



Michigan Department of State Campaign Finance Complaint Form

BUREAU OF ELECTIONS • RICHARD H. AUSTIN BUILDING – 1st Floor
430 W. ALLEGAN STREET • LANSING, MICHIGAN 48918

This complaint form may be used to file a complaint alleging that someone violated the [Michigan Campaign Finance Act](#) (MCFA). For instructions on how to complete this form, see the Campaign Finance [Complaint Guidebook & Procedures](#) document. All spaces are required unless otherwise indicated.

Section 1. Complainant		
Your Name Kent Anderson		231-947-7652
Mailing Address 429 South Garfield Avenue		
City Traverse City	State MI	Zip 49686
Email (optional)		

Section 2. Alleged Violator		
Name TC Needs More Housing - Brian Mullally, Treasurer		
Mailing Address 155 Garland, Ste. 103		
City Traverse City	State MI	Zip 49684
Email (optional) bmullally@gmail.com		

Section 3. Allegations (Use additional sheets if more space is needed.)

Section(s) of the MCFA alleged to be violated: Sec. 16, Sec. 25 and Sec. 34

Explain how those sections were violated:

Reports filed by "TC Needs More Housing" appear to contain incomplete or inaccurate information

that may be violations of the Michigan Campaign Finance Act (See Attachment for details on the

applicable reports and MCFA sections)

Evidence included with the submission of the complaint that supports the allegations:

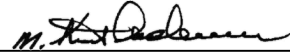
Attachment plus Exhibit A (STATEMENT OF ORGANIZATION FORM) and Exhibit B (CAMPAIGN

COMMITTEE REPORT) for BALLOT QUESTION COMMITTEES ("TC Needs More Housing")

Section 4. Certification (Required)

I certify that to the best of my knowledge, information, and belief, formed after a reasonable inquiry under the circumstances, each factual contention of this complaint is supported by evidence.

X



Signature of Complainant

November 28, 2022

Date

Section 5. Certification without Evidence (Supplemental to Section 4)

If, after a reasonable inquiry under the circumstances, you are unable to certify that certain factual contentions are supported by evidence as indicated above, you may make the following certification:

I certify that to the best of my knowledge, information, or belief, there are grounds to conclude that the following specifically identified factual contentions are likely to be supported by evidence after a reasonable opportunity for further inquiry. Those specific contentions are:

X

Signature of Complainant

Date

Section 15(8) of the MCFA provides that a person who files a complaint with a false certification is responsible for a civil violation of the MCFA. The person may be required to pay a civil fine of up to \$1,000.00 and some, or all, of the expenses incurred by the Michigan Department of State and the alleged violator as a direct result of the filing of the complaint.

Section 6. Submission

Once completed, mail or hand deliver the complaint form with your evidence to the address below. The complaint is considered filed upon receipt by the Bureau of Elections.

Michigan Department of State
Bureau of Elections
Richard H. Austin Building – 1st Floor
430 West Allegan Street
Lansing, Michigan 48918

Attachment: “TC Needs More Housing”, Ballot Question Committee Complaint

The enclosed complaint concerns incomplete or inaccurate reports, that may be violations of the Michigan Campaign Finance Act, submitted by the “TC Needs More Housing” Ballot Question Committee for a City of Traverse City Ballot Proposal 1 (Prop 1) in the November 2022 election. These reports, included as Exhibits A and B, were submitted to the Clerk of Grand Traverse County.

STATEMENT OF ORGANIZATION FORM (Exhibit A)

“TC Needs More Housing” filed a required Statement of Organization (Exhibit A) with the Clerk of Grand Traverse County on 9/22/2022 indicating support for City of Traverse City Proposal 1 (Prop 1); the Treasurer is listed as Brian Mullally with an address of 155 Garland, Ste. 103, Traverse City MI 49684. The statement was assigned a Committee ID of 40151. [Reference: Sec. 16, Statement or report]

A subsequent Ballot Question Committee Campaign Report (Exhibit B) includes in-kind contributions, one of which appears to be, and may have been, incurred prior to the filing of a Statement of Organization, and/or was NOT included in the Campaign Report (see below). Either the committee was formed at an earlier date, or the missing contribution amount should have been included in the subsequent committee report. [Reference: Sec. 24, Statement of Organization]

BALLOT QUESTION COMMITTEE CAMPAIGN REPORT – COVER PAGE, SUMMARY PAGE, IN-KIND CONTRIBUTIONS (4-IK) BALLOT QUESTION/ ITEMIZED IN-KIND CONTRIBUTIONS (4-IK) BALLOT QUESTION COMMITTEE (Exhibit B)

The “TC Needs More Housing” Ballot Question Committee filed an initial required Campaign Report with the Clerk of Grand Traverse County dated 10/26/2022 and covering the period from 9/22/2022 – 10/23/2022, reporting a Schedule Total of \$40,352.94 for In-Kind Contributions for the period; the report appears to have been a printout of a MERTS electronic submission form. The report was filed by Brian Mullally, Treasurer at the listed address for the committee. The MERTS copy is dated 10/16/2022 and it was actually signed 10/28/2022. The Committee ID for the report is 40200-0, which is NOT the Committee ID assigned by Grand Traverse County (40151); there is no record with the SOS Bureau of Elections system of either the “TC Needs More Housing” Ballot Question Committee” or the Committee ID of 40200-0 being registered with the State. Grand Traverse County does not use electronic submission of the MERTS forms for local ballot questions. [Reference: Sec. 34, Campaign statement]

BALLOT SUMMARY PAGE (page 2 of 4) of the Pre-Election General Campaign Report lists IN-KIND CONTRIBUTIONS of \$40,352.94 for the Period and a Cumulative amount of \$47,352.94; the \$7,000 difference is not reported in the report or any prior report, and may have been incurred prior to submission of the registration form for the committee. The first entry on the IN-KIND CONTRIBUTIONS (4-IK) BALLOT QUESTION PAGE (page 3 of 4), indicated as # 4117, shows an in-kind contribution amount of \$5,000 by Innovo TC Hall LLC, with the same address as the committee, for a vendor called Tract!on providing for “Strategy, Research & Design Services-NOV”, however the cumulative amount shown is \$12,000 or a difference of \$7,000 similar to the difference on the SUMMARY PAGE; that amount, vendor on contributor appears to have never been reported.

IN-KIND CONTRIBUTIONS (4-IK) BALLOT QUESTION (pages 3/4 of 4) includes two in-kind contributions for the period which are NOT included in the Cumulative amount for the period. Those entries were:

- 1) an in-kind contribution (# 4114) from Brk Thru Digital in New York, NY of \$15,000.00 on 9/30/2022 for Digital Advertising; and,
- 2) an in-kind contribution (# 4115) from Matrix Media Services in Columbus, OH of \$ 10,852.94 on 9/30/2022 for Billboard Advertising.

Neither amount is included in the reported Cumulative amount. It is not clear whether these were in-kind "contributions" to the committee or invoices from vendors to the committee, possibly paid by Innovo TC Hall LLC at a later date, similar to all the other reported contributions. The total for the two contribution (\$25,852.94) was not included on the BALLOT SUMMARY PAGE, or in the Cumulative total.

SUMMARY

The purposes of the Michigan Campaign Finance Act are to regulate political activity; to regulate campaign financing; to restrict campaign contributions and expenditures; and to require campaign statements and reports. That requires that reports be complete and accurate, and also fully disclose the sources of contributions and expenditures, including for local ballot proposals. The required reports filed with Grand Traverse County by the "TC Needs More Housing" ballot proposal committee are very difficult to interpret and, in several cases, appears to be incorrect and/or inaccurate. The use of in-kind contributions by the committee has created confusion among city residents and the media, related to the sources of those contributions and the purposes of the expenditures they supported.

It is vital that both the SOS Bureau of Elections and Grand Travers County assure that the committee reports be complete, accurate and correct, and that they represent the total amounts of contributions plus expenditures made on behalf of a ballot committee. The purpose of this complaint is to assure that happens, that the committee reports can be easily understood by the general public and the media, and penalties or fines that may be appropriate also are assessed if that is required.

November 28, 2022

Exhibit A

STATEMENT OF ORGANIZATION FORM

Ballot Question Committee "TC Needs More Housing"



STATEMENT OF ORGANIZATION FORM FOR LOCAL BALLOT QUESTION COMMITTEES FILED WITH COUNTY CLERK

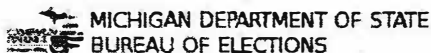
Information on this form is made public.

1. Committee ID #: 40151	*2. Type of Filing: <input checked="" type="checkbox"/> Original: <input type="checkbox"/> Amendment to items:		Eff. Date: 9/22/2022
*3. Date Committee was Formed: 9/22/2022			
*4. Full Name of Committee: TC Needs More Housing			
5. Acronym or Abbreviation (if any):			
*6. Complete Committee Mailing Address (May be PO Box): 155 Garland Ste. 103 Traverse City, MI 49684			
*7. Complete Committee Street Address (May not be PO Box): 155 Garland Ste. 103 Traverse City, MI 49684			
*Committee Phone: 269.823.4939		*Committee Email Address: bnullally@gmail.com	
Committee Fax #:		Committee Website Address:	
*8. Treasurer Name and Complete Residential Address: BRIAN MULLALLY			
Phone #: 269.823.4939		Email Address: bnullally@gmail.com	
9. Designated Record Keeper Name and Complete Address: BRIAN MULLALLY			
Phone #: 269.823.4939		Email Address: bnullally@gmail.com	
*10. REPORTING WAIVER REQUEST: <input type="checkbox"/> YES, I/WE WANT TO APPLY FOR THE REPORTING WAIVER. The committee does not expect to spend or receive in excess of \$1,000.00 in an election. I/We understand that if the committee does not spend or receive in excess of \$1,000.00 in an election, the committee does not owe detailed campaign statements. I/We further understand that the Reporting Waiver will be automatically lost if the committee exceeds the \$1,000.00 threshold and all required campaign statements must be filed. A Reporting Waiver does not exempt a committee from filing Late Contribution Reports. <input checked="" type="checkbox"/> NO, I/WE DO NOT WANT TO APPLY FOR THE REPORTING WAIVER. The committee expects to spend or receive in excess of \$1,000.00 in an election. I/We understand that the committee owes detailed campaign statements even if the committee does not spend or receive in excess of \$1,000.00 in an election. I/We further understand that the Reporting Waiver cannot be requested retroactively to avoid filing requirements and to avoid paying late filing fees. Further information regarding Reporting Waivers can be found in Appendix C of the Committee Manual.			
*11. Name and Address of Depositories or Intended Depositories of committee funds. (Michigan Bank, Credit Union or Savings & Loan Association) *Official Depository (name and address): PNC Bank 901 S. Garfield Ave. Traverse City, MI 49686 Secondary Depository (name and address):			
12. List the specific ballot proposal(s) involved using the official ballot designation if available and mark support or oppose as appropriate: <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose Description: <input type="checkbox"/> County <input type="checkbox"/> Multi-County <input checked="" type="checkbox"/> Local Proposal 1 City of Traverse City			
13. Verification: I/We certify that all reasonable diligence was used in the preparation of the above statement and that the contents are true, accurate and complete to the best of my/our knowledge or belief. I/We certify that all reasonable diligence will be used in the preparation of each statement electronically filed by this committee and that the contents of each statement will be true, accurate and complete to the best of my/our knowledge or belief.			
*Current Treasurer: [Signature]		*Designated Record Keeper (If Applicable): [Signature]	
Date: 9/22/2022		Date: 9/22/2022	

