



**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: [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov) • Website: [www.pdc.wa.gov](http://www.pdc.wa.gov)**

April 8, 2025

Tacoma-Pierce County Association of Realtors  
ATTN: Sean Martin  
2550 S Yakima Ave, #C  
Tacoma, WA 98405

Also delivered electronically to [sean@tpcar.org](mailto:sean@tpcar.org) and [mlamb@carneylaw.com](mailto:mlamb@carneylaw.com)

Subject: Brief Enforcement Hearing Notice; PDC Case Number 143847

Dear Tacoma-Pierce County Association of Realtors:

On the date below, the Public Disclosure Commission (PDC) will hold a Brief Adjudicative Proceeding (Brief Enforcement Hearing) in accordance with RCW 42.17A.110 and RCW 42.17A.755 to determine if you violated RCW 42.17A.205 by failing to register Yes on Tacoma Measure 2 as a political committee within two weeks of receiving a \$200,000 pledge<sup>1</sup>, and RCW 42.17A.235 & .240 by failing to timely report said pledge.

Under the Brief Enforcement Hearing rules, the Presiding Officer has the authority to assess a civil penalty in accordance with WAC 390-37-143, a penalty schedule adopted by the Commission (see enclosed copy).

Your attendance at the hearing is encouraged but not required.

**HEARING INFORMATION**

Date and time:	<b>Thursday, May 1, 2025</b> starting at <b>1:30PM</b>
Place:	Remotely from Olympia Live Audio and Online Transmission
Presiding Officer:	Robert Leach, Chair, Public Disclosure Commission, or his designee
Authority:	RCW 42.17A and WAC 390

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<sup>1</sup> RCW 42.17A.005(15)(a)(i) defines "contribution" to include a pledge.

## **HOW TO AVOID THE HEARING**

To avoid the Brief Enforcement Hearing, please take all the following steps:

1. File a C-1pc report (*Political Committee Registration*) for Yes on Tacoma Measure 2 and a C-4 report disclosing the \$200,000 pledge that was approved on 8/9/23 electronically by no later than **April 15, 2025**;

*Online reports can be accessed at our [Forms & Reports Directory](#).*

**AND**

2. Sign and submit the enclosed *Statement of Understanding* (SOU) and a \$300 civil penalty using one of the options below so they are received or postmarked no later than **April 15, 2025**:

### **Online Payment Option**

- ***Email a scanned image of your signed SOU to the Compliance Officer assigned to your case before making your online payment.***

To initiate an electronic payment, please email the following information to [payments@pdc.wa.gov](mailto:payments@pdc.wa.gov) (see below):

- Your PDC Case Number (143847)
- The Respondent's Name (Tacoma-Pierce Co. Assoc. of Realtors)

A payment link containing further instructions will be emailed to you. Processing fees may apply.

### **Mailed or In-Person Payment Option**

To submit a physical payment, make your check or money order payable to "Washington State Treasurer," write your PDC Case Number in the Memo field, and mail or deliver the payment **and your signed SOU** to one of the addresses shown below:

#### **Regular mail:**

Public Disclosure Commission  
PO Box 40908  
Olympia, WA 98504-0908

#### **Overnight mail or in-person delivery:**

Public Disclosure Commission  
711 Capitol Way S, STE 206  
Olympia, WA 98501-1267

- If the SOU and \$300 payment are not received or postmarked by **April 15, 2025**, your case will proceed to hearing.



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**Public Disclosure Commission Statement of Understanding  
Tacoma-Pierce Co. Assoc. of Realtors & Yes on Tacoma Measure 2  
PDC Case 143847**

I, Sean Martin, in my capacity as CEO of Tacoma-Pierce County Association of Realtors  
("TPCAR") and \_\_\_\_\_ of the Yes on Tacoma Measure 2 committee,  
(Title)

(collectively "The Committees"), hereby acknowledge that, during election year 2023, we  
violated RCW 42.17A.205, .235, and .240 by failing to timely and accurately register Yes on  
Tacoma Measure 2 and disclose a pledge from the National Association of Realtors ("NAR").

The facts are as follows:

- The City of Tacoma transmitted Tacoma Measure 1 (Resolution 41237) and  
alternative Tacoma Measure 2 (Resolution 41238) to Pierce County Elections on July  
13, 2023 for placement on the ballot in the November 2023 General Election.
- TPCAR applied for an Issues Mobilization Grant from the NAR, a non-profit trade  
organization, for the purpose of funding an issue advocacy campaign to be carried out  
by a yet-to-be formed committee that supported Tacoma Measure 2.
- On August 9, 2023, NAR notified me by email that a \$200,000 Issues Mobilization  
Grant had been approved, at which time the grant became a pledge to the Yes on  
Tacoma Measure 2 committee.
- Pursuant to RCW 42.17A.205, TPCAR was required to register Yes on Tacoma  
Measure 2 as a political committee within two weeks of having the expectation that it

would receive contributions<sup>1</sup> or make expenditures in support of a ballot proposition, which was August 23, 2023. Per RCW 42.17A.235 & .240, the August 9, 2023 pledge was disclosable on an August C-4 report due by September 11, 2023.

