

August 31, 2010

By Electronic Mail

Mr. Bobby Forch
The People for Bobby Forch
PO Box 14055
Seattle, WA 98144

Dear Mr. Forch:

On August 27, 2010, you filed two C-4s and four C-3s for your 2009 campaign, each several months late. In addition, you cannot provide the name, address, and employer and occupation information for an on-line contributor made in August 2009, and you failed to timely reimburse an individual who paid for printing for your campaign.

LATE FILING

The Seattle Elections Code requires that all contributions be timely reported. The Elections Code authorizes me to assess penalties of \$10 for each day a report is late filed and \$50 per day within seven days before and including Election Day.

You were required to file a C-3 reporting the deposit of two on-line contributions no later than September 10, 2009. You were also required to report deposits made in September and December of your own funds no later than October 10, 2009 and January 10, 2010 respectively. A C-4 was due no later than October 10, 2009 to report your September transactions. A Final C-4 report was due no later than January 10, 2010.

FAILURE TO REPORT CONTRIBUTOR INFORMATION

The Elections Code requires that filers provide the name and address of each contributor, and, if the contributor has made more than \$100 in contributions during the election cycle, the occupation and employer and employer's address.

Your campaign's bank records show that a \$200 on-line contribution was deposited on August 18, 2009. You have been unable to identify the source of this contribution.

OVER-THE-LIMIT CONTRIBUTION

The Elections Code prohibits anyone from making or accepting a contribution in excess of the contribution limit of \$700. In July of 2009, you reported an expenditure of campaign funds totaling \$711.75 to Boruck Printing. That expenditure was paid for by a contributor, Bradley Marten, who had already contributed the maximum to your campaign. The check the

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campaign wrote to reimburse Mr. Marten was never delivered, leaving Mr. Marten with contributions that exceeded the limit by \$711.75. After discovering the uncashed reimbursement check earlier this year, in May you delivered a cashier's check for \$711.75 to Mr. Marten.

PENALTY

I have decided to impose a \$200 penalty. In determining a suitable penalty, I took into account the contributions that went unreported, and the over the limit contribution due to a delay in reimbursing a contributor, and weighed that against low dollar amount of the unreported contributions, and your cooperation with staff in resolving these issues.

RIGHT TO APPEAL

You may appeal this decision by submitting by 4:00 p.m., September 14, 2010, a written request for appeal. The Administrative Rules governing the appeal process can be found on the Commission's website at www.seattle.gov/ethics/home/rules.htm.

ACTION TO TAKE

Deliver to the Commission office a check in the amount of \$200 payable to the City of Seattle, or an appeal, no later than 4:00 PM on September 14, 2010.

CONCLUSION

A major purpose of the Seattle Elections Code is to give the public timely access to information regarding all contributions and expenditures made supporting or opposing City candidates. A delay in reporting inhibits this purpose and prevents the opportunity for scrutiny, to which the public is entitled.

If you have any questions, please call me at 684-8577.

Very truly yours,

Wayne Barnett
Executive Director

cc: Seattle Ethics and Elections Commission
Doug Ellis, Public Disclosure Commission