

THE STATE OF MONTANA

Commissioner of Political Practices 1209 Eighth Avenue Post Office Box 202401 Helena, MT 59620-2401 Phone: 406-444-2942 Fax : 406-444-1643 www.politicalpractices.mt.gov

Campaign Finance and Practices

Complaint Form (08/17)

FOR OFFICE USE ONLY

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2022 AUG 26 A 11:40

HAND DELIVERED TO OFFICE OF POLITICAL PRACTICES

SIGNED/NOTARIZED

Type or print in ink all information on this form except for verification signature

Person bringing complaint (Complainant):

Complete Name: Visualey, Inc DBA Signs Now Helena
Complete Mailing Address: 323 N Last Chance Gulch Helena, MT 59601
Phone Numbers: Work 406-422-1065 Home 406-461-4926

Person or organization against whom complaint is brought (Respondent):

Complete Name: Alden Tonkay
Complete Mailing Address: 21 Rolling Glen Loop, Three Forks, MT 59752 (check address) PO Box 6812, Helena, MT 59604 (campaign report address)
Phone Numbers: Work Home 302-382-5638

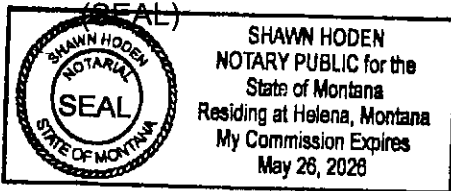
Please complete the second page of this form and describe in detail the facts of the alleged violation.

Verification by oath or affirmation

State of Montana, County of Lewis & Clark

I, [Signature], being duly sworn, state that the information in this Complaint is complete, true, and correct, to the best of my knowledge and belief.

[Signature]
Signature of Complainant



Subscribed and sworn to before me this 26 day of August, 2022.

[Signature]
Notary Public

My Commission Expires:

Statement of facts:

Describe in detail the alleged violation(s) and cite the statute or statutes you believe have been violated. Please attach copies of documentary evidence to support the facts alleged in your statement.

If the space provided below is insufficient, you may attach additional pages as necessary.

See attached.

Complaints must be:

- signed
- notarized
- delivered in person or by mail.

Alden ordered materials for his campaign for HD82, including door hangers, bumper stickers, and yard signs. He picked up the items and paid invoice #21184 in full with check #106 for \$1,565.00 on May 6, 2022. The check was returned to us by our financial institution with a letter dated 5/12/2022 that the item was returned for NSF – Not Sufficient Funds. We started communication via email with Alden asking about his plan to pay the bill. His reply on May 21 was “When you notified me about it I had my deputy treasurer send a certified check the next day since I am out of town. It should be there no later than Monday or Tuesday. So sorry about this.” The referenced certified check never arrived and we again asked (on May 31) if he would settle up with us, preferably by the end of the week. His response was that he would cancel it and personally get another when back in town and bring it to us. He emailed on Jun 3 (after hours) to state he had been to the bank and got our check. We did not see or hear from him that week, despite offering to meet him over the weekend and asking when he planned to be by. He did email again on June 9 and apologized for the delay, noting he was out of town again and stating it had been sent FedEx by his deputy treasurer Jake and that he would provide the tracking number. The tracking number was not provided and no item ever arrived.

We did make two different attempts, one in July and one in August, to take the item directly to his bank and exchange it for collected funds. Both times, we were told the item would not clear.

Additional communication occurred via text, asking him to at least make payments and let us know it was a good faith effort to pay the bill. That included asks by Alden to give him more time and promises that he would get it by the end of the week, etc. On July 30, he replied that his campaign funds are frozen so he is having to make these payments (to us and to another vendor who got an NSF check) out of his own pocket and that he is doing side jobs to work on paying off both. He promised a payment to us over the phone with a card on Monday (Aug. 1 presumably), but no contact or payment was made. An August 9 text arrived with a photo of cash and a tracking number, claiming he was in Billings, had “made it all”, and we should see it by that Friday. The UPS tracking number continues to only have a status of “label created” and no associated package that was mailed.

A formal demand for payment was sent via certified mail on Aug. 12. It noted a period of five days to pay the demand in full and there was no response. We have discontinued communication with him due to a lack of truth and trust. Reviews of his campaign finance reports do show the expenditure and payment on May 6 listed, but nothing to note the item was returned NSF. His most recent report was filed on Aug. 23 and does not reflect the returned item(s) or any fees he may have been assessed for them. It is unlikely that his bank account statements are reflective of the campaign reports filed, as the one for the period including May 6 showed there should have been adequate balance for the check to clear. This campaign appears to be in violation of MCA 13-37-231(1), 13-37-208(1)(b), 13-37-229(2)(a)(i), 13-37-229(2)(a)(vi), and possibly even 13-37-225 for inaccurate reporting and not including a payment (or possibly multiple payments) that was returned NSF and is now a debt of the campaign.