Exhibit B

BALLOT QUESTION COMMITTEE CAMPAIGN REPORT
COVER PAGE, SUMMARY PAGE, IN-KIND CONTRIBUTIONS (4-IK)

Ballot Question Committee "TC Needs More Housing"



BALLOT QUESTION COVER PAGE

• Committee ID	40200-0
• Committee Name	TC Needs More Housing
• Coverage Period	09/22/2022 - 10/23/2022
• Address Information	
• Committee Mailing	155 Garland Ste 103 Traverse City MI 49684
• Phone	(269) 823-4939
• Treasurer Name	Brian Mullally
• Treasurer Residential	155 Garland Ste 103 Traverse City MI 48684
• Phone	(269) 823-4939
• Treasurer Business	
• Phone	
• Recordkeeper Name	Brian Mullally
• Recordkeeper Mailing	155 Garland Ste 103 Traverse City MI 48684
• Phone	(269) 823-4939
• Statement Type	Pre-Election
• Relates To	General
• Election Date	11/08/2022
• Dissolution Date (effective)	//
• Qual/Non-Qual Date	//
• Annual Statement Coverage Year	
• Treasurer/Recordkeeper Signed	Brian Mullally
• Date	10/16/2022

A committee that does not have a Reporting Waiver must file all required Campaign Statements. The Campaign Statements must include all applicable Schedules. Direct contributions, in-kind contributions, loans, expenditures, and outstanding debts count against the \$1,000 Reporting Waiver threshold. If any of the information listed in the items above has changed since the information was shown on the committee's Statement of Organization, an amendment to the Statement of Organization should accompany this Campaign Statement. **If a request for a Reporting Waiver is not received on or before the filing deadline of a required campaign statement, that campaign statement cannot be waived.**

Verification: I/We certify that all reasonable diligence was used in the preparation of this statement and attached schedules (if any) and to the best of my/our knowledge and belief the contents are true, accurate and complete.

Current Treasurer or Designated Record keeper:

(Type or Print) Name:

Brian Mullally

Signature:

Brian Mullally

Date:

10/18/22

BALLOT SUMMARY PAGE

• Committee ID		40200-0	
• Committee Name		TC Needs More Housing	
• Document Name		Pre-Election General	
RECEIPTS		This Period	Cumulative
3. Contributions			
a. Itemized Contributions	(3a.)	0.00	
b. Unitemized	(3b.)	0.00	
c. Subtotal of Contributions	(3c.)	0.00	(18.) 0.00
4. Other Receipts	(4.)	0.00	(19.) 0.00
5. Total Contributions and Other Receipts	(5.)	0.00	(20.) 0.00
IN-KIND CONTRIBUTIONS			
6. In-Kind Contributions			
a. Itemized	(6a.)	40,352.94	
b. Unitemized (less than \$20.01 each)	(6b.)	0.00	
7. Total In-Kind Contributions	(7.)	40,352.94	(21.) 47,352.94
EXPENDITURES			
8. Expenditures			
a. Itemized	(8a.)	0.00	
b. Itemized GOTV	(8b.)	0.00	
c. In-Kind Expenditures - Purchase of Goods or Services	(8c.)	0.00	
d. Unitemized (less than \$50.01 each)	(8d.)	0.00	
e. Subtotal of Expenditures	(8e.)	0.00	(22.) 0.00
9. Independent Expenditures	(9.)	0.00	(23.) 0.00
10. Total Expenditures	(10.)	0.00	(24.) 0.00
IN-KIND EXPENDITURES			
11. In-Kind Expenditures, Endorsements, Donations or Loans of Goods and Services	(11.)	0.00	(25.) 0.00
DEBTS AND OBLIGATIONS			
12. Debts and Obligations			
a. Owed by the Committee	(12a.)	0.00	
b. Owed to the Committee	(12b.)	0.00	
BALANCE STATEMENT			
13. Ending Balance of last report filed	(13.)		0.00
14. Amount received during reporting Period	(14.)		0.00
15. Subtotal	(15.)		0.00
16. Amount Expended during reporting Period	(16.)		0.00
17. ENDING BALANCE	(17.)		0.00

IN-KIND CONTRIBUTIONS (4-IK) BALLOT QUESTION

• Committee ID	40200-0
• Committee Name	TC Needs More Housing
• Document Name	Pre-Election General

4117- -Add

PAC Receipt?: **Date of Receipt:** 09/22/2022 **Amt:** 5000.00 **Cumul:** 12000.00

Name: Innovo TC Hall LLC

Occupation:

Employer:

Address: 155 Garland St Ste 103

Business Address:

City: Traverse City **State:** MI

Fund Raiser:

City: State:

Zip: 49684

Zip:

Vendor Name: Tractlon

Vendor Address: 617 E Michigan Ave

City: Lansing **State:** MI

Zip: 48912

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others

Description: Strategy, Research & Design Services-NOV

4111- -Add

PAC Receipt?: **Date of Receipt:** 09/30/2022 **Amt:** 25852.94 **Cumul:** 37852.94

Name: Innovo TC Hall LLC

Occupation:

Employer:

Address: 155 Garland St Ste 103

Business Address:

City: Traverse City **State:** MI

Fund Raiser:

City: State:

Zip: 49684

Zip:

Vendor Name: Martin Waymire

Vendor Address: 600 W St Joseph Ste 100

City: Lansing **State:** MI

Zip: 48933

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others

Description: Advertising

4114-4111 -Add

PAC Receipt?: **Date of Receipt:** 09/30/2022 **Amt:** 15000.00 **Cumul:**

Name: Brk Thru Digital

Occupation:

Employer:

Address: 600 Third Ave Flr 2

Business Address:

City: New York **State:** NY

Fund Raiser:

City: State:

Zip: 10016

Zip:

Vendor Name:

Vendor Address:

City: State:

Zip:

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others

Description: Digital Advertising

IN-KIND CONTRIBUTIONS (4-IK) BALLOT QUESTION

4115-4111 -Add

PAC Receipt?: **Date of Receipt:** 09/30/2022 **Amt:** 10852.94 **Cumul:**
Name: Matrix Media Services **Occupation:** **Employer:**
Address: 463 E Town St **Business Address:**
City: Columbus **State:** OH **Fund Raiser:** **City:** **State:**
Zip: 43215 **Zip:**
Vendor Name:
Vendor Address:
City: **State:**
Zip:

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others
Description: Billboard Advertising

4112- -Add

PAC Receipt?: **Date of Receipt:** 10/11/2022 **Amt:** 7000.00 **Cumul:** 44852.94
Name: Innovo TC Hall LLC **Occupation:** **Employer:**
Address: 155 Garland St Ste 103 **Business Address:**
City: Traverse City **State:** MI **Fund Raiser:** **City:** **State:**
Zip: 49684 **Zip:**
Vendor Name: Martin Waymire
Vendor Address: 600 W St Joseph Ste 100
City: Lansing **State:** MI
Zip: 48933

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others
Description: Consulting Services-NOV

4118- -Add

PAC Receipt?: **Date of Receipt:** 10/16/2022 **Amt:** 2500.00 **Cumul:** 47352.94
Name: Innovo TC Hall LLC **Occupation:** **Employer:**
Address: 155 Garland St Ste 103 **Business Address:**
City: Traverse City **State:** MI **Fund Raiser:** **City:** **State:**
Zip: 49684 **Zip:**
Vendor Name: Campaign Finance Services
Vendor Address: 403 Fourth St
City: Charlotte **State:** MI
Zip: 48813

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others
Description: Campaign Finance Compliance Services-NOV

Schedule Total	\$ 40,352.94
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STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

December 29, 2022

TC Needs More Housing
Brian Mullally, Treasurer
155 Garland, Ste. 103
Traverse City, MI 49684

Re: *Anderson v. TC Needs More Housing*
Campaign Finance Complaint No. 2022 – 12 – 233 – 34

Dear TC Needs More Housing:

The Department of State (Department) has received a formal complaint filed against you by Kent Anderson alleging that you violated the Michigan Campaign Finance Act (MCFA or Act). Specifically, the complaint alleges that your campaign finance reports may have contained incomplete or inaccurate information. It alleges that you included an incorrect committee ID number¹ and that certain contributions were not included in your reports. A copy of the complaint is included with this notice.

The MCFA requires ballot question committees to file contributions and expenditures with the appropriate filing official by specific dates. MCL 169.234(1). A person who knowingly omits or underreports expenditures required to be disclosed by the Act is subject to a civil fine of not more than \$1,000 or the amount of the undisclosed contribution, whichever is greater. MCL 169.234(7).

The purpose of this letter is to inform you of the Department's examination of these matters and your right to respond to the allegations before the Department proceeds further. It is important to understand that the Department is neither making this complaint nor accepting the allegations as true. The investigation and resolution of this complaint is governed by section 15 of the Act and the corresponding administrative rules, R 169.51 *et seq.* An explanation of the process is included in the enclosed guidebook.

If you wish to file a written response to this complaint, you are required to do so within 15 business days of the date of this letter. Your response may include any written statement or

¹ The Department notes that the filing official is responsible for determining issues of substantial compliance when they accept the campaign statement. MCL 169.216(6). This means that, while the Department will investigate complaints alleging unreported or under-reported contributions or expenditures, the Department will not investigate complaints alleging *de minimis* mistakes in contributor names, reported addresses, or similar issues.

additional documentary evidence you wish to submit. Materials may be emailed to BOERegulatory@michigan.gov or mailed to the Department of State, Bureau of Elections, Richard H. Austin Building, 1st Floor, 430 West Allegan Street, Lansing, Michigan 48918. If you fail to submit a response, the Department will render a decision based on the evidence furnished by the complainant.

A copy of your answer will be provided to Mr. Anderson, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing the statements and materials provided by the parties, the Department will determine whether “there may be reason to believe that a violation of [the MCFA] has occurred [.]” MCL 169.215(10). Note that the Department’s enforcement powers include the possibility of entering a conciliation agreement, conducting an administrative hearing, or referring this matter to the Attorney General for enforcement.

If you have any questions concerning this matter, you may contact the Regulatory Section of the Bureau of Elections at BOERegulatory@michigan.gov.

