

Perry failed to disclose \$202,400 in debt on his 2007-2009 Personal Financial Statements

For page 2:

Rick Perry violated Texas Government Code §572.022(c)(2) because he failed to disclose the identity of a person who retained an interest in real property that he owned and he violated §572.022(b)(5) because he failed to identify a person to whom notes were due in his Personal Financial Statements for 2007, 2008 and 2009.

For page 3:

According to the records of the Brazos County Appraisal District, on April 11, 2007, Perry bought a house at 1016 Leopard Street in College Station. (See attachment A). According to the Brazos County Abstract Company, the property was subject to one deed of trust executed in favor of PrimeLending, a PlainsCapital Company, dated April 11, 2007 securing a note for \$179,900 and a subordinate lien deed of trust executed in favor of the same lender, also dated April 11, 2007 securing a note for \$22,500 until February 9, 2010. (See attachment B).

According to copies of tax returns, Perry claimed a deduction from his federal income tax return based on the interest he paid on the mortgage for this house. (See attachment C). While Perry disclosed his ownership of the house on his Personal Financial Statements for 2007, 2008 and 2009, he did not disclose the associated debt or the identity of the lender who retained an interest in the property via the deeds of trust during each of those years. (See attachment D).

Texas Government Code §572.022(c)(2) required the disclosure of PrimeLending/PlainsCapital as “persons retaining an interest in the property[.]” Perry also should have disclosed the notes pursuant to Texas Government Code §572.022(b)(5) the which requires the “identification of each guarantor of a loan and identification of each person or financial institution to whom a personal note or notes or lease agreement for a total financial liability in excess of \$1,000 existed at any time during the year, and the category of the amount of the liability[.]”

For page 4:

Brazos County Appraisal District documents showing dates that Perry owned the house at 1016 Leopard Street in College Station—Attachment A

Brazos County Abstract Company’s Certificate showing notes and deeds of trust relating to the house at 1016 Leopard Street in College Station—Attachment B

Rick Perry’s tax returns for 2007 and 2008 as found at the following link

http://blogs.chron.com/texaspolitics/archives/2010/04/gov_rick_perry.html Attachment C

Rick Perry’s Personal Financial Statements for 2007, 2008 and 2009 available at the Texas Ethics Commission—Attachment D

Other information:

<http://www.ethics.state.tx.us/forms/complaint.pdf> Link to form for filing of complaint

http://www.ethics.state.tx.us/tec/SC_diagram.pdf Link to explanation of complaint process

SWORN COMPLAINT BEFORE THE TEXAS ETHICS COMMISSION

An individual must be a resident of the state of Texas to be eligible to file a sworn complaint with the Texas Ethics Commission. The complainant is required to attach to the complaint a copy of one of the following documents:

- complainant's driver's license or personal identification certificate issued under Chapter 521 of the Transportation Code, or commercial driver's license issued under Chapter 522 of the Transportation Code; or
- a utility bill, bank statement, government check, paycheck or other government document that shows the name and address of the complainant and is dated not more than 30 days before the date on which the complaint is filed.

Effective September 1, 2009, an individual may also be eligible to file a sworn complaint with the Texas Ethics Commission if the individual owns real property in the state of Texas. Under this provision, the complainant will be required to attach to the complaint a copy of a property tax bill, notice of appraised value, or other government document that shows the name of the complainant, shows the address of the real property in Texas, and identifies the complainant as the owner of the real property.

OFFICE USE ONLY	
Docket Number	
Date Hand-delivered or Date Postmarked	

I. IDENTITY OF COMPLAINANT

1 COMPLAINANT NAME	MS / MRS / MR	FIRST	MI
	NICKNAME	LAST	SUFFIX
2 COMPLAINANT PHYSICAL ADDRESS	ADDRESS	APT / SUITE #;	CITY; STATE; ZIP CODE
	(Full home or business address, including street, city, state, and zip code)		
3 COMPLAINANT MAILING ADDRESS <input type="checkbox"/> (check if same as above)	ADDRESS	APT / SUITE #;	CITY; STATE; ZIP CODE
	(Full home or business address, including street, city, state, and zip code)		
4 COMPLAINANT TELEPHONE NUMBER	AREA CODE	PHONE NUMBER	EXT
5 COMPLAINANT E-MAIL ADDRESS			

II. IDENTITY OF RESPONDENT

6 RESPONDENT NAME	MS / MRS / MR <input checked="" type="radio"/>	FIRST	SUFFIX
	NICKNAME	LAST	
7 RESPONDENT POSITION OR TITLE	Governor		
8 RESPONDENT PHYSICAL ADDRESS	ADDRESS	APT / SUITE #;	CITY; STATE; ZIP CODE
	1010 Colorado Austin TX 78701 8113 Hickory Creek Dr. Austin TX 78735 (Full home or business address, including street, city, state, and zip code)		
9 RESPONDENT MAILING ADDRESS <input type="checkbox"/> (check if same as above)	ADDRESS	APT / SUITE #;	CITY; STATE; ZIP CODE
	PMB 217, P.O. Box 2013, Austin, TX 78768-2013 (Full home or business address, including street, city, state, and zip code)		
10 RESPONDENT TELEPHONE NUMBER	AREA CODE	PHONE NUMBER	EXT
11 RESPONDENT E-MAIL ADDRESS (IF KNOWN)			