The Committees would like to avoid the time and expense of a Brief Adjudicative Proceeding (Brief Enforcement Hearing). Therefore, in lieu of a hearing, the Committees acknowledge that they violated Washington state law as described above and agree to enter into this *Statement of Understanding* (SOU) to resolve the above matter with the Public Disclosure Commission (PDC).

In accordance with the Penalty Schedule adopted by the Commission for Brief Enforcement Hearings set forth in WAC 390-37-143, the Committees agree to collectively pay a \$300 penalty: \$150 for an acknowledged violation of RCW 42.17A.205 for failing to timely & accurately register Yes on Tacoma Measure 2 as a political committee during election year 2023; and \$150 for an acknowledged violation of RCW 42.17A.235 & .240 by failing to report the August 9, 2023 pledge that Yes on Tacoma Measure 2 received from NAR.

The Committees understand that, by signing this SOU, they acknowledge the violations of Chapter 42.17A RCW and set forth above and waive their right to a hearing in this matter. The Committees further understand that signing this SOU, returning it to the PDC with a \$300 civil penalty, registering Yes on Tacoma Measure 2, and reporting the pledge dated August 9, 2023 will resolve the issue the unregistered Yes committee and unreported August 9, 2023 pledge for election year 2023 indicated above.

\_\_\_\_\_  
Sean Martin, CEO of Tacoma-Pierce Co. Assoc. of Realtors &

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
(Title) of Yes on Tacoma Measure 2

Kindly sign and submit this SOU and your payment using one of the options below by no later than **April 15, 2025**.

**Online Payment Option**

\_\_\_\_\_  
<sup>1</sup> Per RCW 42.17A.005(15)(a)(i), the definition of “Contribution” includes pledges.

- ***Email a scanned image of your signed SOU to the Compliance Officer assigned to your case before making your online payment.***

To initiate an electronic payment, please email the following information to [payments@pdc.wa.gov](mailto:payments@pdc.wa.gov) (see below):

- Your PDC Case Number (143847)
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## **ATTENDING OR PARTICIPATING IN THE HEARING VIA MICROSOFT TEAMS**

The Brief Enforcement Hearing will be audio and video recorded. The Presiding Officer and PDC Staff will attend in-person or remotely via Microsoft Teams videoconferencing platform.

- **PLEASE READ the entire instructions below *prior to the day of the hearing if you plan to participate via MS Teams.***

Please note that you may be prompted to download the MS Teams app or use a supported browser (Microsoft Edge or Google Chrome) for best performance.

If you wish to attend or participate in the hearing remotely, please follow the instructions below and join the meeting on a computer or mobile app **promptly by 1:30PM on May 1, 2025**. Please remain in the meeting until the Presiding Officer calls your name and case number. After your case has been heard, you may leave or stay in the meeting.

*Please note that you must stay muted at all times except while your case is being heard.*

**Join on your computer or mobile app:**

<https://tinyurl.com/pzm97p9h>

If you are unable to use Teams or experience technical difficulties, please call the PDC's main number 1-360-753-1111 to obtain information regarding alternate participation by telephone.

If you choose to participate in the hearing remotely, please be aware that you may be waiting in the queue for a unknown period of time while cases are being heard and you may have a limited amount of time to speak. If a lengthier response time is needed, please consider submitting written participation materials prior to the hearing (see below).

## **INTERPRETER**

If a party or witness to this proceeding speaks limited English or is hearing-impaired, and needs an interpreter, a qualified interpreter will be appointed at no cost to you. Please inform us at least five business days before the hearing or no later than **April 24, 2025** if you require an interpreter for this proceeding and/or translation of its written materials in a language other than English. Please contact us by email at [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov) or call us at (360) 753-1111 or 1-877-601-2828 to request an interpreter.

## **SUBMITTING WRITTEN MATERIALS**

In advance of the Brief Enforcement Hearing, you may provide a written response describing the facts of your case for consideration by the Presiding Officer, including any circumstances or mitigating factors you would like considered. Please submit your written response so it is received by the PDC no later than **April 24, 2025**.