Sincerely,

Regulatory Section
Bureau of Elections
Michigan Department of State

Enclosure
c: Kent Anderson

LYNCH LAW

ATTORNEYS AND COUNSELORS AT LAW
934 E. Eighth Street
Traverse City, MI 49686

Deborah Lynch, Esq.
John Patrick Lynch, Esq.*
*Also admitted in the State of Illinois

Phone: (231) 922-2690
Fax: (231) 922-0236
Email: deb@lynchlawtc.com
john@lynchlawtc.com

January 11, 2023

Via Certified Mail and Email at BOERegulatory@michigan.gov

Michigan Department of State
Bureau of Elections
Richard H. Austin Building, 1st Floor
430 Allegan, Lansing, MI 48918

Re: *Anderson v TC Needs More Housing*
Campaign Finance Complaint No 2022-12-233-34

RESPONSE TO COMPLAINT PURSUANT TO MCL 169.215(5)

Dear Bureau of Election,

My office represents the interests of TC Needs More Housing, a Michigan Local Ballot Committee filed with the Clerk of Grand Traverse County, State of Michigan. My contact information is provided as follows:

LYNCH LAW
John P. Lynch, Esq. P73571
934 E. Eighth Street
Traverse City, MI 49686
(231) 922-2690
john@lynchlawtc.com

TC Needs More Housing (Respondent) was notified of a Campaign Finance Complaint No 2022-12-233-34, by Mr. Kent Anderson, via Notice to Respondent from Bureau of Elections on December 29, 2022. Please see **Ex. #1**.

Mr. Anderson has alleged the following:

1. That, Respondent has misfiled their reporting documents using the wrong identification number;
2. That, Respondent failed to identify or account for \$7,000 in their reporting; and
3. That, Respondent failed to identify or account for 2 in kind contributions on 9/30/2022.

Respondent denies these allegations as false in their entirety. Respondent filed the following documents in accordance with the Michigan Campaign Finance Act (MCFA):

- Statement of Organization dated September 22, 2022; (Ex. #2)
- Pre-Election Statement dated October 16, 2022; (Ex. #3)
- Amended Pre-Election Statement dated December 1, 2022; (Ex. #4)and
- Statement of Dissolution dated December 4, 2022. (Ex. #5)

Please see attached Exhibits 2 through 5, respectfully. All filings were made using hard copy print-outs of the MI Secretary of State's MERTS program, pursuant to MCL 169.226. Please see Ex. #6, the attached Affidavit of Brett McRae of Campaign Finance Services.

The first allegation is incorrect and false. Exhibit A is a screen shot of the Statement of Organization dated September 22, 2022, provided by the Grand Traverse Clerk's Office. Section 1 of the Statement shows a County Committee Id. No. 40200. Mr. Anderson's Exhibit A, looks to be a copy of the same Statement, however, it does have a different County Committee Id No. 40151, which appears to have been altered or "whited out." Respondent filed all of their filing under Id. No. 40200 as it was provided from the Grand Traverse County Clerk's Office. In any event, this is not a substantial compliance issue under MCL 169.216(6). Further, the MERTS format satisfies the Act's filing requirements and the Act further provides that a political subdivision may not adopt an ordinance or resolution that is more restrictive than the Act (MCL 169.256).

The second allegation is also incorrect and false. The clerical error of the period reporting for the \$7,000 was corrected in the Amended Pre-Election Statement dated December 1, 2022, Ex. #4. Please also see the Affidavit of Brett McRae, Ex. #6.

The third allegation is also incorrect and false. The payments of \$15,000 to Brk Thru Digital, dated September 30, 2022, (#4114-4111) and \$10,852.94 to Matrix Media Services, dated September 30, 2022, (#4114-4111), listed on page 4 of Ex. 4, are sub-itemizations of the transaction #4114 for \$25,852.94 dated September 30, 2022, listed on page 3 of Ex. 4; Innovo TC Hall's In-Kind Contributing to both organizations for advertising services. Mr. Anderson asserts that these transactions were not included in the Statement, which is again, clearly incorrect.

$$\$15,000 (\#4114-4111) + \$10,852.94 (\#4114-4111) = \$25,852.94 (\#4114)$$

Additionally, Mr. Anderson's assertion that the sub-itemizations should be added to the cumulative total would result in a double book entry, as Respondent only paid for them once.

Respondent respectfully requests that this Department summarily dismiss the complaint, in full, as the activity alleged in the complaint does not constitute a violation of the MCFA, whatsoever. R. 169.53.

THE ABOVE IS TRUE AND CORRECT, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Date: January 11, 2023

FOR: TC NEEDS MORE HOUSING

/s/ 

Brian Mullally, Treasurer

Please do not hesitate to reach out to me directly for any additional supporting documentation that you may require. Thank you for your help in this matter.

Sincerely,

LYNCH LAW


John P. Lynch

JPL/aw

Enclosures as stated

Cc: TC Needs More Housing (*via Email Only*)

C:\Users\John\LynchLaw Dropbox\Office Documents\Documents\Documents\BREAKWATER\SAVE OUR DOWNTOWN\LOCAL
POLITICAL SUPPORT\CAMPAIGN FINANCE COMPLAINT\Response to Complaint v2.docx

1. That, I provide filing services for campaign compliance with the Michigan Campaign Finance Act, and was hired by TC Needs More Housing, a Michigan, Grand Traverse County Ballot Committee.
2. That, I filed the following documents on behalf of TC Needs More Housing, from the information provided to me by its Treasurer, Brian Mullally:
 - a. Statement of Organization dated September 22, 2022; (Ex. #2)
 - b. Pre-Election Statement dated October 16, 2022; (Ex. #3)
 - c. Amended Pre-Election Statement dated December 1, 2022; (Ex. #4)and
 - d. Statement of Dissolution dated December 4, 2022. (Ex. #5)

3. That, all campaign statements were compiled using the MI Secretary of State's MERTS program, then saved as PDF documents and transmitted to the Grand Traverse County Clerk's office via email as that office instructed.
4. That, several weeks prior to the initial filing deadline, I called the Elections Division of the GT County Clerk. I explained that I planned to file the committee's report using the MERTS format. The individual I spoke with had no objection to this.
5. That, there was a clerical error of the period reporting dates on the filed Pre-Election Statement dated October 16, 2022, (Ex. #3).
6. That, as soon as the clerical error was discovered, it was corrected in the filing of the Amended Pre-Election Statement dated December 1, 2022, (Ex. #4), which is an accurate reflection of finance reporting of TC Needs More Housing.
7. That, the payments of \$15,000 to Brk Thru Digital, dated September 30, 2022, (#4114-4111) and \$10,852.94 to Matrix Media Services, dated September 30, 2022, (#4114-4111), listed on page 4 of Ex. #4, are sub-itemizations of the transaction #4114 for \$25,852.94 dated September 30, 2022, listed on page 3 of Ex. #4; Innovo TC Hall's In-Kind Contributing to both organizations for advertising services.

Further, your Affiant sayeth not.

I declare under penalty of perjury that the foregoing is both true and correct, to the best of my knowledge, information and belief.

Dated: January 12, 2023


Brett McRae



EXHIBIT "1"

STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

December 29, 2022

TC Needs More Housing
Brian Mullally, Treasurer
155 Garland, Ste. 103
Traverse City, MI 49684

Re: *Anderson v. TC Needs More Housing*
Campaign Finance Complaint No. 2022 – 12 – 233 – 34

Dear TC Needs More Housing:

The Department of State (Department) has received a formal complaint filed against you by Kent Anderson alleging that you violated the Michigan Campaign Finance Act (MCFA or Act). Specifically, the complaint alleges that your campaign finance reports may have contained incomplete or inaccurate information. It alleges that you included an incorrect committee ID number¹ and that certain contributions were not included in your reports. A copy of the complaint is included with this notice.

The MCFA requires ballot question committees to file contributions and expenditures with the appropriate filing official by specific dates. MCL 169.234(1). A person who knowingly omits or underreports expenditures required to be disclosed by the Act is subject to a civil fine of not more than \$1,000 or the amount of the undisclosed contribution, whichever is greater. MCL 169.234(7).

The purpose of this letter is to inform you of the Department's examination of these matters and your right to respond to the allegations before the Department proceeds further. It is important to understand that the Department is neither making this complaint nor accepting the allegations as true. The investigation and resolution of this complaint is governed by section 15 of the Act and the corresponding administrative rules, R 169.51 *et seq.* An explanation of the process is included in the enclosed guidebook.

If you wish to file a written response to this complaint, you are required to do so within 15 business days of the date of this letter. Your response may include any written statement or additional documentary evidence you wish to submit. Materials may be emailed to

¹ The Department notes that the filing official is responsible for determining issues of substantial compliance when they accept the campaign statement. MCL 169.216(6). This means that, while the Department will investigate complaints alleging unreported or under-reported contributions or expenditures, the Department will not investigate complaints alleging *de minimis* mistakes in contributor names, reported addresses, or similar issues.

TC Needs More Housing
Page 2

BOERegulatory@michigan.gov or mailed to the Department of State, Bureau of Elections, Richard H. Austin Building, 1st Floor, 430 West Allegan Street, Lansing, Michigan 48918. If you fail to submit a response, the Department will render a decision based on the evidence furnished by the complainant.

A copy of your answer will be provided to Mr. Anderson, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing the statements and materials provided by the parties, the Department will determine whether "there may be reason to believe that a violation of [the MCFA] has occurred [.]" MCL 169.215(10). Note that the Department's enforcement powers include the possibility of entering a conciliation agreement, conducting an administrative hearing, or referring this matter to the Attorney General for enforcement.

If you have any questions concerning this matter, you may contact the Regulatory Section of the Bureau of Elections at BOERegulatory@michigan.gov.

Sincerely,

Regulatory Section
Bureau of Elections
Michigan Department of State

Enclosure
c: Kent Anderson



Michigan Department of State
Campaign Finance Complaint Form

BUREAU OF ELECTIONS • RICHARD H. AUSTIN BUILDING - 1st Floor
430 W. ALLEGAN STREET • LANSING, MICHIGAN 48918

This complaint form may be used to file a complaint alleging that someone violated the Michigan Campaign Finance Act (MCFA). For instructions on how to complete this form, see the Campaign Finance Complaint Guidebook & Procedures document. All spaces are required unless otherwise indicated.

Section 1. Complainant

Your Name Kent Anderson		231-947-7652
Mailing Address 429 South Garfield Avenue		
City Traverse City	State MI	Zip 49686
Email (optional)		

Section 2. Alleged Violator

Name TC Needs More Housing - Brian Mullally, Treasurer		
Mailing Address 155 Garland, Ste. 103		
City Traverse City	State MI	Zip 49684
Email (optional) bmullally@gmail.com		

Section 3. Allegations (Use additional sheets if more space is needed.)

Section(s) of the MCFA alleged to be violated: Sec. 16, Sec. 25 and Sec. 34

Explain how those sections were violated:

Reports filed by "TC Needs More Housing" appear to contain incomplete or inaccurate information
that may be violations of the Michigan Campaign Finance Act (See Attachment for details on the
applicable reports and MCFA sections)

Evidence included with the submission of the complaint that supports the allegations:

Attachment plus Exhibit A (STATEMENT OF ORGANIZATION FORM) and Exhibit B (CAMPAIGN
COMMITTEE REPORT) for BALLOT QUESTION COMMITTEES ("TC Needs More Housing")

Section 4. Certification (Required)

I certify that to the best of my knowledge, information, and belief, formed after a reasonable inquiry under the circumstances, each factual contention of this complaint is supported by evidence.

