

# DISCLOSURE DIVISION

☒ **WAIVER REQUEST**  
☐ **ANSWER**  
☐ **RECONSIDERATION REQUEST**  
☐ **UNTIMELY**

**DATE:** 9/18/2020

**DOCKET #:** 2020-772

Ashley Wimberley, Director  
Disclosure Division

## FILER INFORMATION

Name: Erika L. Green  
Address: P. O. Box 73471, Baton Rouge, LA 70874  
Alt. Address: 4333 Noble Cane Dr, Baton Rouge, LA 70814-8040  
Office/Position: Metro Council / District 5 / East Baton Rouge  
Dates of Service: 2015-2019  
Number of Disclosures and/or Amendments Filed with Agency: 10

## REPORT INFORMATION

Name of Report: Tier 2 Annual Personal Financial Disclosure covering calendar year 2018 - Amendment  
Report ID: PFD19006880  
Original Due Date: 5/15/2019  
Initial PFD Filed on: 5/15/2019  
NOD-amend Received: 1/21/2020 - Signed by: Erika Green  
Amendment/Answer Due Date based on NOD: 1/30/2020  
Amendment/Answer Filed: 9/11/2020

## LATE FEE INFORMATION

Amount of Late Fee: \$2500  
Days late from receipt of NOD: 225  
Total days late from initial due date: 485  
Late Fee Order Received: 8/31/2020  
Payment/Waiver Request Due Date: 9/21/2020  
Waiver Request Received: 9/9/2020

COMMENTS: Erika Green is submitting a waiver request for the untimely filing of her 2018 Amended PFD Statement. Ms. Green stated on May 15, 2019, she filed a Tier 2 Candidate PFD (\*she filed a Tier 2.1 Annual PFD). She then received a notice dated August 24, 2020 stating she had been assessed a late fee of \$2500 and to amend her 2018 by completing the correct disclosure: Form 416A, not 417. Ms. Green contacted the BOE and was informed that the staff had attempted to contact her but were unsuccessful and was provided the dates she needed to file her amendment without penalty (January 21-30, 2020). Ms. Green is asking a waiver as she timely filed her 2018 PFD by the annual deadline of 5/15/2019, although it was filed on the incorrect form. She stated that the Candidate's PFD filed 7/27/2020 (1st attempt to amend) was filed in error, but the report contained all of the necessary information required for public disclosure in accordance with Section 1124.2 of the Code of Governmental Ethics. Ms. Green stated that although the PFD Director, Ashley Wimberley agreed that Ms. Green timely filed her annual disclosure Ms. Wimberley, stated that there was still a need to file an amendment. Ms. Green explained to Ms. Wimberley that she did not receive income from the CATS Board, so there was no need for an amendment and the Candidates Statement should have been acceptable. (\*reporting income was not requested, submitting the correct Tier level was). Ms. Green stated she would "be remiss not to mention that a payment of \$2500.00 would cause a financial hardship" for her. She is the owner of a private law practice and small business and navigating through the Covid-19 Pandemic has been a struggle to maintain a steady income and obtain new clients. This fine will only exacerbate her current situation. Ms. Green apologizes for the filing the incorrect disclosure and thanks the Ethics Board for considering waiving her late fee. \*Ms. Green has submitted her 2018 amendment and it has been deemed complaint. This is Ms. Greens first late fee.

The alleged 2018 Tier 2  
Candidate filed on 7/27/20  
was actually her 2019 Tier 2  
Candidate for the Nov. election  
re filed w/ 2019 crossed out and  
2018 put in calendar year.

## OTHER LATE FEE INFORMATION

### Disclosure Statements:

- Other Outstanding Statements: No
- Other Outstanding Late Fees: No
- Prior Late Fees: No
- Reassessed Late Fees: No

### Campaign Finance:

- Outstanding Late Fees: No
- Prior Late Fees: No



THE LAW OFFICE OF ERIKA GREEN, LLC.

Erika L. Green, Esq. Managing Attorney

September 9, 2020

Please accept this letter as my request that the Board waive the \$2500 late fee assessed for the late filing of my Tier 2 Annual Personal Financial Disclosure Statement. On May 15, 2019, I filed Form 416B Tier 2 "Candidate" Personal Financial Disclosure Statement report. I was notified by staff for the Ethics Board, by letter dated August 24, 2020, that the incorrect form had been filed (an Annual Personal Financial Disclosure Report, form 216A, should have been filed), and that I had 20 days to file the correct form. I called the Ethics Board office and was notified that the Board had previously attempted to contact me to notify me of the error and had given me between the dates of January 21-30, 2020 to amend and file the correct form.

