



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908 • (360) 753-1111 • FAX (360) 753-1112 Toll Free 1-877-601-2828 • E-mail: pdc@pdc.wa.gov • Website: www.pdc.wa.gov

TO: Commission Members
FROM: Kurt Young, Compliance Officer
DATE: September 18, 2013
RE: Request for Reconsideration from **Douglas Lenker: PDC Case No. 13-283**

Agenda Item

Douglas Lenker is seeking reconsideration by the Commission of an initial order entered in a Brief Enforcement Hearing in PDC Case No. 13-283. The review is scheduled for the September 26, 2013, Commission meeting.

Background

Mr. Lenker is a candidate seeking the office of School Director in the Darrington School District in 2013. Mr. Lenker was required to file a Personal Financial Affairs Statement (F-1 report), within two weeks of declaring his candidacy in 2013, or no later than May 31, 2013.

A Brief Enforcement Hearing was held on August 1, 2013, at which the Presiding Officer found Mr. Lenker in violation of RCW 42.17A.700 for failing to file an F-1 report, due within two weeks of declaring his candidacy in 2013. Mr. Lenker was assessed a civil penalty of \$400 in accordance with the penalty schedule set forth in WAC 390-37-165 for a filer's second occasion who failed to file the missing report by the date of the hearing, which is payable within 30 days of the date of the order. The initial Order was entered and mailed on August 14, 2013.

Request for Reconsideration

On September 18, 2013, Mr. Lenker sent an email to PDC staff stating that he had just received the August 14, 2013, Order sent to him, informing him about the \$400 penalty. He stated that he is presently going through a divorce, and he did not have access to his mail. He stated that his ex wife had the Order, and he just received it on September 18, 2013. He questioned the F-1 reporting requirement, and requested the Commission reconsider the Order and penalty assessed.

Staff Response

Mr. Lenker's request for review was untimely as it was received more than 21 business days after service of the initial order (WAC 390-37-144). However, staff does not object to the Commission considering the matter as a request for reconsideration, which is authorized if requested within 21 business days of a final order (WAC 390-37-150).

Staff reviewed the jurisdiction form for elected officials filed with the PDC for the Darrington School District, and the Darrington School District website and discovered Mr. Lenker is an incumbent Darrington School Director. As an incumbent official, Mr. Lenker was required to file an F-1 report for calendar year 2012 due by April 15, 2013.

Our records indicate the last F-1 report filed by Mr. Lenker was received by the PDC on March 27, 2012 for calendar year 2011. We have no records that Mr. Lenker filed the required F-1 report for an official for calendar year 2012. While an individual is only required to file one F-1 report per year, Mr. Lenker filed neither the annual F-1 report required of incumbent public officials nor the candidate F-1 report required of new candidates.

Past Enforcement History:

PDC Case No. 10-009:

- On August 27, 2009, Mr. Lenker was found in violation of RCW 42.17.240 by failing to file an F-1 report within two weeks of declaring his 2009 candidacy for School Director for the Darrington School District, or not later than June 19, 2009. Mr. Lenker was assessed a \$150 penalty in accordance with WAC 390-37-165, of which the entire \$150 was suspended on the condition he file the missing F-1 report within 10 days of the date of the order.
- Mr. Lenker failed to file the missing F-1 report or pay the \$150 outstanding penalty. His case was sent to the Attorney General's Office for collection on December 5, 2011, and then to Alliance One on April 3, 2012 (see attached documentation).

Attachments:

- Findings of Fact, Conclusions of Law, and Order Imposing Fine (PDC Case No. 13-283)
- September 18, 2013, email from Douglas Lenker.
- Documentation concerning PDC Case No. 10-009.



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm 206, PO Box 40908 * Olympia, Washington 98504-0908 * (360) 753-1111 * Fax (360) 753-1112
Toll Free 1-877-601-2828 * E-mail: pdcc@pdcc.wa.gov * Website: www.pdcc.wa.gov

August 14, 2013

Douglas Lenker
25203 Clear Creek Road.
Darrington WA 98241

Subject: PDC Case No. 13-283

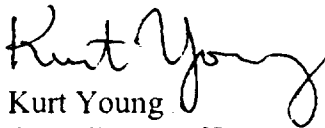
Dear Mr. Lenker:

Enclosed is a copy of the Public Disclosure Commission's Order Imposing Fine that was entered in the above-referenced case.

The Presiding Officer assessed a civil penalty of \$400 in accordance with the penalty schedule set forth in WAC 390-37-165. Payment is due within 30 days and your check or money order should be payable to the **WA State Treasurer**. Please mail the penalty payment to the Public Disclosure Commission along with the missing F-1 report. Thank you for your attention to this matter.

If you have questions, please contact me at (360) 664-8854; toll free at (877) 601-2828 or by email at kurt.young@pdcc.wa.gov.

