



REAL *Kim* SHADY

Kim Brimer Loophole Snags Toby Goodman

Will "Kim Shady" be next?

The Texas Ethics Commission (TEC) recently slapped former Republican State Representative Toby Goodman with a \$10,000 fine for improperly using campaign funds to pay for his home mortgage. (Source: *Austin American-Statesman*, March 21, 2008) The north Texas political watch dog organization [Texas Values in Action](#) (TXVAC) blew the whistle on Goodman in 2006, after uncovering his improper activity.

Who in the world would give Toby Goodman the idea that he could use campaign cash to buy a home? His good friend, Republican State Senator Kim Brimer, that's who. (Source: *Dallas Morning News*, September 9, 2006)

Kim Brimer earned the nickname "Kim Shady" by cynically manipulating ethics and campaign laws to make life easier, and more lucrative, for himself and his political friends. One of the sleaziest Brimer loopholes is the Kim Shady "rent-to-own" scheme designed to circumvent the Texas law that prevents politicians using their campaign contributions to buy real property. Toby Goodman, along with several other Republican office holders, engaged in the improper practice before it was ended by the Legislature in 2007. (Source: *Fort Worth Star-Telegram*, March 9, 2007)

Kim Cashes In

The Legislature may have closed the Brimer loophole but not before Kim Brimer himself cashed in. Since 1996, Brimer used campaign funds to make more than \$200,000 in payments on an exclusive Austin hi-rise condo, registered in his wife's name, just minutes from the State Capitol. (Source: *Texas Ethics Commission*; *Fort Worth Star-Telegram*, March 9, 2007) Brimer later sold the condo at a profit.

Brimer justifies his actions by pointing to a partition agreement providing legal separation of assets placed in his wife's name. However, Brimer secured the bank note used to finance the purchase of the condo and is named as a "co-maker." (Source: *Brimer Agreement, Article 2*) Further, Brimer serves on the Board of Directors of the company that received the disguised rental payments from the Brimer Campaign. (Source: *Texas Ethics Commission*; *Articles of Incorporation of Janna Brimer Realty, Inc.*) Finally, Brimer's own attorney, Ed Shack,

"acknowledged that there is nothing to block politicians who leave office from benefiting from what was once separate property." (Source: *Fort Worth Star-Telegram*, February 22, 2007)



Kim Shady Rent-to-Own Scheme

Here's how it works



Westgate Towers

- **Step One:** Politician arranges for the purchase of a home and puts it in the name of their spouse.
- **Step Two:** Politician uses campaign funds to make payments to their spouse or to a holding company or directly to the mortgage holder to cover the cost of the mortgage payment. (In Brimer's case, he actually serves on the Board of Directors for the company receiving the campaign payments.)
- **Step Three:** Politician reports the mortgage payments as "rent" on their campaign expenditure reports filed with the Texas Ethics Commission.
- **The Pay-off:** Rather than use their own money, politicians like Kim Brimer and Toby Goodman dupe their campaign contributors into buying them a home and benefit from the profit realized from the property sale either during or after their service in office.

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