X


Signature of Complainant

November 28, 2022

Date

Section 5. Certification without Evidence (Supplemental to Section 4)

If, after a reasonable inquiry under the circumstances, you are unable to certify that certain factual contentions are supported by evidence as indicated above, you may make the following certification:

I certify that to the best of my knowledge, information, or belief, there are grounds to conclude that the following specifically identified factual contentions are likely to be supported by evidence after a reasonable opportunity for further inquiry. Those specific contentions are:

X

Signature of Complainant

Date

Section 15(8) of the MCFA provides that a person who files a complaint with a false certification is responsible for a civil violation of the MCFA. The person may be required to pay a civil fine of up to \$1,000.00 and some, or all, of the expenses incurred by the Michigan Department of State and the alleged violator as a direct result of the filing of the complaint.

Section 6. Submission

Once completed, mail or hand deliver the complaint form with your evidence to the address below. The complaint is considered filed upon receipt by the Bureau of Elections.

Michigan Department of State
Bureau of Elections
Richard H. Austin Building – 1st Floor
430 West Allegan Street
Lansing, Michigan 48918

November 28, 2022

Attachment: "TC Needs More Housing", Ballot Question Committee Complaint

The enclosed complaint concerns incomplete or inaccurate reports, that may be violations of the Michigan Campaign Finance Act, submitted by the "TC Needs More Housing" Ballot Question Committee for a City of Traverse City Ballot Proposal 1 (Prop 1) in the November 2022 election. These reports, included as Exhibits A and B, were submitted to the Clerk of Grand Traverse County.

STATEMENT OF ORGANIZATION FORM (Exhibit A)

"TC Needs More Housing" filed a required Statement of Organization (Exhibit A) with the Clerk of Grand Traverse County on 9/22/2022 indicating support for City of Traverse City Proposal 1 (Prop 1); the Treasurer is listed as Brian Mullally with an address of 155 Garland, Ste. 103, Traverse City MI 49684. The statement was assigned a Committee ID of 40151. [Reference: Sec. 16, Statement or report]

A subsequent Ballot Question Committee Campaign Report (Exhibit B) includes in-kind contributions, one of which appears to be, and may have been, incurred prior to the filing of a Statement of Organization, and/or was NOT included in the Campaign Report (see below). Either the committee was formed at an earlier date, or the missing contribution amount should have been included in the subsequent committee report. [Reference: Sec. 24, Statement of Organization]

BALLOT QUESTION COMMITTEE CAMPAIGN REPORT – COVER PAGE, SUMMARY PAGE, IN-KIND CONTRIBUTIONS (4-IK) BALLOT QUESTION/ ITEMIZED IN-KIND CONTRIBUTIONS (4-IK) BALLOT QUESTION COMMITTEE (Exhibit B)

The "TC Needs More Housing" Ballot Question Committee filed an initial required Campaign Report with the Clerk of Grand Traverse County dated 10/26/2022 and covering the period from 9/22/2022 – 10/23/2022, reporting a Schedule Total of \$40,352.94 for In-Kind Contributions for the period; the report appears to have been a printout of a MERTS electronic submission form. The report was filed by Brian Mullally, Treasurer at the listed address for the committee. The MERTS copy is dated 10/16/2022 and it was actually signed 10/28/2022. The Committee ID for the report is 40200-0, which is NOT the Committee ID assigned by Grand Traverse County (40151); there is no record with the SOS Bureau of Elections system of either the "TC Needs More Housing" Ballot Question Committee" or the Committee ID of 40200-0 being registered with the State. Grand Traverse County does not use electronic submission of the MERTS forms for local ballot questions. [Reference: Sec. 34, Campaign statement]

BALLOT SUMMARY PAGE (page 2 of 4) of the Pre-Election General Campaign Report lists IN-KIND CONTRIBUTIONS of \$40,352.94 for the Period and a Cumulative amount of \$47,352.94; the \$7,000 difference is not reported in the report or any prior report, and may have been incurred prior to submission of the registration form for the committee. The first entry on the IN-KIND CONTRIBUTIONS (4-IK) BALLOT QUESTION PAGE (page 3 of 4), indicated as # 4117, shows an in-kind contribution amount of \$5,000 by Innovo TC Hall LLC, with the same address as the committee, for a vendor called Tract!on providing for "Strategy, Research & Design Services-NOV", however the cumulative amount shown is \$12,000 or a difference of \$7,000 similar to the difference on the SUMMARY PAGE; that amount, vendor on contributor appears to have never been reported.

November 28, 2022

IN-KIND CONTRIBUTIONS (4-IK) BALLOT QUESTION (pages 3/4 of 4) includes two in-kind contributions for the period which are NOT included in the Cumulative amount for the period. Those entries were:

- 1) an in-kind contribution (# 4114) from Brk Thru Digital in New York, NY of \$15,000.00 on 9/30/2022 for Digital Advertising; and,
- 2) an in-kind contribution (# 4115) from Matrix Media Services in Columbus, OH of \$ 10,852.94 on 9/30/2022 for Billboard Advertising.

Neither amount is included in the reported Cumulative amount. It is not clear whether these were in-kind "contributions" to the committee or invoices from vendors to the committee, possibly paid by Innovo TC Hall LLC at a later date, similar to all the other reported contributions. The total for the two contribution (\$25,852.94) was not included on the BALLOT SUMMARY PAGE, or in the Cumulative total.

SUMMARY

The purposes of the Michigan Campaign Finance Act are to regulate political activity; to regulate campaign financing; to restrict campaign contributions and expenditures; and to require campaign statements and reports. That requires that reports be complete and accurate, and also fully disclose the sources of contributions and expenditures, including for local ballot proposals. The required reports filed with Grand Traverse County by the "TC Needs More Housing" ballot proposal committee are very difficult to interpret and, in several cases, appears to be incorrect and/or inaccurate. The use of in-kind contributions by the committee has created confusion among city residents and the media, related to the sources of those contributions and the purposes of the expenditures they supported.

It is vital that both the SOS Bureau of Elections and Grand Travers County assure that the committee reports be complete, accurate and correct, and that they represent the total amounts of contributions plus expenditures made on behalf of a ballot committee. The purpose of this complaint is to assure that happens, that the committee reports can be easily understood by the general public and the media, and penalties or fines that may be appropriate also are assessed if that is required.

November 28,2022

Exhibit A

STATEMENT OF ORGANIZATION FORM

Ballot Question Committee "TC Needs More Housing"



MICHIGAN DEPARTMENT OF STATE
BUREAU OF ELECTIONS

ORIGINAL OR AMENDED

STATEMENT OF ORGANIZATION FORM FOR LOCAL BALLOT QUESTION COMMITTEES FILED WITH COUNTY CLERK

Information on this form is made public.

1. Committee ID #: 40151	*2. Type of Filing: <input checked="" type="checkbox"/> Original: <input type="checkbox"/> Amendment to Items:	Eff. Date: 9/22/2022
*3. Date Committee was Formed: 9/22/2022		
*4. Full Name of Committee: TC Needs More Housing		
5. Acronym or Abbreviation (if any):		
*6. Complete Committee Mailing Address (May be PO Box): 155 Garland Ste. 103 Traverse City, MI 49684		
*7. Complete Committee Street Address (May not be PO Box): 155 Garland Ste. 103 Traverse City, MI 49684		
*Committee Phone: 269.823.4939	*Committee Email Address: bnullally@gmail.com	
Committee Fax #:		
Committee Website Address:		
*8. Treasurer Name and Complete Residential Address: BRIAN MULLALLY		
Phone #: 269.823.4939	Email Address: bnullally@gmail.com	
9. Designated Record Keeper Name and Complete Address: BRIAN MULLALLY		
Phone #: 269.823.4939	Email Address: bnullally@gmail.com	
*10. REPORTING WAIVER REQUEST: <input type="checkbox"/> YES, I/WE WANT TO APPLY FOR THE REPORTING WAIVER. The committee does not expect to spend or receive in excess of \$1,000.00 in an election. I/We understand that if the committee does not spend or receive in excess of \$1,000.00 in an election, the committee does not owe detailed campaign statements. I/We further understand that the Reporting Waiver will be automatically lost if the committee exceeds the \$1,000.00 threshold and all required campaign statements must be filed. A Reporting Waiver does not exempt a committee from filing Late Contribution Reports. <input checked="" type="checkbox"/> NO, I/WE DO NOT WANT TO APPLY FOR THE REPORTING WAIVER. The committee expects to spend or receive in excess of \$1,000.00 in an election. I/We understand that the committee owes detailed campaign statements even if the committee does not spend or receive in excess of \$1,000.00 in an election. I/We further understand that the Reporting Waiver cannot be requested retroactively to avoid filing requirements and to avoid paying late filing fees. Further information regarding Reporting Waivers can be found in Appendix C of the Committee Manual.		
*11. Name and Address of Depositories or Intended Depositories of committee funds. (Michigan Bank, Credit Union or Savings & Loan Association) *Official Depository (name and address): PNC Bank 901 S. Garland Ave. Traverse City, MI 49686 Secondary Depository (name and address):		
12. List the specific ballot proposal(s) involved using the official ballot designation if available and mark support or oppose as appropriate: <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose Description: Indicate the ballot proposal district below by selecting County (include the county name), Multi-County or Local (include the name of the jurisdiction). If multi-county, list the county where the greatest number of voters eligible to vote on the proposal reside. <input type="checkbox"/> County <input type="checkbox"/> Multi-County <input checked="" type="checkbox"/> Local Proposal 1 City of Traverse City		
13. Verification: I/We certify that all reasonable diligence was used in the preparation of the above statement and that the contents are true, accurate and complete to the best of my/our knowledge or belief. I/We certify that all reasonable diligence will be used in the preparation of each statement electronically filed by this committee and that the contents of each statement will be true, accurate and complete to the best of my/our knowledge or belief.		
*Current Treasurer [Signature]	*Designated Record Keeper (If Applicable) [Signature]	Date: 9/22/2022

November 28, 2022

Exhibit B

BALLOT QUESTION COMMITTEE CAMPAIGN REPORT
COVER PAGE, SUMMARY PAGE, IN-KIND CONTRIBUTIONS (4-IK)

Ballot Question Committee "TC Needs More Housing"



BALLOT QUESTION COVER PAGE

• Committee ID	40200-0
• Committee Name	TC Needs More Housing
• Coverage Period	09/22/2022 - 10/23/2022
• Address Information	
• Committee Mailing	155 Garland Ste 103 Traverse City MI 49684
• Phone	(269) 823-4939
• Treasurer Name	Brian Mullally
• Treasurer Residential	155 Garland Ste 103 Traverse City MI 49684
• Phone	(269) 823-4939
• Treasurer Business	
• Phone	
• Recordkeeper Name	Brian Mullally
• Recordkeeper Mailing	155 Garland Ste 103 Traverse City MI 49684
• Phone	(269) 823-4939
• Statement Type	Pre-Election
• Relates To	General
• Election Date	11/08/2022
• Dissolution Date (effective)	//
• Qual/Non-Qual Date	//
• Annual Statement Coverage Year	
• Treasurer/Recordkeeper Signed	Brian Mullally
• Date	10/16/2022

A committee that does not have a Reporting Waiver must file all required Campaign Statements. The Campaign Statements must include all applicable Schedules. Direct contributions, in-kind contributions, loans, expenditures, and outstanding debts count against the \$1,000 Reporting Waiver threshold. If any of the information listed in the items above has changed since the information was shown on the committee's Statement of Organization, an amendment to the Statement of Organization should accompany this Campaign Statement. If a request for a Reporting Waiver is not received on or before the filing deadline of a required campaign statement, that campaign statement cannot be waived.