Sincerely,


Kurt Young
Compliance Officer

Enclosure





STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm 206, PO Box 40908 * Olympia, Washington 98504-0908 * (360) 753-1111 * Fax (360) 753-1112
Toll Free 1-877-601-2828 * E-mail: pdc@pdc.wa.gov * Website: www.pdc.wa.gov

BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

Douglas Lenker
25203 Clear Creek Road.
Darrington WA 98241

In Re Compliance with RCW 42.17A

Douglas Lenker

Respondent.

PDC Case No. 13-283

Findings of Fact,
Conclusions of Law, and
Order Imposing Fine

A brief enforcement hearing (brief adjudicative proceeding) was held August 1, 2013, in Room 206, Evergreen Plaza Building, 711 Capitol Way, Olympia, Washington to consider whether the Respondent violated RCW 42.17A.700 by failing to file a Personal Financial Affairs Statement (F-1 report) covering the 12 months preceding the date the Respondent became a candidate for election in 2013.

The hearing was held in accordance with Chapters 34.05 and 42.17A RCW and Chapter 390-37 WAC. A brief enforcement hearing notice was sent to Douglas Lenker on July 18, 2013. Commission Chair Amit Ranade was the Presiding Officer. The Commission staff was represented by Kurt Young, Compliance Officer. The Respondent did not participate at the hearing or submit any written materials.

Having considered the evidence, the Presiding Officer finds as follows:

FINDINGS OF FACT

1. The Respondent is a candidate for School Director in the Darrington School District in 2013.
2. As a candidate, the Respondent was required to file an F-1 report within two weeks of the date the Respondent filed a declaration of candidacy, or no later than May 31, 2013.
3. The Respondent had not filed the missing F-1 report by the date of the hearing.
4. The Respondent has one prior violation in PDC Case No. 10-009. He was found in violation of RCW 42.17.240 for failing to timely file an F-1 report at a Brief Enforcement hearing as a candidate in the 2009 election, and was assessed a \$150 penalty.



5. The Respondent did not pay the outstanding penalty, and his case was sent to Alliance One for collections on April 3, 2012.

CONCLUSIONS OF LAW

Based on the above facts, as a matter of law, the Presiding Officer concludes as follows:

1. This matter was duly and properly convened and all jurisdictional, substantive and procedural requirements have been satisfied.
2. The Respondent violated RCW 42.17A.700 by failing to file the F-1 report, which was due to be filed no later than May 31, 2013.

ORDER

ON the basis of the foregoing Findings of Fact and Conclusions of Law,

IT IS HEREBY ORDERED that the Respondent is assessed a civil penalty of \$400 in accordance with the penalty schedule set forth in WAC 390-37-165, that is payable within 30 days of the date of this order.

This is an **Initial Order** of the Public Disclosure Commission.

Entered this 14 day of August, 2013.

Public Disclosure Commission

Andrea M. Doyle
Andrea McNamara Doyle
Executive Director

Enclosure: Information about Appeal Rights

I, Dawn Berkley certify that I mailed a copy of this order to the Respondent(s) at his/her/its respective address, postage pre-paid, on the date stated herein.

Signed

[Signature]

Date

8/14/13

Kurt Young

From: snelson26@aol.com
Sent: Wednesday, September 18, 2013 12:14 PM
To: Kurt Young
Subject: PDC Case No. 13-283

I am requesting a reconsideration of the order, and the \$400 penalty assessed to me. I do not receive mail at the address that you have listed on the forms. The town of Darrington does not have home mail service. These forms were delivered somehow to my ex wife some time in Aug 2013 and I did not receive them until this past week. I did not receive any warning letters or hearing notices. I was unaware that the F-1 report was due by April 15, 2013.

My current mailing address is :

Douglas Lenker
PO BOX 147
Darrington, WA 98241
Sincerely,

Douglas Lenker

Kurt Young

From: Kurt Young
Sent: Wednesday, September 18, 2013 11:54 AM
To: 'snelson26@aol.com'
Subject: RE: PDC Case No. 13-283

Mr. Lenker,

Thanks for the email. Just to clarify, are you requesting a reconsideration of the Order, and the \$400 penalty assessed against you?

I reviewed your filings and the Darrington School District website, and discovered you're an incumbent School Director who was required to file an F-1 report for calendar year 2012 due by April 15, 2013. Our records indicate the last F-1 report you filed was received by the PDC on March 27, 2012 for calendar year 2011.

We have no records that you filed an F-1 report for calendar year 2012, so you were included in the 2013 Group Enforcement hearings. FYI – only one F-1 report is required annually, so had you timely filed in April of 2013, your name would not have been in the F-1 candidate database.

If you are requesting a reconsideration, please send me a clean email using the phrase "I am requesting a reconsideration of..." and provide the Commission with additional information such as when did change addresses or move; did you receive the warning letter or hearing notice; and why you failed to timely file the F-1 report by April 15, 2013 as detailed above.

Sincerely,

Kurt Young
PDC Compliance Officer

From: snelson26@aol.com [<mailto:snelson26@aol.com>]
Sent: Wednesday, September 18, 2013 8:41 AM
To: Kurt Young
Subject: PDC Case No. 13-283

Dear Kurt Young,

I just recieved your letter dated Aug 14, 2013 regarding the penalty of \$400. I am in the middle of a divorce and I did not have access to my mail. This letter has been in the possession of my ex wife for the last month and I was just given it yesterday. I was unaware of any paperwork that I was supposed to fill out such as the F-1 report that the letter mentions. I do not beleive that I ever recieved this via mail. I am not exactly sure what the next steps are. I do not have the means to pay the \$400 fine. Could you please assist me in figuring out what needs to happen next?

