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STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

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STATE ETHICS
COMMISSION

COMPLAINT FORM

FOR COMMISSION USE ONLY:
CASE NUMBER
C 2021-104

COMPLAINANT: State Ethics Commission
ADDRESS: 201 Executive Center Drive
Suite 150
Columbia, SC 29210
TELEPHONE NUMBER: (803) 253-4192

RESPONDENT: Tiffany Ownbey
ADDRESS: [REDACTED]
TELEPHONE NUMBER: [REDACTED]
TITLE: Former Mayor – City of Belton

Section 8-13-1308 (F), S.C. Code Ann., 1976, as amended, requires that certified campaign reports detailing campaign contributions and expenditures must contain the total of contributions accepted, the name and address of each person making a contribution, the total expenditures made by or on behalf of the candidate or committee, and the name and address of each person to whom an expenditure is made from campaign funds. The Respondent failed to report contributions and expenditures as documented in the attached.

Respondent was reminded of the filing requirement by letters dated February 20, 2020 and January 25, 2021 as described in the attached. To date, Respondent has not amended her Campaign Disclosures. All in violation of Section 8-13-1308 (F), S.C. Code Ann., 1976, as amended.

All investigations, inquiries, hearings, and accompanying documents must remain confidential unless respondent waives the right to confidentiality. If there is a finding of probable cause, the following documents become public record: the complaint, the response (if any) by respondent, and the notice of hearing. If a hearing is to be held, the final order and all exhibits become public record. If no hearing is held following a finding of probable cause, the final disposition of the matter becomes public record. The willful release of confidential information is a misdemeanor, and any person releasing such confidential information, upon conviction, must be fined not more than one thousand dollars (\$1,000) or imprisoned not more than one year. Section 8-13-320(10)(g).

STATE OF SOUTH CAROLINA
COUNTY OF Richland

Personally appeared before me Meghan L. Walker who, first being duly sworn, says that she has read and knows the contents of the above complaint and that the allegations contained therein, are true and correct to the best of her own knowledge, except for those matters therein based upon information and belief, and as to those she believes them to be true.

Sworn to and subscribed before me this 2 day of November, 2021

[REDACTED]
Meghan L. Walker, Executive Director

[REDACTED]
Notary Public for South Carolina
My Commission expires 01/22/26

SEC-7 (Revised 8/2019)

REPLY TO: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210 (803)253-4192
FAXED COPIES WILL NOT BE ACCEPTED

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STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

IN THE MATTER OF:)

Complaint C2021-104)

Tiffany Ownbey)
Respondent.)

State Ethics Commission)
Complainant.)

BEFORE THE STATE ETHICS COMMISSION

NOTICE OF HEARING

The State Ethics Commission has determined that there is probable cause pursuant to Section 8-13-320(10)(i), Code of Laws, South Carolina, 1976, as amended, to support the allegations made in the above-captioned complaint. The Commission will convene a formal hearing into the matter in accordance with Section 8-13-320(10)(i) & (j), Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.) on Thursday, October 20, 2022 at 9:30 a.m. at the Commission Hearing Room located at: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210.

The following allegations will be heard:

COUNT ONE
FAILURE TO REPORT IN-KIND CONTRIBUTIONS AND EXPENDITURES
SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED

That Tiffany Ownbey, former Mayor of City of Belton, did in Richland County, fail to report an In-kind contribution from Jamie Ownbey who purchased a billboard from Fruitland Outdoor Advertising Co. for the Respondent, in violation of Section 8-13-1308(F).

COUNT TWO
FAILURE TO REPORT IN-KIND CONTRIBUTIONS AND EXPENDITURES
SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED

That Tiffany Ownbey, former Mayor of City of Belton, did in Richland County, fail to

report an In-kind contribution from Don Rossignol who purchased signs from Super Cheap Signs for the Respondent, in violation of Section 8-13-1308(F).

COUNT THREE
FAILURE TO REPORT IN-KIND CONTRIBUTIONS AND EXPENDITURES
SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED

That Tiffany Ownbey, former Mayor of City of Belton, did in Richland County, fail to report an In-kind contribution from Don Rossignol who purchased koozies from Halo Solutions for the Respondent, in violation of Section 8-13-1308(F).

COUNT FOUR
FAILURE TO REPORT IN-KIND CONTRIBUTIONS AND EXPENDITURES
SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED

That Tiffany Ownbey, former Mayor of City of Belton, did in Richland County, fail to report an In-kind contribution from Jamie Ownbey who purchased T-shirts from Electric City Extreme for the Respondent, in violation of Section 8-13-1308(F).

COUNT FIVE
FAILURE TO MAKE EXPENDITURES THROUGH CAMPAIGN BANK ACCOUNT
SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED

That Tiffany Ownbey, former Mayor of City of Belton, did in Richland County, fail to make an expenditure through her campaign bank account when purchasing a newspaper advertisement, in violation of Section 8-13-1312.