Verification: I/We certify that all reasonable diligence was used in the preparation of this statement and attached schedules (if any) and to the best of my/our knowledge and belief the contents are true, accurate and complete.

Current Treasurer or Designated Record keeper:

(Type or Print) Name: Brian Mullally Signature: [Signature] Date: 10/18/22

BALLOT SUMMARY PAGE

Committee ID		40200-0	
Committee Name		TC Needs More Housing	
Document Name		Pre-Election General	
RECEIPTS		This Period	Cumulative
3. Contributions			
a. Itemized Contributions	(3a.)	0.00	
b. Unitemized	(3b.)	0.00	
c. Subtotal of Contributions	(3c.)	0.00	(18.) 0.00
4. Other Receipts	(4.)	0.00	(19.) 0.00
5. Total Contributions and Other Receipts	(5.)	0.00	(20.) 0.00
IN-KIND CONTRIBUTIONS			
6. In-Kind Contributions			
a. Itemized	(6a.)	40,352.94	
b. Unitemized (less than \$20.01 each)	(6b.)	0.00	
7. Total In-Kind Contributions	(7.)	40,352.94	(21.) 47,352.94
EXPENDITURES			
8. Expenditures			
a. Itemized	(8a.)	0.00	
b. Itemized GOTV	(8b.)	0.00	
c. In-Kind Expenditures - Purchase of Goods or Services	(8c.)	0.00	
d. Unitemized (less than \$50.01 each)	(8d.)	0.00	
e. Subtotal of Expenditures	(8e.)	0.00	(22.) 0.00
9. Independent Expenditures	(9.)	0.00	(23.) 0.00
10. Total Expenditures	(10.)	0.00	(24.) 0.00
IN-KIND EXPENDITURES			
11. In-Kind Expenditures, Endorsements, Donations or Loans of Goods and Services	(11.)	0.00	(25.) 0.00
DEBTS AND OBLIGATIONS			
12. Debts and Obligations			
a. Owed by the Committee	(12a.)	0.00	
b. Owed to the Committee	(12b.)	0.00	
BALANCE STATEMENT			
13. Ending Balance of last report filed	(13.)		0.00
14. Amount received during reporting Period	(14.)		0.00
15. Subtotal	(15.)		0.00
16. Amount Expended during reporting Period	(16.)		0.00
17. ENDING BALANCE	(17.)		0.00

IN-KIND CONTRIBUTIONS (4-IK) BALLOT QUESTION

• Committee ID	40200-0
• Committee Name	TC Needs More Housing
• Document Name	Pre-Election General

4117- -Add

PAC Receipt?: Date of Receipt: 09/22/2022 Amt: 5000.00 Cumul: 12000.00

Name: Innovo TC Hall LLC

Occupation:

Employer:

Address: 155 Garland St Ste 103

Business Address:

City: Traverse City State: MI

Fund Raiser:

City: State:

Zip: 49684

Zip:

Vendor Name: Traction

Vendor Address: 617 E Michigan Ave

City: Lansing State: MI

Zip: 48912

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others

Description: Strategy, Research & Design Services-NOV

4111- -Add

PAC Receipt?: Date of Receipt: 09/30/2022 Amt: 25852.94 Cumul: 37852.94

Name: Innovo TC Hall LLC

Occupation:

Employer:

Address: 155 Garland St Ste 103

Business Address:

City: Traverse City State: MI

Fund Raiser:

City: State:

Zip: 49684

Zip:

Vendor Name: Martin Waymire

Vendor Address: 600 W St Joseph Ste 100

City: Lansing State: MI

Zip: 48933

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others

Description: Advertising

4114-4111 -Add

PAC Receipt?: Date of Receipt: 09/30/2022 Amt: 15000.00 Cumul:

Name: Brk Thru Digital

Occupation:

Employer:

Address: 600 Third Ave Flr 2

Business Address:

City: New York State: NY

Fund Raiser:

City: State:

Zip: 10016

Zip:

Vendor Name:

Vendor Address:

City: State:

Zip:

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others

Description: Digital Advertising

IN-KIND CONTRIBUTIONS (4-IK) BALLOT QUESTION

4115-4111 -Add

PAC Receipt#:	Date of Receipt: 09/30/2022	Amt: 10852.94	Cumul:
Name: Matrix Media Services	Occupation:	Employer:	
Address: 463 E Town St		Business Address:	
City: Columbus State: OH	Fund Raiser:	City: State:	
Zip: 43215		Zip:	
Vendor Name:			
Vendor Address:			
City: State:			
Zip:			

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others
Description: Billboard Advertising

4112- -Add

PAC Receipt#:	Date of Receipt: 10/11/2022	Amt: 7000.00	Cumul: 44852.94
Name: Innovo TC Hall LLC	Occupation:	Employer:	
Address: 155 Garland St Ste 103		Business Address:	
City: Traverse City State: MI	Fund Raiser:	City: State:	
Zip: 49684		Zip:	
Vendor Name: Martin Waymire			
Vendor Address: 600 W St Joseph Ste 100			
City: Lansing State: MI			
Zip: 48933			

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others
Description: Consulting Services-NOV

4118- -Add

PAC Receipt#:	Date of Receipt: 10/16/2022	Amt: 2500.00	Cumul: 47352.94
Name: Innovo TC Hall LLC	Occupation:	Employer:	
Address: 155 Garland St Ste 103		Business Address:	
City: Traverse City State: MI	Fund Raiser:	City: State:	
Zip: 49684		Zip:	
Vendor Name: Campaign Finance Services			
Vendor Address: 403 Fourth St			
City: Charlotte State: MI			
Zip: 48813			

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others
Description: Campaign Finance Compliance Services-NOV

Schedule Total**\$ 40,352.94**

Guidebook for Complainants and Respondents on the
Campaign Finance Complaint Process



Bureau of Elections
June 2019

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Introduction

The purpose of this guidebook is to assist complainants and respondents and educate the public concerning enforcement matters filed under Section 15 of the Michigan Campaign Finance Act (MCFA or Act) with the Michigan Department of State (Department). This guidebook summarizes the Department's general enforcement policies and procedures and provides a step-by-step guide through filing a complaint with the Bureau and the complaint process as a whole.

This guidebook does not replace the law, change its meaning, or create any rights for or against any person. Nor does it bind the Department in a specific manner. It is intended to provide guidance and be a general reference guide through the process. It is not intended to be an exhaustive list of procedures and does not attempt to address every situation that may arise during the complaint process.

In addition to the MCFA, everyone should consult the Department's administrative rules that have been promulgated, the Declaratory Rulings and Interpretive Statements issued by the Department, previously resolved complaints, and relevant case law.

From the outset, please note:

- Except as noted under section 57 of the Act, there is no private right of action under the Act and the remedies for potential violations are specifically outlined in the Act. The Department has the exclusive authority over compliance matters under the Act unless specifically noted in section 17.
- The designation of "complainant" and "respondent" are based upon who files the complaint (complainant) and the person the complaint is filed against (respondent).
- The Department's investigative process is carried out through the Bureau of Elections and is governed by Section 15 of the Michigan Campaign Finance Act (MCFA or Act) along with part 5 of the Department's administrative rules.
- All documents – including emails – sent or received by the Department may become part of the Department's permanent public record and posted on the Department's website.

I. Complaint Requirements

Section 15 governs the filing and processing of complaints. The complaint must include all of the following:

- The complainant's name, address and telephone number
- Respondent's name and address
- A description of how the MCFA was violated
- Evidence supporting the allegation
- The certification statement as outlined in Section 15(6)
- The complainant's signature

The failure to submit a complaint that furnishes all of the above must result in a dismissal. In the dismissal, the complainant will be notified of which required elements are missing, be provided a copy of the Department's created form, and provided the opportunity to correct the missing information.

Use of the Department's form is not mandatory, but it helps ensure compliance with the Act's requirements.

II. Submitting the Complaint

Pursuant its authority under the Act, the Department has developed a form for the filing of campaign finance complaints. This section walks through the forms requirements and how to fill out the form. Copies of the form are available on the Department's [website](#).

Section 1: Complainant Information

First, the person filing the complaint must fill out section 1.

This section requests the complainant provide his or her name, mailing address, and contact information. An email address is requested but is not mandatory. Should an email address be provided, the Department will communicate via email.

Section 1. Complainant		
Your Name		Daytime Telephone Number
Mailing Address		
City	State	Zip
Email (optional)		

Except for an email address, these sections are mandatory. MCL 169.215(6)(a)-(c). Failure to fill out the required information may result in a dismissal. Please note the Department cannot investigate anonymous complaints.

Section 2: Respondent Information

Section 2 requires the complainant fill out the alleged violator's information. At a minimum, this section should contain the respondent's name and mailing address. These sections are required, and the failure to include any of this required information **will** result in a dismissal of the complaint.

If a phone number and email are known, they should also be provided.

Section 2: Alleged Violator		
Name		
Mailing Address		
City	State	Zip
Email (optional)		

Section 3: Allegations

Section 3 requires the complainant provide evidence supporting the allegations in the complaint. If more space is needed, you may use additional sheets.

Section 3. Allegations (Use additional sheets if more space is needed.)

Section(s) of the MCFA alleged to be violated: _____

The first question asks the filer to indicate which section of the MCFA is alleged to be violated. While not required, this assists the Department in identifying potential violations. The answer to this question should cite a provision of the Michigan Campaign Finance Act. The Department cannot investigate claims brought under any other act (e.g. Michigan Election Law).

Explain how those sections were violated:

The second section provides space for the complainant to explain how the section(s) of the MCFA identified in the first question has been violated. In this section, the complainant should describe in reasonable

detail the alleged violation and identify any and all legal arguments that support his or her position. The Department must provide the allegations to the respondent, and allegations that were available at the time of the complaint but not submitted at the time of filing may not be considered in later stages of the complaint process. Complaints should be as factually specific as possible.

Evidence included with the submission of the complaint that supports the allegations:

The final question asks the complainant to identify the evidence that is being submitted that supports the allegations in

the complaint. All available evidence is required to be identified and submitted per the Department's administrative rules. R. 169.52(2).

If the allegations in the complaint are based in whole or in part upon information contained in an advertisement, news article, or website, the complaint should provide a copy of the relevant advertisement, news article, or link to the website, if possible. If the complaint is about specific campaign material, photocopies or pictures of the material should be provided. Complaints should be filed as soon as possible after the alleged violation becomes known to the complainant in order to preserve evidence as committees are only required to retain records for five years.

In order to be investigated, the burden is placed on the filer to submit any and all available evidence. The Department cannot investigate complaints that do not contain sufficient evidence or complaints that are based upon speculation. If the filer is unable to obtain evidence but is able to make the certification statement contained within section 5 of the complaint, the Department may investigate the complaint.

Sections 4 & 5: Certification

Once the complainant has completed sections 1-3, the complainant must sign the verification statement contained within either section 4 or 5. If evidence is being submitted with the complaint, the complainant should sign the verification statement in section 4.

Section 4: Certification (Required)

I certify that to the best of my knowledge, information, and belief, formed after a reasonable inquiry under the circumstances, each factual contention of this complaint is supported by evidence.