## **RESOLVING OUTSTANDING ACTION ITEMS**

You are strongly encouraged to complete any action items requested by the Compliance Officer assigned to your case *as soon as possible* but no later than **April 24, 2025** and prior to the Brief

Enforcement Hearing. Reports must be submitted electronically and instructions are available [online](#).

If you have any questions about the hearing process prior to the hearing date, please contact PDC Staff by email at [pdcc@pdc.wa.gov](mailto:pdcc@pdc.wa.gov) – and be sure to reference your case number in the subject line of the email.

Sincerely,

PDC Staff  
Compliance and Enforcement Division



Enclosures

- Brief Enforcement Hearings FAQ
- PDC Penalty Schedule

## **BRIEF ENFORCEMENT HEARINGS – INFORMATION FOR FILERS**

**You have received a letter or email from the PDC scheduling a Brief Enforcement Hearing before a PDC Commissioner. Here are the answers to some Frequently Asked Questions about these brief hearings. This FAQ is informational only and should not be considered legal advice.**

### **What is a Brief Enforcement Hearing?**

The PDC is responsible for enforcing the State's campaign finance laws. We may schedule what is called a Brief Enforcement Hearing (also known as a "Brief Adjudicative Proceeding" under the Administrative Procedure Act) to address compliance with campaign finance reporting requirements when evidence shows the following types of alleged violations may have occurred:

- Failure to file or timely file required reports of financial affairs, campaign contributions and/or expenditures, independent expenditures, or funds spent on lobbying;
- Improper use of public facilities or resources in election campaigns when the value of public funds expended or facilities used was minimal; and
- Infractions of political advertising laws regarding sponsor identification or political party identification.

Brief Enforcement Hearings may be scheduled on other matters as well, if the basic facts are agreed to or are not being contested, and it is anticipated that the likely penalty imposed (if a violation is found) will be \$1,000 or less. The Commission has adopted a penalty schedule for Brief Enforcement Hearings which can be found in the Washington Administrative Code [WAC 390-37-143](#).

A Presiding Officer, who is a PDC Commissioner, will conduct the hearing. PDC Staff will present the case to the Presiding Officer, and you will have an opportunity to explain the circumstances related to the alleged violations. You may do this remotely (online), in person, by telephone, or in writing by email or letter.

### **Who are the parties involved?**

The PDC Staff initiates and investigates possible violations, and brings cases forward to the Commission or its Presiding Officer. The person who is alleged to be out of compliance with the law is referred to as the "Respondent."

### **What can I do to avoid the hearing?**

If you received a hearing notice, you may still have the opportunity to come into compliance by taking the actions requested by the Compliance Officer assigned to your case, which may include filing or amending reports. If these items are timely completed and it is determined that an alternative resolution is applicable in your situation, your Compliance Officer may offer to resolve the case by having you pay a penalty and complete a *Statement of Understanding* (SOU) stipulating to the violation(s). If you would like to take this approach, please contact the Compliance Officer assigned to your case to determine if you qualify.

### **What do I do to prepare for the hearing?**

The brief hearings are informal in nature. You are not required to have an attorney for this hearing. Hearings take place virtually and/or in the PDC meeting room where Commission meetings are held. You need to let the staff know at least five business days before the hearing whether you will be participating online, by phone, in-person, in writing or prefer not to participate.

If you are having other people (witnesses) testify on your behalf, they must be available at the hearing, and staff needs to be informed of the number of witnesses and time needed for their testimony when you notify the staff of your participation. The scheduled hearing starting time is the start time for several matters that will be heard by the Presiding Officer, and your case may not be the first one heard. So you will need to remain available to participate until your case is called.

***Waiving your right to participate.*** If you have submitted nothing in writing prior to the hearing, have made no other arrangements, and you do not appear online, by phone, in-person, or through your legal counsel at the hearing, it will be presumed that you have decided to waive your right to participate at the hearing.

### **What happens at the hearing?**

The Presiding Officer will introduce the participants and explain the procedure for the hearing. The hearing will be audio-taped.

The Presiding Officer will swear-in PDC Staff for them to present information regarding the alleged violation of law. You will then have an opportunity to testify, which is your opportunity to present information. All testimony by staff, Respondents, and witnesses is given under oath but, if you attend in-person, you are seated at a regular meeting table with a microphone, not in a courtroom. The Presiding Officer may ask you some questions about the information you, PDC Staff, or witnesses have presented. If you have decided to participate in writing instead of online, by phone or in-person, your written information will be considered by the Presiding Officer as part of the hearing materials.