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III. NATURE OF ALLEGED VIOLATION

Include the specific law(s) or rule(s) alleged to have been violated. The Texas Ethics Commission has jurisdiction to enforce only the following laws: (1) Title 15 of the Election Code; (2) Chapters 302, 303, 305, 572, 2004 of the Gov't Code; (3) § 334.025 and § 335.055 of the Local Gov't Code; (4) Subchapter C, Chapter 159 of the Local Gov't Code, in connection with a county judicial officer who elects to file a financial statement with the commission; (5) § 2152.064 and § 2155.003 of the Gov't Code; (6) § 306.005 of the Gov't Code.

— Rick Perry violated Texas Government Code §572.022(c)(2) because he failed to disclose the identity of a person who retained an interest in real property that he owned and he violated §572.022(b)(5) because he failed to identify a person to whom notes were due in his Personal Financial Statements for 2007, 2008 and 2009.

ATTACH ADDITIONAL PAGES AS NEEDED

IV. STATEMENT OF FACTS

State the facts constituting the alleged violation(s), including the dates on which or the period of time in which the alleged violation(s) occurred. Identify allegations of fact not personally known to the complainant, but alleged on information and belief. Please use simple, concise, and direct statements.

According to the records of the Brazos County Appraisal District, on April 11, 2007, Perry bought a house at 1016 Leopard Street in College Station. (See attachment A). According to the Brazos County Abstract Company, the property was subject to one deed of trust executed in favor of PrimeLending, a PlainsCapital Company, dated April 11, 2007 securing a note for \$179,900 and a subordinate lien deed of trust executed in favor of the same lender, also dated April 11, 2007 securing a note for \$22,500 until February 9, 2010. (See attachment B). According to copies of tax returns, Perry claimed a deduction from his federal income tax return based on the interest he paid on the mortgage for this house. (See attachment C). While Perry disclosed his ownership of the house on his Personal Financial Statements for 2007, 2008 and 2009, he did not disclose the associated debt or the identity of the lender who retained an interest in the property via the deeds of trust during each of those years. (See attachment D).

Texas Government Code §572.022(c)(2) required the disclosure of PrimeLending/PlainsCapital as "persons retaining an interest in the property[.]" Perry also should have disclosed the notes pursuant to Texas Government Code §572.022(b)(5) the which requires the "identification of each guarantor of a loan and identification of each person or financial institution to whom a personal note or notes or lease agreement for a total financial liability in excess of \$1,000 existed at any time during the year, and the category of the amount of the liability[.]"

ATTACH ADDITIONAL PAGES AS NEEDED

V. LISTING OF DOCUMENTS AND OTHER MATERIALS

List all documents and other materials filed with this complaint. Additionally, list all other documents and other materials that are relevant to this complaint and that are within your knowledge, including their location, if known.

Brazos County Appraisal District documents showing dates that Perry owned the house at 1016 Leopard Street in College Station—Attachment A
Brazos County Abstract Company's Certificate showing notes and deeds of trust relating to the house at 1016 Leopard Street in College Station—Attachment B
Rick Perry's tax returns for 2007 and 2008 as found at the following link
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ATTACH ADDITIONAL PAGES AS NEEDED

VI. AFFIDAVIT

BASED ON PERSONAL KNOWLEDGE

(Execute this affidavit if the acts alleged are within your direct personal knowledge.)

I, _____, complainant,
swear that I am a resident of the state of Texas. I swear that I have knowledge of the
facts alleged in this complaint and that the information contained in this complaint is
true and correct.

Signature of Complainant

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said _____, this the _____ day of
_____, 20_____, to certify which, witness my hand and seal of office.

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

VII. AFFIDAVIT

BASED ON INFORMATION AND BELIEF

(Execute this affidavit if the acts alleged are not within your direct personal knowledge, but are based on reasonable belief.)

I, _____, complainant,
swear that I am a resident of the state of Texas. I swear that I have reason to believe
and do believe that the violation alleged in this complaint has occurred. The source
of my information and belief is

Signature of Complainant

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said _____, this the _____ day of
_____, 20_____, to certify which, witness my hand and seal of office.

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

**A COMPLAINT WILL BE DISMISSED IF A COPY OF ONE OF THE FOLLOWING
DOCUMENTS IS NOT ATTACHED AS PROOF OF TEXAS RESIDENCY.**

Please check one of the boxes below to indicate the copy of the document you have attached to the complaint:

- Texas driver's license

- personal identification certificate
(issued under Chapter 521 of the Transportation Code)

- commercial driver's license
(issued under Chapter 522 of the Transportation Code)

- utility bill *

- bank statement *

- government check *

- paycheck *

- other government document *

* with name and address of complainant and dated not more than 30 days before the date on which the complaint is filed *