X

Signature of Complainant

Date



MICHIGAN DEPARTMENT OF STATE
BUREAU OF ELECTIONS

ORIGINAL OR AMENDED

STATEMENT OF ORGANIZATION FORM FOR LOCAL BALLOT QUESTION COMMITTEES FILED WITH COUNTY CLERK

EXHIBIT 2

1. Committee ID #: 40200	2. Type of Filing: <input checked="" type="checkbox"/> Original: <input type="checkbox"/> Amendment to items:	Eff. Date: 9/22/2022
3. Date Committee was Formed: 9/22/2022		
4. Full Name of Committee: TC Needs More Housing		
5. Acronym or Abbreviation (if any):		
6. Complete Committee Mailing Address (May be PO Box): 155 Garland Ste. 103 Traverse City, MI 49684		
7. Complete Committee Street Address (May not be PO Box): 155 Garland Ste. 103 Traverse City, MI 49684		
Committee Phone: 269 823 4939	Committee Email Address: bmullally@gmail.com	Committee Website Address:
8. Treasurer Name and Complete Residential Address: Brian Mullally		
Phone #: 269 823 4939	Email Address: bmullally@gmail.com	
9. Designated Record Keeper Name and Complete Address: Brian Mullally		
Phone #: 269 823 4939	Email Address: bmullally@gmail.com	
10. REPORTING WAIVER REQUEST: <input type="checkbox"/> YES, I/WE WANT TO APPLY FOR THE REPORTING WAIVER. The committee does not expect to spend or receive in excess of \$1,000.00 in an election. I/We understand that if the committee does not spend or receive in excess of \$1,000.00 in an election, the committee does not owe detailed campaign statements. I/We further understand that the Reporting Waiver will be automatically lost if the committee exceeds the \$1,000.00 threshold and all required campaign statements must be filed. A Reporting Waiver does not exempt a committee from filing Late Contribution Reports. <input checked="" type="checkbox"/> NO, I/WE DO NOT WANT TO APPLY FOR THE REPORTING WAIVER. The committee expects to spend or receive in excess of \$1,000.00 in an election. I/We understand that the committee owes detailed campaign statements even if the committee does not spend or receive in excess of \$1,000.00 in an election. I/We further understand that the Reporting Waiver cannot be requested retroactively to avoid filing requirements and to avoid paying late filing fees. Further information regarding Reporting Waivers can be found in Appendix C of the Committee Manual.		
11. Name and Address of Depositories or Intended Depositories of committee funds. (Michigan Bank, Credit Union or Savings & Loan Association) *Official Depository (name and address): PNC Bank 901 S. Garfield Ave. Traverse City, MI 49686 Secondary Depository (name and address):		
12. List the specific ballot proposal(s) involved using the official ballot designation if available and mark support or oppose as appropriate: <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose Description: Indicate the ballot proposal district below by selecting County (include the county name), Multi-County or Local (include the name of the jurisdiction). If multi-county, list the county where the greatest number of voters eligible to vote on the proposal reside. <input type="checkbox"/> County <input type="checkbox"/> Multi-County <input checked="" type="checkbox"/> Local Proposal 1 City of Traverse		
13. Verification: I/We certify that all reasonable diligence was used in the preparation of the above statement and that the contents are true, accurate and complete to the best of my/our knowledge or belief. I/We certify that all reasonable diligence will be used in the preparation of each statement electronically filed by this committee and that the contents of each statement will be true, accurate and complete to the best of my/our knowledge or belief.		
*Current Treasurer [Signature]	*Designated Record Keeper (If Applicable) [Signature]	Date: 9/22/2022

CFR BQSO.doc REV 04/2018: Authority granted under Act 388 of 1976, as amended

* = Required Field on Originals

RECEIVED AND FILED
COUNTY OF GRAND TRAVERSE

SEP 22 2022

COUNTY CLERK



MICHIGAN DEPARTMENT OF STATE
BUREAU OF ELECTIONS

BALLOT QUESTION COVER PAGE

• Committee ID	40200-0		
• Committee Name	TC Needs More Housing		
• Coverage Period	09/22/2022 - 10/23/2022		
• Address Information			
• Committee Mailing	155 Garland Ste 103 Traverse City MI 49684		
• Phone	(269) 823-4939		
• Treasurer Name	Brian Mullally		
• Treasurer Residential	155 Garland Ste 103 Traverse City MI 48684		
• Phone	(269) 823-4939		
• Treasurer Business			
• Phone			
• Recordkeeper Name	Brian Mullally		
• Recordkeeper Mailing	155 Garland Ste 103 Traverse City MI 48684		
• Phone	(269) 823-4939		
• Statement Type	Pre-Election		
• Relates To	General		
• Election Date	11/08/2022		
• Dissolution Date (effective)	//		
• Qual/Non-Qual Date	//		
• Annual Statement Coverage Year			
• Treasurer/Recordkeeper Signed	Brian Mullally	• Date	10/16/2022

A committee that does not have a Reporting Waiver must file all required Campaign Statements. The Campaign Statements must include all applicable Schedules. Direct contributions, in-kind contributions, loans, expenditures, and outstanding debts count against the \$1,000 Reporting Waiver threshold. If any of the information listed in the items above has changed since the information was shown on the committee's Statement of Organization, an amendment to the Statement of Organization should accompany this Campaign Statement. If a request for a Reporting Waiver is not received on or before the filing deadline of a required campaign statement, that campaign statement cannot be waived.

Verification: I\We certify that all reasonable diligence was used in the preparation of this statement and attached schedules (if any) and to the best of my\our knowledge and belief the contents are true, accurate and complete.

Current Treasurer or Designated Record keeper:

(Type or Print) Name:

Brian Mullally

Signature:

Date:

10/18/22

BALLOT SUMMARY PAGE

• Committee ID		40200-0	
• Committee Name		TC Needs More Housing	
• Document Name		Pre-Election General	
RECEIPTS		This Period	Cumulative
3. Contributions			
a. Itemized Contributions	(3a.)	0.00	
b. Unitemized	(3b.)	0.00	
c. Subtotal of Contributions	(3c.)	0.00	(18.) 0.00
4. Other Receipts		(4.) 0.00	(19.) 0.00
5. Total Contributions and Other Receipts		(5.) 0.00	(20.) 0.00
IN-KIND CONTRIBUTIONS			
6. In-Kind Contributions			
a. Itemized	(6a.)	40,352.94	
b. Unitemized (less than \$20.01 each)	(6b.)	0.00	
7. Total In-Kind Contributions		(7.) 40,352.94	(21.) 47,352.94
EXPENDITURES			
8. Expenditures			
a. Itemized	(8a.)	0.00	
b. Itemized GOTV	(8b.)	0.00	
c. In-Kind Expenditures - Purchase of Goods or Services	(8c.)	0.00	
d. Unitemized (less than \$50.01 each)	(8d.)	0.00	
e. Subtotal of Expenditures	(8e.)	0.00	(22.) 0.00
9. Independent Expenditures		(9.) 0.00	(23.) 0.00
10. Total Expenditures		(10.) 0.00	(24.) 0.00
IN-KIND EXPENDITURES			
11. In-Kind Expenditures, Endorsements, Donations or Loans of Goods and Services		(11.) 0.00	(25.) 0.00
DEBTS AND OBLIGATIONS			
12. Debts and Obligations			
a. Owed by the Committee	(12a.)	0.00	
b. Owed to the Committee	(12b.)	0.00	
BALANCE STATEMENT			
13. Ending Balance of last report filed		(13.)	0.00
14. Amount received during reporting Period		(14.)	0.00
15. Subtotal		(15.)	0.00
16. Amount Expended during reporting Period		(16.)	0.00
17. ENDING BALANCE		(17.)	0.00

IN-KIND CONTRIBUTIONS (4-IK) BALLOT QUESTION

• Committee ID	40200-0
• Committee Name	TC Needs More Housing
• Document Name	Pre-Election General

4117- -Add

PAC Receipt?: Date of Receipt: 09/22/2022 Amt: 5000.00 Cumul: 12000.00

Name: Innovo TC Hall LLC Occupation: Employer:
Address: 155 Garland St Ste 103 Business Address:
City: Traverse City State: MI Fund Raiser: City: State:
Zip: 49684 Zip:

Vendor Name: Tract!on
Vendor Address: 617 E Michigan Ave
City: Lansing State: MI
Zip: 48912

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others
Description: Strategy, Research & Design Services-NOV

4111- -Add

PAC Receipt?: Date of Receipt: 09/30/2022 Amt: 25852.94 Cumul: 37852.94

Name: Innovo TC Hall LLC Occupation: Employer:
Address: 155 Garland St Ste 103 Business Address:
City: Traverse City State: MI Fund Raiser: City: State:
Zip: 49684 Zip:

Vendor Name: Martin Waymire
Vendor Address: 600 W St Joseph Ste 100
City: Lansing State: MI
Zip: 48933

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others
Description: Advertising

4114-4111 -Add

PAC Receipt?: Date of Receipt: 09/30/2022 Amt: 15000.00 Cumul:

Name: Brk Thru Digital Occupation: Employer:
Address: 600 Third Ave Flr 2 Business Address:
City: New York State: NY Fund Raiser: City: State:
Zip: 10016 Zip:

Vendor Name:
Vendor Address:
City: State:
Zip:

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others
Description: Digital Advertising

IN-KIND CONTRIBUTIONS (4-IK) BALLOT QUESTION

4115-4111 -Add

PAC Receipt?: Date of Receipt: 09/30/2022

Amt: 10852.94

Cumul:

Name: Matrix Media Services

Occupation:

Employer:

Address: 463 E Town St

Business Address:

City: Columbus State: OH

Fund Raiser:

City: State:

Zip: 43215

Zip:

Vendor Name:

Vendor Address:

City: State:

Zip:

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others

Description: Billboard Advertising

4112- -Add

PAC Receipt?: Date of Receipt: 10/11/2022

Amt: 7000.00

Cumul: 44852.94

Name: Innovo TC Hall LLC

Occupation:

Employer:

Address: 155 Garland St Ste 103

Business Address:

City: Traverse City State: MI

Fund Raiser:

City: State:

Zip: 49684

Zip:

Vendor Name: Martin Waymire

Vendor Address: 600 W St Joseph Ste 100

City: Lansing State: MI

Zip: 48933

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others

Description: Consulting Services-NOV

4118- -Add

PAC Receipt?: Date of Receipt: 10/16/2022

Amt: 2500.00

Cumul: 47352.94

Name: Innovo TC Hall LLC

Occupation:

Employer:

Address: 155 Garland St Ste 103

Business Address:

City: Traverse City State: MI

Fund Raiser:

City: State:

Zip: 49684

Zip:

Vendor Name: Campaign Finance Services

Vendor Address: 403 Fourth St

City: Charlotte State: MI

Zip: 48813

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others

Description: Campaign Finance Compliance Services-NOV

Schedule Total

\$ 40,352.94



BALLOT QUESTION COVER PAGE

• Committee ID	40200-0		
• Committee Name	TC Needs More Housing		
• Coverage Period	09/20/2022 - 10/23/2022		
• Address Information			
• Committee Mailing	155 Garland Ste 103 Traverse City MI 49684 (269) 823-4939		
• Phone			
• Treasurer Name	Brian Mullally		
• Treasurer Residential	155 Garland Ste 103 Traverse City MI 48684 (269) 823-4939		
• Phone			
• Treasurer Business			
• Phone			
• Recordkeeper Name	Brian Mullally		
• Recordkeeper Mailing	155 Garland Ste 103 Traverse City MI 48684 (269) 823-4939		
• Phone			
• Statement Type	Amended - Pre-Election		
• Relates To	General		
• Election Date	11/08/2022		
• Dissolution Date (effective)	//		
• Qual/Non-Qual Date	//		
• Annual Statement Coverage Year			
• Treasurer/Recordkeeper Signed	Brian Mullally	• Date	12/01/2022

A committee that does not have a Reporting Waiver must file all required Campaign Statements. The Campaign Statements must include all applicable Schedules. Direct contributions, in-kind contributions, loans, expenditures, and outstanding debts count against the \$1,000 Reporting Waiver threshold. If any of the information listed in the items above has changed since the information was shown on the committee's Statement of Organization, an amendment to the Statement of Organization should accompany this Campaign Statement. **If a request for a Reporting Waiver is not received on or before the filing deadline of a required campaign statement, that campaign statement cannot be waived.**

Verification: I\We certify that all reasonable diligence was used in the preparation of this statement and attached schedules (if any) and to the best of my\our knowledge and belief the contents are true, accurate and complete.