If at any time the Presiding Officer believes the alleged violations are serious enough to merit penalties greater than \$1,000, the Presiding Officer will adjourn the hearing and direct that the matter be scheduled for a hearing before the full Commission at a later time.

### **How is the decision made?**

After considering all the information presented at the hearing, the Presiding Officer will make a decision about the allegation(s) and any appropriate penalty amount. The decision is typically announced orally at the hearing.

The Presiding Officer will use the penalty schedule referred to above that has been adopted by the Commission in rule to determine the appropriate penalty for certain types of violations, taking into account aggravating and mitigating factors. The penalty schedule is below.

### **What happens after my hearing?**

A written decision, called an Initial Order, laying out the Presiding Officer's ruling, including the findings and the penalty, will be sent to you. The PDC tries to get orders issued within 10 days if possible, and not later than 30 days. If a monetary penalty is imposed in the Initial Order, the penalty must be paid to the **Washington State Treasurer**, and mailed to the address listed in the Order cover letter within the time frame stated in the Order.

Along with your Initial Order, you will also receive information about your appeal rights, including how to request review or reconsideration by the full Commission if you disagree with the Initial Order. Follow these procedures carefully if you wish to appeal. If there is no appeal before the PDC, the Initial Order becomes a Final Order, and further appeals must be made in Superior Court.

### **What are the rules that apply to the procedures of my hearing?**

The PDC's laws and rules are available on the PDC's website at [www.pdc.wa.gov](http://www.pdc.wa.gov). The laws are in the Revised Code of Washington ([RCW](#)) [Chapter 42.17A](#). The rules are in the Washington Administrative Code ([WAC](#)) [Title 390](#). Brief

Adjudicative Proceedings are described at [WAC 390-37-140](#) through [390-37-150](#) and in the Administrative Procedure Act (APA) at [RCW 34.05.482-494](#).

**Penalty Schedule** [[WAC 390-37-143](#)]:

The Presiding Officer may assess a penalty up to one thousand dollars upon finding a violation of chapter [42.17A](#) RCW or Title 390 WAC.

(1) Base penalty amounts:

<b>Violation</b>	<b>1st Occasion</b>	<b>2nd Occasion</b>	<b>3rd Occasion</b>
<b>Failure to timely file an accurate and complete statement of financial affairs (F-1):</b>			
Filed report after hearing notice, but before enforcement hearing. Provided written explanation or appeared at hearing to explain mitigating circumstances. Did not enter into statement of understanding.	\$0 - \$150	\$150 - \$300	\$300 - \$600
Filed report after hearing notice, but before enforcement hearing. Did not enter into statement of understanding.	\$150	\$300	\$600
Failed to file report by date of enforcement hearing.	\$250	\$500	\$1,000
<b>Candidate's failure to timely file an accurate and complete registration statement (C-1)/statement of financial affairs (F-1):</b>			
Filed report after hearing notice, but before enforcement hearing. Provided written explanation or appeared at hearing to explain mitigating circumstances. Did not enter into statement of understanding.	\$0 - \$150 per report	\$150 - \$300 per report	\$300 - \$600 per report up to \$1,000
Filed report after hearing notice, but before enforcement hearing. Did not enter into statement of understanding.	\$150 per report	\$300 per report	\$600 per report up to \$1,000
Failed to file report by date of enforcement hearing.	\$250 per report	\$500 per report	consideration by full commission
<b>Failure to timely file an accurate and complete lobbyist monthly expense report (L-2):</b>			
Filed report after hearing notice, but before enforcement hearing. Provided written explanation or appeared at hearing to explain mitigating circumstances. Did not enter into statement of understanding.	\$0 - \$150	\$150 - \$300	\$300 - \$600
Filed report after hearing notice, but before enforcement hearing. Did not enter into statement of understanding.	\$150	\$300	\$600
Failed to file report by date of enforcement hearing.	\$250	\$500	\$1,000
<b>Failure to timely file an accurate and complete lobbyist employer report (L-3):</b>			
Filed report after hearing notice, but before enforcement hearing. Provided written explanation or appeared at hearing to explain mitigating circumstances. Did not enter into statement of understanding.	\$0 - \$150	\$150 - \$300	\$300 - \$600
Filed report after hearing notice, but before enforcement hearing. Did not enter into statement of understanding.	\$150	\$300	\$600
Failed to file report by date of enforcement hearing.	\$250	\$500	\$1,000