I am requesting a waiver at this time based on the following reasons:

1. The Candidate's Personal Financial Disclosure report that I filed on May 15, 2019, although the incorrect form, it was filed timely.
2. The Candidate's report was filed in error, however, the report contained all of the necessary information required for public disclosure of my finances in accordance with Section 1124.2 of the Code of Governmental Ethics.
3. Although we agreed that I had timely filed a report, Ethics employee, Ashley Wimberly, stated that there was still a need to file an amendment to the report to disclose income received from my service on the CATS board. As I explained to her, I receive no income for my service on the CATS board. Thus, there is no need for an amendment and the Candidate's report should have been acceptable.
4. I would be remiss not to mention that the payment of a \$2500.00 fine would cause a financial hardship. As the owner of a private law practice and small business mapping my way through the pandemic, it has been a struggle to maintain a steady income and obtain new clients. Such a fine will only exacerbate my current situation.

Again, I apologize for the filing of the wrong form and thank you for the consideration.

With Regards,

Erika Green

ETHICS BOARD REC'D  
SEP 9 '20 PM3:49

**Physical Address:**

5255 Florida Boulevard  
Baton Rouge, Louisiana 70806

**Mailing Address:**

P.O. Box 73471  
Baton Rouge, Louisiana 70874

P: (225) 803-1333 / (225) 757-5483  
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Fax Received 15:41:02 2020-09-09



STATE OF LOUISIANA  
DEPARTMENT OF STATE CIVIL SERVICE  
**LOUISIANA BOARD OF ETHICS**  
P. O. BOX 4368  
BATON ROUGE, LA 70821  
(225) 219-5600  
FAX: (225) 381-7271  
1-800-842-6630  
[www.ethics.la.gov](http://www.ethics.la.gov)

October 19, 2020

Erika L. Green  
P. O. Box 73471  
Baton Rouge, LA 70874

RE: Request for Additional Information  
Tier 2 Annual Personal Financial Disclosure Statement  
Report ID# PFD19006880  
Waiver Request

Dear Erika L. Green:

On September 9, 2020, you requested a waiver of the \$2,500 late fee that was issued in connection with the filing of the above referenced disclosure statement.

In your request, you state that the imposition of the late fee would create a financial hardship. If you would like the Board to consider the request as stated, you must complete the enclosed Financial Statement Form and return it together with documentation to support and verify your claim. The documentation must be received by this agency on or before **November 18, 2020**.

If you have any questions, or need clarification on what to submit, you may contact me at 1-800-842-6630 or 225-219-5600.

Sincerely,

Tracy Barker  
Deputy General Counsel

**Financial Statement for \_\_\_\_\_ (Filer Name)**

Married: ☐ Yes ☐ No

Spouse's name (if applicable): \_\_\_\_\_

**Dependents (include claimed dependents and other persons living in your household):**

Name	Age	Relationship	Contributes to household income?
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No

**Employment of Filer and Spouse**

Filer / Spouse	Name of Employer	Occupation	Frequency of Payment (weekly, monthly, etc.)	Ownership Interest in Employer? If "Yes", percentage of ownership, type of business (ie: sole proprietorship, C corporation, subchapter S, LLC, etc), and position with company (ie: officer, director, partner, etc.)
<input type="radio"/> Filer <input type="radio"/> Spouse				<input type="radio"/> Yes % ownership: _____ <input type="radio"/> No Business Type: _____ Position: _____
<input type="radio"/> Filer <input type="radio"/> Spouse				<input type="radio"/> Yes % ownership: _____ <input type="radio"/> No Business Type: _____ Position: _____
<input type="radio"/> Filer <input type="radio"/> Spouse				<input type="radio"/> Yes % ownership: _____ <input type="radio"/> No Business Type: _____ Position: _____
<input type="radio"/> Filer <input type="radio"/> Spouse				<input type="radio"/> Yes % ownership: _____ <input type="radio"/> No Business Type: _____ Position: _____

**Cash and Investments over \$1,000 (select all that apply):** ☐ Cash ☐ Checking ☐ Savings ☐ MoneyMarket ☐ CD

**Property in which own or are buying (if additional space is needed, include as an attachment)**

Property description (residential, commercial, farmland, investment, etc.)	Location (parish/county and state)

**Required Attachments:**

- Monthly Household Income/Expense Form
- Copy of most return tax return/schedules filed by filer, spouse and/or business
- Most recent bank statements for checking and savings disclosing balance of accounts

**I hereby certify that the above-provided information and attachments are true and correct to the best of my knowledge, information and belief.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# MONTHLY HOUSEHOLD INCOME/EXPENSE FORM for \_\_\_\_\_ (Filer Name)

## Monthly Household Income

Income Type		Monthly Amount
Filer	Gross Wages	
	Social Security	
	Pension	
	Other Income	
	Withholdings	
Spouse	Gross Wages	
	Social Security	
	Pension	
	Other Income	
	Withholdings	
Dependents	Contribution to Household Income	
Interest/Dividends/Distributions from Investments		
Rental Income		
Income from Business		
Child Support		
Alimony		
<b>Total Monthly Income</b>		

## Monthly Household Expenses

Expense Type		Monthly Amount
Housing (mortgage or rent)		
Vehicle (loan or lease)		
Public Transportation Costs		
Health Insurance		
Court-ordered expenses		
Student loans		
Other Loans - provide description		
Utilities		
Food, personal products, etc.		
Childcare		
Other Expenses	(Provide Description)	
<b>Total Monthly Expenses</b>		