



January 5, 2016

Mr. Matthew Burton  
Senior Counsel  
Uber Technologies, Inc.  
1455 Market St., Fl. 4  
San Francisco, CA 94103

Dear Mr. Burton,

The Auditor's Office has concluded its investigation of reports that Uber Technologies, Inc., did not report a lobbyist working on its behalf and his lobbying activities, as required by City Code. The investigation identified four violations, and I am imposing a fine totaling \$2,000 against Uber.

Portland City Code Chapter 2.12, Regulation of Lobbying Entities, is administered and enforced by the Auditor's Office. We received information in August that Uber had not disclosed that Mark Wiener was lobbying on its behalf in December 2014 and January 2015.

The specific event that formed the basis of the original complaint was a meeting held Saturday, Dec. 13, 2014, at Mr. Wiener's home. Uber representatives, Mr. Wiener, Mayor Charlie Hales, Commissioner Steve Novick, and others were present. No such meeting had been disclosed on the elected officials' calendars nor reported fully on Uber's registration or reporting forms.

I am adopting as final the results of the Auditor's Office's preliminary investigation outlined in a letter to Uber dated Nov. 16, 2015. I also am incorporating information from Uber in a letter dated Dec. 4, 2015 confirming our preliminary conclusion and disclosing additional omissions from Uber's lobbying registration and quarterly reports. That letter will be added to the public record.

The violations of City Code 2.12.030 and 2.12.040 were:

1. Failing to register Mr. Wiener as a person authorized to lobby on Uber's behalf in the fourth quarter of 2014;
2. Failing to report Mr. Wiener's lobbying activity in the fourth quarter of 2014;
3. Failing to register Mr. Wiener as a person authorized to lobby on Uber's behalf in the first quarter of 2015;
4. Failing to fully report Mr. Wiener's lobbying activities in the first quarter of 2015.

My decision to impose the maximum sanction allowed under Chapter 2.12.120 for each violation is based on four factors:



- *A pattern of non-compliance:* In October 2014, Uber lobbied City of Portland officials without registering, prompting a notice from the Auditor's Office to comply with lobbying regulations. Uber registered, but subsequently missed the deadline to file its lobbying activity report in January 2015. That infraction prompted a written warning and instructional materials about complying with program requirements.
- *A pattern of non-cooperation:* There was unnecessary delay by Uber in providing information about the lobbying activity of Mr. Wiener and others. Contact information for Uber representatives was unclear or changed during our inquiry, and some messages left by this office went unanswered. When we succeeded in contacting Uber representatives, they provided contradictory information that caused additional work and use of limited resources by the Auditor's Office to resolve.
- *A pattern of incomplete disclosure:* It is likely that Uber's financial reports for the two quarters were understated given Uber's acknowledgement that it had not disclosed a total of four lobbyists and their activities.
- *Disregard for the Portland community:* Enforcement of lobbying rules requires that both City officials and lobbyists disclose their meetings and other activities. Both parties failed the public in this instance. By circumventing the lobbying program's transparency rules, Uber helped undermine the City's decision-making process and contributed to the erosion of the public's confidence in the legislative result.

Please make arrangements with Deputy Auditor Deborah Scroggin to pay the penalty imposed in this letter. Ms. Scroggin can be reached by phone at (503) 823-3546 or by email at [Deborah.Scroggin@portlandoregon.gov](mailto:Deborah.Scroggin@portlandoregon.gov). Payment is due by 5 p.m. on Feb. 4, 2016. If we do not receive payment by February 4<sup>th</sup>, we will refer the matter to legal counsel for enforcement in Circuit Court, pursuant to PCC 2.12.120.

Sincerely,



Mary Hull Caballero