<b>Failure to timely file accurate and complete disclosure reports:</b>			
Political committee registration (C-1pc).	\$150	\$300	\$600
Statement of contributions deposit (C-3).	\$150	\$300	\$600
Summary of total contributions and expenditures (C-4).	\$150	\$300	\$600
Independent expenditures and electioneering communications (C-6).	\$150	\$300	\$600
Last minute contribution report (LMC).	\$150	\$300	\$600
Out-of-state committee report (C-5).	\$150	\$300	\$600
Annual report of major contributors (C-7).	\$150	\$300	\$600
<b>Failure to timely file accurate and complete reports disclosing lobbying activities:</b>			
Lobbyist registration (L-1).	\$150	\$300	\$600
Public agency lobbying report (L-5).	\$150	\$300	\$600
Grass roots lobbying report (L-6).	\$150	\$300	\$600
Failure to file electronically.	\$350	\$650	\$1,000
Exceeding contribution limits.	\$150	\$300	\$600
Exceeding mini reporting threshold.	\$150	\$300	\$600
Failure to comply with political advertising sponsor identification requirements.	\$150	\$300	\$600
Failure to include required candidate's party preference in political advertising.	\$150	\$300	\$600
Failure to comply with other political advertising requirements, RCW <a href="#">42.17A.330</a> through <a href="#">42.17A.345</a> .	\$150	\$300	\$600
Use of public facilities to assist a campaign for election or promote a ballot measure.	\$150	\$300	\$600
<b>Treasurer's failure to timely file an accurate and complete annual treasurer's report (T-1):</b>			
Filed report after hearing notice, but before enforcement hearing. Provided written explanation or appeared at hearing to explain mitigating circumstances. Did not enter into statement of understanding.	\$0 - \$150	\$150 - \$300	\$300 - \$600
Filed report after hearing notice, but before enforcement hearing. Did not enter into statement of understanding.	\$150	\$300	\$600
Failed to file report by date of enforcement hearing.	\$250	\$500	\$1,000

"Occasion" means established violation. Only violations in the last five years will be considered for the purpose of determining second and third occasions.

(2) In determining the appropriate penalty, the presiding officer may consider the nature of the violation and aggravating and mitigating factors, including:

(a) Whether the respondent is a first-time filer;

(b) The respondent's compliance history for the last five years, including whether the noncompliance was isolated or limited in nature, indicative of systematic or ongoing problems, or part of a pattern of violations by the respondent, or in the case of a political committee or other entity, part of a pattern of violations by the respondent's officers, staff, principal decision makers, consultants, or sponsoring organization;

(c) The respondent's unpaid penalties from a previous enforcement action;

(d) The impact on the public, including whether the noncompliance deprived the public of timely or accurate information during a time-sensitive period, or otherwise had a significant or material impact on the public;

(e) The amount of financial activity by the respondent during the statement period or election cycle;

(f) Whether the late or unreported activity was significant in amount or duration under the circumstances, including in proportion to the total amount of expenditures by the respondent in the campaign or statement period;

(g) Corrective action or other remedial measures initiated by respondent prior to enforcement action, or promptly taken when noncompliance brought to respondent's attention;

(h) Good faith efforts to comply, including consultation with PDC staff prior to initiation of enforcement action and cooperation with PDC staff during enforcement action, and a demonstrated wish to acknowledge and take responsibility for the violation;

(i) Personal emergency or illness of the respondent or member of his or her immediate family;

(j) Other emergencies such as fire, flood, or utility failure preventing filing;

(k) Sophistication of respondent or the financing, staffing, or size of the respondent's campaign or organization; and

(l) PDC staff, third-party vendor, or equipment error, including technical problems at the agency preventing or delaying electronic filing.

(3) The presiding officer has authority to suspend all or a portion of an assessed penalty under the conditions to be determined by that officer including, but not limited to, payment of the nonsuspended portion of the penalty within five business days of the date of the entry of the order in that case.

(4) If, on the third occasion, a respondent has outstanding penalties or judgments, the matter will be directed to the full commission for consideration.

(5) The presiding officer may direct a matter to the full commission if the officer believes one thousand dollars would be an insufficient penalty or the matter warrants consideration by the full commission. Cases will automatically be scheduled before the full commission for an enforcement action when the respondent:

(a) Was found in violation during a previous reporting period;

(b) The violation remains in effect following any appeals; and

(c) The person has not filed the disclosure forms that were the subject of the prior violation at the time the current hearing notice is being sent.

[Statutory Authority: RCW [42.17A.110](#)(1) and 2018 c 304. WSR 18-24-074, § 390-37-143, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW [42.17A.110](#)(1) and [42.17A.570](#). WSR 18-10-088, § 390-37-143, filed 5/1/18, effective 6/1/18. Statutory Authority: RCW [42.17A.110](#). WSR 17-03-004, § 390-37-143, filed 1/4/17, effective 2/4/17.]