Current Treasurer or Designated Record keeper:

(Type or Print) Name: Brian

Signature: Brian Mullally

Date: 12/1/22

Mullally

BALLOT SUMMARY PAGE

• **Committee ID** 40200-0
 • **Committee Name** TC Needs More Housing
 • **Document Name** Amended - Pre-Election General

RECEIPTS		This Period	Cumulative
3. Contributions			
a. Itemized Contributions	(3a.)	0.00	
b. Unitemized	(3b.)	0.00	
c. Subtotal of Contributions	(3c.)	0.00 (18.)	0.00
4. Other Receipts	(4.)	0.00 (19.)	0.00
5. Total Contributions and Other Receipts	(5.)	0.00 (20.)	0.00
IN-KIND CONTRIBUTIONS			
6. In-Kind Contributions			
a. Itemized	(6a.)	47,352.94	
b. Unitemized (less than \$20.01 each)	(6b.)	0.00	
7. Total In-Kind Contributions	(7.)	47,352.94 (21.)	47,352.94
EXPENDITURES			
8. Expenditures			
a. Itemized	(8a.)	0.00	
b. Itemized GOTV	(8b.)	0.00	
c. In-Kind Expenditures - Purchase of Goods or Services	(8c.)	0.00	
d. Unitemized (less than \$50.01 each)	(8d.)	0.00	
e. Subtotal of Expenditures	(8e.)	0.00 (22.)	0.00
9. Independent Expenditures	(9.)	0.00 (23.)	0.00
10. Total Expenditures	(10.)	0.00 (24.)	0.00
IN-KIND EXPENDITURES			
11. In-Kind Expenditures, Endorsements, Donations or Loans of Goods and Services	(11.)	0.00 (25.)	0.00
DEBTS AND OBLIGATIONS			
12. Debts and Obligations			
a. Owed by the Committee	(12a.)	0.00	
b. Owed to the Committee	(12b.)	0.00	
BALANCE STATEMENT			
13. Ending Balance of last report filed	(13.)		0.00
14. Amount received during reporting Period	(14.)		0.00
15. Subtotal	(15.)		0.00
16. Amount Expended during reporting Period	(16.)		0.00
17. ENDING BALANCE	(17.)		0.00

IN-KIND CONTRIBUTIONS (4-IK) BALLOT QUESTION

• **Committee ID** 40200-0
• **Committee Name** TC Needs More Housing
• **Document Name** Amended - Pre-Election General

4119- -No-Change

PAC Receipt?: **Date of Receipt:** 09/20/2022 **Amt:** 7000.00 **Cumul:** 7000.00
Name: Innovo TC Hall LLC **Occupation:** **Employer:**
Address: 155 Garland St Ste 103 **Business Address:**
City: Traverse City **State:** MI **Fund Raiser:** **City:** **State:**
Zip: 49684 **Zip:**
Vendor Name: Tractlon
Vendor Address: 617 E Michigan Ave
City: Lansing **State:** MI
Zip: 48912

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others
Description: Campaign Planning & Execution-NOV

4117- -No-Change

PAC Receipt?: **Date of Receipt:** 09/22/2022 **Amt:** 5000.00 **Cumul:** 12000.00
Name: Innovo TC Hall LLC **Occupation:** **Employer:**
Address: 155 Garland St Ste 103 **Business Address:**
City: Traverse City **State:** MI **Fund Raiser:** **City:** **State:**
Zip: 49684 **Zip:**
Vendor Name: Tractlon
Vendor Address: 617 E Michigan Ave
City: Lansing **State:** MI
Zip: 48912

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others
Description: Strategy, Research & Design Services-NOV

4111- -No-Change

PAC Receipt?: **Date of Receipt:** 09/30/2022 **Amt:** 25852.94 **Cumul:** 37852.94
Name: Innovo TC Hall LLC **Occupation:** **Employer:**
Address: 155 Garland St Ste 103 **Business Address:**
City: Traverse City **State:** MI **Fund Raiser:** **City:** **State:**
Zip: 49684 **Zip:**
Vendor Name: Martin Waymire
Vendor Address: 600 W St Joseph Ste 100
City: Lansing **State:** MI
Zip: 48933

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others
Description: Advertising

IN-KIND CONTRIBUTIONS (4-IK) BALLOT QUESTION

4114-4111 -No-Change

PAC Receipt?: Date of Receipt: 09/30/2022

Amt: 15000.00

Cumul:

Name: Brk Thru Digital
Address: 600 Third Ave Flr 2
City: New York State: NY
Zip: 10016

Occupation:

Fund Raiser:

Employer:
Business Address:
City: State:
Zip:

Vendor Name:
Vendor Address:
City: State:
Zip:

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others
Description: Digital Advertising

4115-4111 -No-Change

PAC Receipt?: Date of Receipt: 09/30/2022

Amt: 10852.94

Cumul:

Name: Matrix Media Services
Address: 463 E Town St
City: Columbus State: OH
Zip: 43215

Occupation:

Fund Raiser:

Employer:
Business Address:
City: State:
Zip:

Vendor Name:
Vendor Address:
City: State:
Zip:

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others
Description: Billboard Advertising

4112- -No-Change

PAC Receipt?: Date of Receipt: 10/11/2022

Amt: 7000.00

Cumul: 44852.94

Name: Innovo TC Hall LLC
Address: 155 Garland St Ste 103
City: Traverse City State: MI
Zip: 49684

Occupation:

Fund Raiser:

Employer:
Business Address:
City: State:
Zip:

Vendor Name: Martin Waymire
Vendor Address: 600 W St Joseph Ste 100
City: Lansing State: MI
Zip: 48933

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others
Description: Consulting Services-NOV

IN-KIND CONTRIBUTIONS (4-IK) BALLOT QUESTION

4118- -No-Change

PAC Receipt?:

Date of Receipt: 10/16/2022

Amt: 2500.00

Cumul: 47352.94

Name: Innovo TC Hall LLC

Occupation:

Employer:

Address: 155 Garland St Ste 103

Business Address:

City: Traverse City State: MI

Fund Raiser:

City: State:

Zip: 49684

Zip:

Vendor Name: Campaign Finance Services

Vendor Address: 403 Fourth St

City: Charlotte State: MI

Zip: 48813

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others

Description: Campaign Finance Compliance Services-NOV

Schedule Total

\$ 47,352.94



BALLOT QUESTION COVER PAGE

• Committee ID	40200-0
• Committee Name	TC Needs More Housing
• Coverage Period	10/24/2022 - 11/28/2022
• Address Information	
• Committee Mailing	155 Garland Ste 103 Traverse City MI 49684
• Phone	(269) 823-4939
• Treasurer Name	Brian Mullally
• Treasurer Residential	155 Garland Ste 103 Traverse City MI 48684
• Phone	(269) 823-4939
• Treasurer Business	
• Phone	
• Recordkeeper Name	Brian Mullally
• Recordkeeper Mailing	155 Garland Ste 103 Traverse City MI 48684
• Phone	(269) 823-4939
• Statement Type	Dissolution Report
• Relates To	
• Election Date	11/08/2022
• Dissolution Date (effective)	11/28/2022
• Qual/Non-Qual Date	//
• Annual Statement Coverage Year	
• Treasurer/Recordkeeper Signed	Brian Mullally • Date 12/04/2022

A committee that does not have a Reporting Waiver must file all required Campaign Statements. The Campaign Statements must include all applicable Schedules. Direct contributions, in-kind contributions, loans, expenditures, and outstanding debts count against the \$1,000 Reporting Waiver threshold. If any of the information listed in the items above has changed since the information was shown on the committee's Statement of Organization, an amendment to the Statement of Organization should accompany this Campaign Statement. **If a request for a Reporting Waiver is not received on or before the filing deadline of a required campaign statement, that campaign statement cannot be waived.**

Verification: I We certify that all reasonable diligence was used in the preparation of this statement and attached schedules (if any) and to the best of my our knowledge and belief the contents are true, accurate and complete.

Current Treasurer or Designated Record keeper:

(Type or Print) Name: BRIAN
MULLALLY

Signature:  Date: 12/6/2022

BALLOT SUMMARY PAGE

• Committee ID		40200-0	
• Committee Name		TC Needs More Housing	
• Document Name		Dissolution Report	
RECEIPTS		This Period	Cumulative
3. Contributions			
a. Itemized Contributions	(3a.)	0.00	
b. Unitemized	(3b.)	0.00	
c. Subtotal of Contributions	(3c.)	0.00	(18.) 0.00
4. Other Receipts	(4.)	0.00	(19.) 0.00
5. Total Contributions and Other Receipts	(5.)	0.00	(20.) 0.00
IN-KIND CONTRIBUTIONS			
6. In-Kind Contributions			
a. Itemized	(6a.)	39,972.36	
b. Unitemized (less than \$20.01 each)	(6b.)	0.00	
7. Total In-Kind Contributions	(7.)	39,972.36	(21.) 54,950.15
EXPENDITURES			
8. Expenditures			
a. Itemized	(8a.)	0.00	
b. Itemized GOTV	(8b.)	0.00	
c. In-Kind Expenditures - Purchase of Goods or Services	(8c.)	0.00	
d. Unitemized (less than \$50.01 each)	(8d.)	0.00	
e. Subtotal of Expenditures	(8e.)	0.00	(22.) 0.00
9. Independent Expenditures	(9.)	0.00	(23.) 0.00
10. Total Expenditures	(10.)	0.00	(24.) 0.00
IN-KIND EXPENDITURES			
11. In-Kind Expenditures, Endorsements, Donations or Loans of Goods and Services	(11.)	0.00	(25.) 0.00
DEBTS AND OBLIGATIONS			
12. Debts and Obligations			
a. Owed by the Committee	(12a.)	0.00	
b. Owed to the Committee	(12b.)	0.00	
BALANCE STATEMENT			
13. Ending Balance of last report filed	(13.)		0.00
14. Amount received during reporting Period	(14.)		0.00
15. Subtotal	(15.)		0.00
16. Amount Expended during reporting Period	(16.)		0.00
17. ENDING BALANCE	(17.)		0.00

