

Legislative Ethics Board

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1007 WASHINGTON ST. SE
OLYMPIA, WA 98501
360-786-7343
www.leg.wa.gov/leb
JENNIFER STRUS - COUNSEL
Jennifer.Strus@leg.wa.gov

COMPLAINT 2024 – No. 7

In re Nobles

September 13, 2024

NO SUBJECT MATTER JURISDICTION – ORDER OF DISMISSAL

I. NATURE OF COMPLAINT

The Complaint alleges that Respondent violated the Ethics Act by not assisting the Complainant with some issues she was having with several state agencies.

II. BACKGROUND

Complaint 2024 – No. 7 was received on May 6, 2024, and discussed at the Board's regularly scheduled meeting on September 11, 2024.

III. JURISDICTION

The Board has personal jurisdiction but lacks subject matter jurisdiction. RCW 42.52.320.

IV. FINDINGS OF FACT

1. Respondent is a current member of the Senate representing the 28th legislative district. She was first elected in 2020 and is currently running for re-election.
2. Complainant resides in the 28th legislative district and is one of Respondent's constituents.
3. Several years ago, Complainant and her husband purchased a home that had been "flipped."
4. They subsequently discovered that there were numerous issues with the house and sought assistance from both the Department of Labor & Industries (L&I) and the Department of Financial Institutions (DFI).
5. Unhappy with the results of the assistance received from L&I and DFI, Complainant contacted Respondent's office for assistance.

6. On April 24, 2024, Complainant emailed Respondent explaining her issues with L&I and asking for a full review of L&I's practices.
7. That same day, Complainant sent another email to Respondent asking for assistance with DFI for dismissing her complaint against the title company that handled her house purchase.
8. Respondent responded stating that her LA would let Complainant know if there was anything they could do to assist the Complainant.
9. Complainant responded, "could your office liaise with the relevant authorities on my behalf"? Complainant requested a thorough review of her case to ensure that consumer protections were upheld. She also asked if Respondent's office could act as her representative in the matter with L&I.
10. Respondent responded: "we cannot. Include Jordon [Respondent's LA] on all emails or your email will miss a response. You may also email Jordon directly. But if we determine there is nothing we can do in the matter, we will stop responding to this issue."
11. Complainant asked Respondent why they could not act as her representative.
12. Respondent responded that to do so was against the ethics rules. "We do not represent community members as their liaison. Legislators have rules for office engagement."
13. Complainant responded stating that she understood that there were limitations to the assistance Respondent could provide. Complainant clarified that she was asking Respondent for casework assistance and explained that she had been previously received casework assistance by Sen. Patty Murray's office with a different issue.
14. Jordon Smith responded to this last email stating, "our job is to inquire with state agencies about why something is going on and see if there is any information we can bring back to the constituent. Due to ethics rules, Respondent's office cannot advocate for any one person or organization before a state agency. This means Respondent's office cannot be a liaison for you. We can only inquire about a situation."

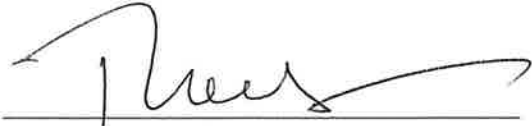
V. ANALYSIS AND CONCLUSIONS OF LAW

The main issue in this matter is Complainant's dissatisfaction with Respondent's response to her request for assistance with several state agencies. While assisting constituents with different issues is a mainstay of work conducted by a legislator's office, it is not an ethics requirement. It is Respondent's prerogative as a legislator to choose how to serve her constituent. The Board lacks subject matter jurisdiction to direct a legislator how to operate his or her office.

Respondent and her LA were incorrect in stating that they were prevented by ethics rules from representing Complainant. Legislators may assist constituents with their issues with state agencies. However, communications to state and local agencies that seek special favors on behalf of a constituent or which the agency might perceive as threatening are not permitted. *In re Kretz*, 2017 – No. 42.

VI. ORDER

IT IS HEREBY ORDERED that: the Board lacks subject matter jurisdiction in this matter and the complaint is dismissed.

A handwritten signature in black ink, appearing to read 'Tom Hoemann', written over a horizontal line.

Tom Hoemann, Chair

Date: 9/13/24