

# Flygare Campaign PDC Claims

## ***Illegal late reporting/deposit of campaign contributions. (Violation of RCW 42.17A.235)***

Mr. Flygare filed his C1 on 4/1/15. By the middle of June, 2015, his treasurer found that she could not perform the job effectively. Mr. Flygare's new treasurer, Omaha Sternberg, took on the position very shortly afterwards. The old treasurer worked with Ms. Sternberg to provide the appropriate electronic and physical data. But Ms. Sternberg found that quite a lot of the information had not been electronically filed appropriately, or at all.

It took Ms. Sternberg until the early part of July to get that information updated and correct. However, over the course of the campaign there were a number of deposits and expenses that did not have full information to make a validated C3 or C4. At those times, Ms. Sternberg chose not to electronically file these forms until they could be validated properly; she takes full responsibility for these actions.

She made all deposits after the July 8th time period that were not electronic in nature. She again takes full responsibility for all deposits that were made through a bank or ATM machine and were a few days late.

By the November election date, the majority of the forms had been filed in a timely manner. Also, all forms had been filed by January, 5 2016. Finally, though many forms had been filed late, all of the receipts and invoices for deposits and expenditures were kept up to date in the financial books, available at any time.

At no time was an appointment made by Glen Morgan to review these books. Despite Mr. Morgan's access to the electronic forms that Mr. Flygare did, or did not, file in a timely manner, Mr. Morgan was apparently uninterested in whether or not Mr. Flygare had violated any laws in 2015 or 2016.

## ***Illegal accepting of over-limit contributions. (Violation of RCW 42.17A.405, see WAC 390-17-305(2))***

- 1) ***"Flygare illegally accepted multiple over-limit contributions from in-kind contributors, namely Tiger Properties, LLC and Flygare and Associates, LLC. (See Exhibit B -- Flygare illegal overlimit contributions). This is obviously illegal per state law.***

In 2015, Roger Flygare was running for the office of commissioner of the South King County Fire and Rescue district. RCW 42.17A.405(1) does not apply to this position, as this position is not one of the subsections listed. The closest one is (d), "Candidates for special purpose district office if that district is authorized to provide freight and passenger transfer and terminal facilities and that district has

over two hundred thousand registered voters”; the SKF&R District is not authorized to provide freight or passenger transfer/terminal facilities.

The remainder of the RCW section applies SOLELY to the positions listed in RCW 42.17A.405(1) and therefore does not apply to Mr. Flygare’s campaign.

WAC 390-17-305(2) specifies “A candidate may also use, as personal funds, his or her portion of assets owned jointly with a spouse or domestic partner. If the candidate's financial interest is not specified, then the candidate's share is deemed to be half the value of the asset.” Mr. Flygare is a joint owner of both Tiger Properties, LLC and Flygare and Associates, LLC. Therefore, as Mr. Flygare’s personal assets, these are his personal funds to use, including for in-kind contributions.

***Illegal failure to register Tiger Properties LLC and Flygare and Associates LLC as political committees, failure to report expenditures and contributions. (Violation of RCW 42.17A.205, RCW 42.17A.235, see RCW 42.17A.005(37)):***

- 1) ***“I believe that both Tiger Properties LLC and Flygare and Associates LLC meet the definition of a political committee per RCW 42.17A.005(37)”.***

RCW 42.17A.005(37): "Political committee" means any person (**except a candidate or an individual dealing with his or her own funds or property**) having the expectation of receiving contributions or making expenditures in support of, or opposition to, any candidate or any ballot proposition. (*bolding added by writer*)

WAC 390-17-305(2) specifies “A candidate may also use, as personal funds, his or her portion of assets owned jointly with a spouse or domestic partner. If the candidate's financial interest is not specified, then the candidate's share is deemed to be half the value of the asset.”

Mr. Flygare is a joint owner of both Tiger Properties, LLC and Flygare and Associates, LLC. As Mr. Flygare’s personal assets, these are his personal funds to use for his campaign and therefore neither business need be registered as a political committee.

***“The PDC should investigate the possibility that Roger Flygare committed the above violations maliciously, which would be a class C felony per RCW 42.17A.750 (2)(c)”.***

Glen Morgan has provided no evidence of malicious intent for any complaint made on the part of Roger Flygare during his 2015 campaign.

Mr. Morgan has, in fact, shown malicious intent himself in filing false complaints against Mr. Flygare. A quick search of the Washington State Secretary of State website regarding corporations shows both Flygare and Associates (<https://www.sos.wa.gov/corps/search-app.aspx#/detail/601526547>) and Tiger Properties ([https://www.sos.wa.gov/corps/search\\_detail.aspx?ubi=601977143](https://www.sos.wa.gov/corps/search_detail.aspx?ubi=601977143)) with Roger Flygare's name. A further comparison of the address on Roger Flygare's C1 and the addresses listed on both of the corporations' governing/registered agent names shows they are identical.

The information that Mr. Flygare owned both corporations and had the legal right to use his own assets to fund his campaign (through monetary funds and in-kind donations) was available to Mr. Morgan. He either ignored it or chose not to do research before he filed his complaint.

Mr. Roger Flygare believes that Mr. Glen Morgan's complaints are groundless or, in the case of late filings, do not rise to the level of a lack of transparency for his campaign (the reason for electronic filings in the first place) as all forms had been filed by January 5, 2016 and would have therefore been available for challenge very shortly after the election.