day of the first month after the primary and general election date(s).

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Exhibit List:

- **Exhibit A** – Candidate Registration (C-1) report – Ayuso Siabhon; filed June 5, 2021.
- **Exhibit B** – Complaint, PDC Case 97281 – Siabhon Ayuso; filed August 4, 2021.
- **Exhibit C** – Notice of Complaint Email from Staff to Siabhon Ayuso
- **Exhibit D** – Initial Response to the Complaint Email from Siabhon Ayuso to Staff.
- **Exhibit E** – Email from Filer Assistance Staff to Siabhon Ayuso
- **Exhibit F** – Initial Hearing Notice (Case Status Review) – PDC Case 97281.
- **Exhibit G** – Initial Hearing Results after Opening a Formal Investigation – Case 97281.
- **Exhibit H** – PDC General Counsel Letter to Siabhon Ayuso – PDC Case 97281.
- **Exhibit I** – Signed Receipt for Certified Mail Delivery Signed by Siabhon Ayuso.
- **Exhibit J** – Notice of Brief Adjudicative Proceeding (Brief Enforcement Hearing).