IN-KIND CONTRIBUTIONS (4-IK) BALLOT QUESTION

• Committee ID	40200-0
• Committee Name	TC Needs More Housing
• Document Name	Dissolution Report

4136- -Add

PAC Receipt?: **Date of Receipt:** 10/27/2022 **Amt:** 4149.80 **Cumul:** 51502.74
Name: Innovo TC Hall LLC **Occupation:** **Employer:**
Address: 155 Garland St Ste 103 **Business Address:**
City: Traverse City **State:** MI **Fund Raiser:** **City:** **State:**
Zip: 49684 **Zip:**
Vendor Name: Mitchell Graphics Inc
Vendor Address: 1445 Woodmere
City: Traverse City **State:** MI
Zip: 49686
Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others
Description: Sign & Marketing Services-NOV

4125- -Add

PAC Receipt?: **Date of Receipt:** 11/03/2022 **Amt:** 3447.41 **Cumul:** 54950.15
Name: Innovo TC Hall LLC **Occupation:** **Employer:**
Address: 155 Garland St Ste 103 **Business Address:**
City: Traverse City **State:** MI **Fund Raiser:** **City:** **State:**
Zip: 49684 **Zip:**
Vendor Name: Martin Waymire
Vendor Address: 600 W St Joseph Ste 100
City: Lansing **State:** MI
Zip: 48933
Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others
Description: Data Management Services & Text Services

4125 SUBITEM -Add

PAC Receipt?: **Date of Receipt:** 11/03/2022 **Amt:** 1434.91 **Cumul:**
Name: Peachtree Data Inc **Occupation:** **Employer:**
Address: 2905 Premiere Prkwy Ste **Business Address:**
200 **Fund Raiser:** **City:** **State:**
City: Duluth **State:** GA **Zip:**
Zip: 30097
Vendor Name: Peachtree Data Inc
Vendor Address: 2905 Premiere Prkwy Ste 200
City: Duluth **State:** GA
Zip: 30097
Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others
Description: Data Management Services

IN-KIND CONTRIBUTIONS (4-IK) BALLOT QUESTION

4125 SUBITEM -Add

PAC Receipt?: Date of Receipt: 11/03/2022

Amt: 2012.50

Cumul:

Name: Winning Connections Inc

Occupation:

Employer:

Address: 317 Pennsylvania Ave

Business Address:

SE Ste 2

Fund Raiser:

City: State:

City: Washington State: DC

Zip:

Zip: 20003

Vendor Name: Winning Connections Inc

Vendor Address: 317 Pennsylvania Ave SE Ste 2

City: Washington State: DC

Zip: 20003

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others

Description: Texting Services

4123- -Add

PAC Receipt?: Date of Receipt: 11/09/2022

Amt: 1308.00

Cumul: 1308.00

Name: Innovo TC Hall LLC

Occupation:

Employer:

Address: 155 Garland St Ste 103

Business Address:

City: Traverse City State: MI

Fund Raiser:

City: State:

Zip: 49684

Zip:

Vendor Name: Martin Waymire

Vendor Address: 600 W St Joseph Ste 100

City: Lansing State: MI

Zip: 48933

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others

Description: Consulting Services-NOV

4130- -Add

PAC Receipt?: Date of Receipt: 11/09/2022

Amt: 2583.72

Cumul: 3891.72

Name: Innovo TC Hall LLC

Occupation:

Employer:

Address: 155 Garland St Ste 103

Business Address:

City: Traverse City State: MI

Fund Raiser:

City: State:

Zip: 49684

Zip:

Vendor Name: Tractfon

Vendor Address: 617 E Michigan Ave

City: Lansing State: MI

Zip: 48912

Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others

Description: Printing Services-NOV

IN-KIND CONTRIBUTIONS (4-IK) BALLOT QUESTION

4131- -Add

PAC Receipt?:	Date of Receipt: 11/09/2022	Amt: 30.00	Cumul: 3921.72
Name: Innovo TC Hall LLC	Occupation:	Employer:	
Address: 155 Garland St Ste 103		Business Address:	
City: Traverse City State: MI	Fund Raiser:	City: State:	
Zip: 49684		Zip:	
Vendor Name: Tractfon			
Vendor Address: 617 E Michigan Ave			
City: Lansing State: MI			
Zip: 48912			
Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others			
Description: Domain Registration			

4132- -Add

PAC Receipt?:	Date of Receipt: 11/09/2022	Amt: 4500.00	Cumul: 8421.72
Name: Innovo TC Hall LLC	Occupation:	Employer:	
Address: 155 Garland St Ste 103		Business Address:	
City: Traverse City State: MI	Fund Raiser:	City: State:	
Zip: 49684		Zip:	
Vendor Name: Borealis Strategic LLC			
Vendor Address: 4323 Baywood Dr			
City: Traverse City State: MI			
Zip: 49686			
Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others			
Description: Consulting Services-NOV			

4134- -Add

PAC Receipt?:	Date of Receipt: 11/09/2022	Amt: 16542.00	Cumul: 24963.72
Name: Innovo TC Hall LLC	Occupation:	Employer:	
Address: 155 Garland St Ste 103		Business Address:	
City: Traverse City State: MI	Fund Raiser:	City: State:	
Zip: 49684		Zip:	
Vendor Name: Tractfon			
Vendor Address: 617 E Michigan Ave			
City: Lansing State: MI			
Zip: 48912			
Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others			
Description: Website Management & Print Services-NOV			

IN-KIND CONTRIBUTIONS (4-IK) BALLOT QUESTION

4137- -Add

PAC Receipt?:	Date of Receipt: 11/09/2022	Amt: 2911.43	Cumul: 27875.15
Name: Innovo TC Hall LLC	Occupation:	Employer:	
Address: 155 Garland St Ste 103		Business Address:	
City: Traverse City State: MI	Fund Raiser:	City: State:	
Zip: 49684		Zip:	
Vendor Name: Mitchell Graphics Inc			
Vendor Address: 1445 Woodmere			
City: Traverse City State: MI			
Zip: 49686			
Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others			
Description: Sign & Marketing Services-NOV			

4122- -Add

PAC Receipt?:	Date of Receipt: 11/28/2022	Amt: 4500.00	Cumul: 32375.15
Name: Innovo TC Hall LLC	Occupation:	Employer:	
Address: 155 Garland St Ste 103		Business Address:	
City: Traverse City State: MI	Fund Raiser:	City: State:	
Zip: 49684		Zip:	
Vendor Name: Tracton			
Vendor Address: 617 E Michigan Ave			
City: Lansing State: MI			
Zip: 48912			
Type of In-Kind Contribution: Goods or Services Purchased by Candidate or Others			
Description: Website Development & Artwork Design			

Schedule Total

\$ 39,972.36



STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

January 25, 2023

Kent Anderson
429 South Garfield Avenue
Traverse City, MI 49686

Re: *Anderson v. TC Needs More Housing*
Campaign Finance Complaint No. 2022-12-223-34

Dear Mr. Anderson:

The Department of State received a response from TC Needs More Housing to the complaint you filed against them alleging a violation of the Michigan Campaign Finance Act, 1976 P.A. 388, MCL 169.201 *et seq.* A copy of the response is provided as an enclosure with this letter.

You may file a rebuttal statement after reviewing the enclosed response. If you elect to file a rebuttal statement, you are required to do so within 10 business days of the date of this letter. The rebuttal statement may be emailed to BOERegulatory@michigan.gov or mailed to the Department of State, Bureau of Elections, Richard H. Austin Building, 1st Floor, 430 West Allegan Street, Lansing, Michigan 48918.

Sincerely,

Regulatory Section
Bureau of Elections
Michigan Department of State

Enclosure
c: TC Needs More Housing



STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

March 29, 2023

John P. Lynch
Counsel to TC Needs More Housing
Lynch Law
934 E. Eighth Street
Traverse City, MI 49686

Re: *Anderson v. TC Needs More Housing*
Campaign Finance Complaint No. 2022-12-233-34

Dear Mr. Lynch:

The Department of State (Department) has finished investigating the campaign finance complaint filed against your client by Kent Anderson alleging that you violated the Michigan Campaign Finance Act (MCFA or Act). This letter concerns the disposition of that complaint.

The complaint alleged that your campaign finance reports may have contained incomplete or inaccurate information, that you included an incorrect committee ID number¹ and that certain contributions were not included in your reports.

You responded to the complaint. In your response, you denied Mr. Anderson's allegations in their entirety.

First, in response to the allegation that your clients used the wrong identification number in their statement of organization, you offer a copy of the statement of organization which you indicate was provided by the Grand Traverse clerk's office and which includes the correct identification number. As the Department stated in its notice, such matters are at the discretion of the filing official and the Department makes no determination as to a possible violation.

¹ As indicated in its December 29, 2022 notice, the Department notes that the filing official is responsible for determining issues of substantial compliance when they accept the campaign statement. MCL 169.216(6). This means that, while the Department will investigate complaints alleging unreported or under-reported contributions or expenditures, the Department will not investigate complaints alleging *de minimis* mistakes in contributor names, reported addresses, or similar issues.

Second, regarding the allegation that your clients failed to report contributions totaling \$7,000, you reply that this was a clerical error that was corrected in the amended pre-election report, dated December 1, 2022, which was before you received notice of the complaint.

Third, regarding the allegation that your clients failed to record two in-kind contributions in the cumulative total on the pre-election report, you indicate that both are clearly present in the pre-general report and are sub-itemizations of a different transaction also present in the report. Moreover, contrary to Mr. Anderson's assertion that the umbrella in-kind contribution and the two sub-itemizations composing that umbrella contribution should have all been included in the cumulative total, you argue that doing so would result in a double book entry.

Finally, you include an affidavit from Brett McRae, who was responsible for filing campaign finance reports for TC Needs More Housing. The affidavit supports and reiterates the responses in your submission.

In a letter dated January 25, 2022, the Department provided Mr. Anderson the opportunity to provide a rebuttal statement; to date, no rebuttal has been received.

The MCFA requires ballot question committees to file contributions and expenditures with the appropriate filing official by specific dates. MCL 169.234(1). A person who knowingly omits or underreports expenditures required to be disclosed by the Act is subject to a civil fine of not more than \$1,000 or the amount of the undisclosed contribution, whichever is greater. MCL 169.234(7).

The Department has reviewed the evidence submitted in this matter and finds that insufficient evidence has been presented to support a finding of a potential violation of the MCFA. Your clients remedied the one clerical error noted on your own and before receiving notice of the complaint from the Department.

Because the violation of the MCFA alleged in the complaint has not been substantiated by sufficient evidence, the Department dismisses the complaint and will take no further enforcement action. If you have any questions concerning this matter, you may contact me at BOERegulatory@Michigan.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jenny McNerney", is positioned above the typed name.

Jenny McNerney, Regulatory Attorney
Bureau of Elections
Michigan Department of State

c: Kent Anderson