



**State of Washington  
PUBLIC DISCLOSURE COMMISSION**

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February 26, 2025

Delivered electronically to [omarindustries@yahoo.com](mailto:omarindustries@yahoo.com)

Subject: PDC Case 158266 regarding Alan Makayev

Dear Alan Makayev:

The Public Disclosure Commission (PDC) completed its review of the complaint and supplemental allegation filed by Conner Edwards on August 3, 2024 and January 17, 2025, which alleged violations of RCW 42.17A.235, .240 and .320 for election year 2024 for failure to 1) timely & accurately report in-kind contribution description details on reports, specifically the number of yard signs purchased; and 2) include party preference in online political advertising.

Applicable Laws & Rules

- Candidates are required to register pursuant to [RCW 42.17A.205](#) by filing a *Candidate Registration* (C-1 report) with the PDC. A candidate that selects the Full Reporting option on their C-1 report is required to report contributions and expenditures to the PDC on *Cash Receipts Monetary Contributions* reports (C-3 reports) and *Campaign Summary Receipts & Expenditures* reports (C-4 reports) pursuant to [RCW 42.17A.235](#) & [RCW 42.17A.240](#). The due dates for these reports are based upon the election cycle, the candidate's election participation, and their financial activity.
- Pursuant to RCW 42.17A.240(7), expenditures are disclosed on C-4 reports, which must include, but are not limited to: 1) the name and address of each person to whom an expenditure was made in the aggregate of more than \$200<sup>1</sup> during the period covered by the report; 2) the amount, date, and purpose of each expenditure; and 3) the total sum of all expenditures. Purpose description details should state the goods or services provided by the vendor, including the number of items purchased, identify any candidates or ballot propositions supported or opposed by the expenditure, and the name & address of any sub-vendors used. For advertising expenditures, filers should describe the type and number of ads, where they appeared or were broadcast, and when (e.g. run dates). An in-kind contribution is disclosed like an expenditure in the PDC's Online Reporting of Campaign Activity (ORCA) software.

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<sup>1</sup> Per [WAC 390-05-400](#), this dollar amount increased from \$50 to \$200 effective April 1, 2023.

- Pursuant to [RCW 42.17A.320](#), all written political advertising<sup>2</sup> must include the name and address of the sponsor<sup>3</sup>. For a partisan office, if the candidate has expressed a party or independent preference on the *Declaration of Candidacy*, that party or independent designation shall be clearly identified in political advertising, electioneering communications, and independent expenditures. Additional disclosures may be required, depending on the sponsor and type of advertising used.
- [WAC 390-18-010](#) and [WAC 390-18-030](#) contain additional information regarding sponsor identification requirements and exemptions for political advertising, and alternatives for online advertising.

### Background & Findings

- Alan Makayev (the “Respondent”) was a gubernatorial candidate for election year 2024 who participated in the August 6, 2024 Primary Election. Washington State Governor is a [partisan office](#) to which RCW 42.17A.320(1) applies. The Respondent filed a *Declaration of Candidacy* with Elections officials on May 9, 2024 listing “Nonsense Busters” as his Party Preference, and a *Candidate Registration* (C-1 report) with the PDC on May 9, 2024 wherein he selected the Full Reporting option and listed himself as his campaign Treasurer. The Respondent’s C-1 report was amended on June 6, 2024 to add “Alan for Governor” and “Nonsense Busters” to his registration. The Respondent lost in the Primary Election.
- PDC staff received a telephone call from the Respondent on May 30, 2024 wherein party preference was discussed and staff advised him that what appears on (yard) signs should match what he entered on his *Declaration of Candidacy*.
- The Respondent disclosed making in-kind contributions totaling \$15,566.41 to his own campaign for signs purchased between 5/17/24 and 6/21/24 on C-4 reports. However, these entries lacked vendor name and address, and the number of signs purchased.
  - The above entries were amended by the Respondent to include the missing information on November 22, 2024.
- The Respondent purchased digital advertising from The Seattle Times on 7/22/24 and 7/24/24. Two of the six online ads included his declared party preference of “Nonsense Busters,” three ads included the slogan “No More Nonsense,” and one ad included the slogan “Stop the Nonsense.” The Seattle Times confirmed that all the ads contained an automatic display directing