COUNT SIX
FAILURE TO MAKE EXPENDITURES THROUGH CAMPAIGN BANK ACCOUNT
SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED

That Tiffany Ownbey, former Mayor of City of Belton, did in Richland County, fail to make an expenditure through her campaign bank account when purchasing stickers, in violation of Section 8-13-1312.

COUNT SEVEN
FAILURE TO MAKE EXPENDITURES THROUGH CAMPAIGN BANK ACCOUNT
SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED

That Tiffany Ownbey, former Mayor of City of Belton, did in Richland County, fail to make an expenditure through her campaign bank account when purchasing a campaign billboard, in violation of Section 8-13-1312.

COUNT EIGHT
FAILURE TO MAKE EXPENDITURES THROUGH CAMPAIGN BANK ACCOUNT
SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED

That Tiffany Ownbey, former Mayor of City of Belton, did in Richland County, fail to make an expenditure through her campaign bank account when purchasing campaign signs, in violation of Section 8-13-1312.

COUNT NINE
FAILURE TO MAKE EXPENDITURES THROUGH CAMPAIGN BANK ACCOUNT
SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED

That Tiffany Ownbey, former Mayor of City of Belton, did in Richland County, fail to make an expenditure through her campaign bank account when purchasing campaign koozies, in violation of Section 8-13-1312.


COUNT TEN
FAILURE TO MAKE EXPENDITURES THROUGH CAMPAIGN BANK ACCOUNT
SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED

That Tiffany Ownbey, former Mayor of City of Belton, did in Richland County, fail to make an expenditure through her campaign bank account when purchasing campaign t-shirts, in violation of Section 8-13-1312.

You have the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses. This hearing will be open to the public as required by Section 8-13-320(10)(j), Code of Laws, South Carolina,

1976, as amended. The procedures to be followed are set forth in the Administrative Procedures Act, Section 1-23-10, et seq., Code of Laws, South Carolina, 1976 as amended the State Ethics Act, Section 8-13-100, et seq., Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.).

A pre-hearing conference may be scheduled prior to the hearing to allow exchange of witness lists and evidence, marking of exhibits, and disposition of motions or pleadings. In the event you fail to appear, judgment by default will be rendered against you. If there are any questions concerning the above notice or hearing times, please contact the State Ethics Commission.



Meghan L. Walker, Executive Director
State Ethics Commission

Dated this 26th day,
of July 2022.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Tiffany Ownbey, 204 Press Way, Pendleton, SC 29670 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 21st day of July 2022, by **CERTIFIED MAIL, E-RETURN RECEIPT REQUESTED**, appropriate postage affixed, and a return address clearly indicated on said envelope.



Rachael O'Bryan, Administrative Assistant
State Ethics Commission

(803) 253-4192

Columbia, South Carolina

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND) BEFORE THE STATE ETHICS COMMISSION
)
IN THE MATTER OF:)
COMPLAINT C2021-104)
)
State Ethics Commission,) **CONSENT ORDER**
Complainant,)
)
Tiffany Ownbey,)
Respondent.)
_____)

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on November 2, 2021. Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act), the Complaint against Tiffany Ownbey (Respondent) was considered by the Commission and probable cause was found to warrant an evidentiary hearing. Prior to the call of the case, Respondent agreed to entry of the following:

STATEMENTS OF FACT

1. Respondent was a successful candidate in a November 5, 2019 election for Mayor of the City of Belton. Respondent resigned from office in March of 2021.
2. On November 19, 2019, Respondent filed an Initial Campaign Disclosure Report (CDR) disclosing one (1) contribution of \$200.00.
3. On November 20, 2019, the Commission received information that Respondent had failed to disclose additional contributions and expenditures on her Initial CDR.
4. In a February 20, 2020 first-class letter mailed to Brown Avenue in Belton, SC,¹ the Commission notified Respondent of her failure to disclose contributions and expenditures and requested that she amend her filings.

¹ This address was provided by Respondent when she registered with the Commission.

5. On January 25, 2021, the Commission mailed the February 20, 2020 letter via certified mail to Brown Avenue in Belton, SC. According to the United States Postal Service, the certified letter was delivered on January 28, 2021 at 10:36 a.m.
6. Receiving no response, the Complaint was filed on November 2, 2021. The Complaint was mailed to Press Way in Pendleton, SC.²
7. Following the filing of the Complaint, a Commission Investigator contacted Respondent. Respondent acknowledged receiving items such as signs, t-shirts, koozies, and advertisements from family members. Respondent also stated she paid \$187.73 for a newspaper advertisement and \$90.00 for campaign stickers using her personal funds.
8. On April 27, 2022, with the assistance of Commission staff, Respondent amended her CDRs to reflect her purchases using personal funds, as well as the following:

a. Contributions

	Date	Contributor	Amount	Item
1	09/05/19	Jamie Ownbey	\$585.00	Billboard
2	09/09//19	Don Rossignol	\$363.00	Signs
3	09/19/19	Don Rossignol	\$248.55	Koozies
4	10/05/19	Jamie Ownbey	\$295.00	T-Shirts

b. Expenditures

	Date	Expenditure	Amount	Item
1	09/05/19	Fruitland Outdoor Advertising Co.	\$585.00	Billboard

² This address was found when Commission staff ran a CLEAR report, a law enforcement tool designed to locate recent contact information for individuals.