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<sup>2</sup> “Political advertising” is a mass communication used to appeal, directly or indirectly, for votes, financial or other support, or opposition to any election campaign that is intended to reach a large audience via a variety of methods. These methods include, but are not limited to, advertising displays, newspaper ads, and digital communication. [RCW 42.17A.005\(40\)](#) and [WAC 390-05-290\(3\)](#)

<sup>3</sup> For the purposes of political advertising, the “sponsor” is the person who paid for the advertising. If a person acts as an agent or is reimbursed for the payment, the original source of the payment is the sponsor.

the reader to the Respondent's candidate website at [www.alanforgovernor.org](http://www.alanforgovernor.org). The destination (home) page lacked the required "Paid for by" language followed by the sponsor's name and address, although sponsor address did appear on other pages of the website.

- On an amended 21-day pre-Primary C-4 report (covering 6/1/24-7/15/24) filed November 22, 2024, the Respondent disclosed an in-kind contribution of \$375 to his own campaign for the purchase of 10,000 palm cards from Eagle Newspapers, Inc.
  - After the Complainant filed a supplemental allegation indicating that the number of palm cards disclosed was incorrect (based on records he had obtained from the vendor Eagle Mailing Service<sup>4</sup>), the Respondent amended this entry on February 3, 2025 to reflect that 5,000 palm cards were purchased.
- After being notified of the original complaint, the Respondent reached out to the PDC by telephone on August 21, 2024, and said he did not realize that entering "Nonsense Busters" on his *Declaration of Candidacy* made it the official party designation for his campaign and that this information subsequently had to be listed on all political advertising. He indicated, as a first-time candidate, he was new to how political advertising worked.
- In his written response to the complaint, dated August 30, 2024, the Respondent stated that "'Nonsense Busters' and 'No More Nonsense' are interchangeable party names and were clearly displayed everywhere."
- An Initial Hearing (Case Status Review) was held for this case on November 25, 2024. The Respondent attended the review/hearing by telephone.
- The Respondent made a good faith effort to resolve noncompliance by amending his C-4 reports to 1) include missing in-kind expenditure details; and 2) ensure the accuracy of the information disclosed. The latter effort also included removing in-kind contributions for office, vehicle and other miscellaneous-related expenditures that were reported in error. The Respondent worked with PDC staff to identify and resolve reporting issues and was cooperative throughout the investigation.
- The Respondent does not have previous warnings/violations of PDC requirements.

### Summary and Resolution

The following mitigating factors apply in this case:

1. Non-compliance concerning RCW 42.17A.235 and .240 appears to be the result of good-faith omissions and a good-faith misunderstanding regarding what information is required to be disclosed on C-4 reports for in-kind contributions and how description details entered into the ORCA system populate on reports.

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<sup>4</sup> Eagle Mailing Service appears to be an assumed business name for the Oregon domestic business corporation Eagle Newspapers, Inc.

2. The Respondent's failure to consistently disclose party preference on political advertising pursuant to RCW 42.17A.320 also appears to be the result of a good-faith omission and misunderstanding regarding the requirement and the types of advertising to which it applies.
3. The Respondent was a first-time candidate who lost in the Primary election and was an inexperienced Treasurer.

However, pursuant to [WAC 390-37-060\(1\)\(d\)](#), this serves as a formal written warning concerning your failure to 1) timely and accurately disclose in-kind contribution expenditures on PDC reports for election year 2024; and 2) include the party preference designated on your *Declaration of Candidacy* in all political advertising. PDC staff expect you to timely and accurately report contributions and expenditures on future reports, including description details, and consistently disclose party preference on future political advertising, including, but not limited to, yard signs and digital ads. The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

Based on this information, the PDC has dismissed this matter in accordance with [RCW 42.17A.755\(1\)](#).

If you have questions, you may contact Tabatha Blacksmith at 1-360-753-1111, toll-free at 1-877-601-2828 or by e-mail at [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov).

Sincerely,

*Electronically signed by Tabatha Blacksmith*  
Tabatha Blacksmith  
Compliance Officer

Endorsed by,

*Electronically signed by Peter Frey Lavallee*  
Peter Frey Lavallee  
Executive Director

cc: Conner Edwards