2	09/09//19	Super Cheap Signs	\$363.00	Signs
3	09/19/19	Halo Solutions	\$248.55	Koozies
4	10/05/19	Electric City Extreme	\$295.00	T-Shirts

CONCLUSIONS OF LAW

Based upon the Statements of Fact, the Commission concludes, as a matter of law:

1. At all times relevant, Respondent was a “candidate” pursuant to Section 8-13-1300(4).

Therefore, the Commission has personal and subject matter jurisdiction.

2. Section 8-13-1300(7) defines “contribution,” in relevant part:

a gift, subscription, loan, guarantee upon which collection is made, forgiveness of a loan, an advance, in-kind contribution or expenditure, a deposit of money, or anything of value made to a candidate or committee to influence an election; or payment or compensation for the personal service of another person which is rendered for any purpose to a candidate or committee without charge, whether any of the above are made or offered directly or indirectly.

3. Section 8-13-1300(20) defines “in-kind contribution or expenditure” as “goods or services which are provided to or by a person at no charge or for less than their fair market value.”

4. Section 8-13-1308(F) provides, in relevant part:

Certified campaign reports detailing campaign contributions and expenditures must contain:

- (1) the total of contributions accepted by the candidate or committee;
- (2) the name and address of each person making a contribution of more than one hundred dollars and the amount and date of receipt of each contribution;
- (3) the total expenditures made by or on behalf of the candidate or committee;
- (4) the name and address of each person to whom an expenditure is made from campaign funds, including the date, amount, purpose, and beneficiary of the expenditure.

5. Section 8-13-1312 provides, in relevant part:

. . . Expenses paid on behalf of a candidate or committee must be drawn from the campaign account and issued on a check signed by the candidate or a duly authorized officer of a committee. All contributions received by the candidate or committee, directly or indirectly, must be deposited in the campaign account by the candidate or committee within ten days after receipt . . .

6. Section 8-13-130 allows the Commission to “levy an enforcement or administrative fee on a person who is in violation” of the Ethics Act.
7. Section 8-13-320(10) allows the Commission to assess a civil penalty up to \$2,000 for each violation of the Ethics Act.

DISCUSSION

The Commission found probable cause to charge Respondent with six (6) counts of violating Section 8-13-1312 for failing to make six (6) expenditures through her campaign bank account (the four (4) expenditures listed in Paragraph 8(b) and the two (2) expenditures using personal funds referenced in Paragraph 7) and four (4) counts of violating Section 8-13-1308(F) for failing to disclose the contributions listed in Paragraph 8(a). Through this Consent Order, Respondent acknowledges she violated the Ethics Act in each of these instances. In mitigation, Respondent states the 2019 election was her first time running for office and she was completely unaware of the rules related to campaign finance. Respondent states she did not receive the Commission’s February 20, 2020 first-class letter. Respondent further states that she moved during the relevant time frame and was not living at the same address when the Commission’s January 25, 2021 certified letter was delivered. Respondent states she had no knowledge of the Commission’s attempts to reach her until she received the Complaint, which was sent to her new address. Respondent states she came into compliance as promptly as possible once she was notified of the issues with her filings. Based on the facts as presented, the Commission hereby consolidates the six (6) counts of violating Section 8-13-1312 for failing to use a campaign bank

account into one (1) count.

DISPOSITION

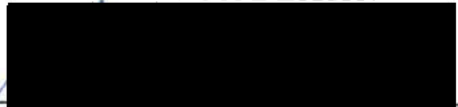
1. The Commission hereby finds Respondent in violation of one (1) count of violating Section 8-13-1312 and four (4) counts of violating Section 8-13-1308(F).
2. The Commission hereby adopts the Statements of Fact, Conclusions of Law, Discussion, and Disposition as agreed upon by the Respondent.

THEREFORE, the Commission hereby orders the Respondent to pay the Commission, within six (6) months from receipt of this Order, a reduced civil penalty of \$500.00 (\$100.00 per count), and an administrative fee of \$250.00, for a total of \$750.00.

By executing this Consent Order, Respondent understands that she is not only admitting to violations of the Ethics Act, but also confessing to a judgment of \$750.00 (less any money paid to the Commission) in the event she does not make full and timely payment as provided for in this Order. In that event, the Commission shall file a Judgment against Respondent in the Clerk of Court's Office in the County of Respondent's last known residence. Upon said filing, the Clerk of Court shall enter this Order in the amount of \$750.00 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 9th DAY OF September 2022.

STATE ETHICS COMMISSION


SCOTT E. FRICK, ACTING CHAIR


TIFFANY OWNBEY
RESPONDENT