Sincerely,

Douglas Lenker

PDC Annual Officials Report for 2013 for DARRINGTON SD 330 *

Prepared by LORI MCLEOD, (360) 436-1323, lmcleod@dsd.k12.wa.us on 12/18/2012 at 10:59:30 AM

Last Name	First Name	In	Office	Pos	Address	City	Zip	Email Address	End
BRYSON	ROY	E	SCHOOL DIRECTOR	04	PO BOX 1013	DARRINGTON	982411013	ROYBRYSON@YMAIL.COM	2013
LENKER	DOUGLAS	R	SCHOOL DIRECTOR	05	25203 CLEAR CR. RD.	DARRINGTON	98241	LENKERDOUG@YAHOO.COM	2013
NEVITT	JUDITH	K	SCHOOL DIRECTOR	03	PO BOX 399	DARRINGTON	98241	JUDYNEVITT@FRONTIER.COM	2015
PICKARD	WILLIAM		SCHOOL DIRECTOR	02	41017 SQUIRE CREEK RD	ARLINGTON	98223	ALAN@SQUIRECREEKRANCH.COM	2015
WEST	JENNIFER		SCHOOL DIRECTOR	01	38418 SR 530 NE	ARLINGTON	98223	JENWEST2011@YAHOO.COM	2015

**LENKER,
DOUGLAS
PDC Case #10-009**

**Sent
To
ALLIANCE ONE
4/3/2012**

JA

Douglas Lenker
PDC # 10-009
Sent to AGO
12/05/11
JYG



PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908 • (360) 753-1111 • FAX (360) 753-1112
Toll Free 1-877-601-2828 • E-mail: pdcc@pdc.wa.gov • Website: www.pdc.wa.gov

December 5, 2011

TO: Linda Dalton, Senior Assistant Attorney General
Attorney General's Office

FROM: Suemary Trobaugh, Administrative Officer
Public Disclosure Commission

SUBJECT: PDC Case No. 10-007 Referred for AGO Collection Process

Attached is a digital copy of case file documents for PDC Case No. 10-007 that requires the AGO collection process. If you have any questions, please contact me at 753-1985 or my e-mail address, strobaugh@pdc.wa.gov.

Thank you.



PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908 • (360) 753-1111 • FAX (360) 753-1112
Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdcc.wa.gov

September 29, 2011

Douglas Lenker
PO Box 85
Darrington, WA 98241

FINAL NOTICE:

PDC Case No. 10-009

Amount Due Immediately: \$150

On September 3, 2009 you were assessed a total penalty of \$150 in PDC Case No. 10-009, all of which was suspended on the condition the missing F-1 report is filed within 10 days of the order.

Please note that to date, we have not received the missing F-1 report. As a result your payment is now \$150.

This letter is your final notice that unless a payment is received by October 30, 2011, we will refer your case to the Attorney General's Office for collection in Superior Court, where court and attorney fees may be assessed. **If you would like to arrange a payment plan**, please contact me at (360) 753-1985, or toll-free 1-877-601-2828.

Please mail a check or money order, payable to the State Treasurer, to:

Public Disclosure Commission
711 Capitol Way RM 206
PO Box 40908
Olympia, WA 98504

Sincerely,

Suemary Trobaugh
Administrative Officer

Enclosure



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm 206, PO Box 40908 * Olympia, Washington 98504-0908 * (360) 753-1111 * Fax (360) 753-1112
Toll Free 1-877-601-2828 * E-mail: pdcc@pdcc.wa.gov * Website: www.pdcc.wa.gov

September 3, 2009

DOUGLAS LENKER
PO BOX 85
DARRINGTON WA 98241

Subject: PDC Case No. 10-009

Dear Mr. Lenker:

Enclosed is a copy of the Public Disclosure Commission's Order Imposing Fine that was entered in the above-referenced case. The Order assessed a civil penalty of \$150, of which the entire \$150 was suspended on the condition that the missing F-1 report is filed within 10 days of the date of the order.

Unless you exercise your appeal rights as outlined in the Order, the missing F-1 report is due to be postmarked by September 14, 2009. If the missing F-1 report is not filed by that date, the \$150 non-suspended portion of the penalty would be due at that time.

If you have questions, please contact me at (360) 664-8854; toll free at (877) 601-2828 or by email at kyoung@pdcc.wa.gov.

Sincerely,


Kurt Young
Compliance Officer

Enclosure





STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm 206, PO Box 40908 * Olympia, Washington 98504-0908 * (360) 753-1111 * Fax (360) 753-1112
Toll Free 1-877-601-2828 * E-mail: pdc@pdc.wa.gov * Website: www.pdc.wa.gov

BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

DOUGLAS LENKER
PO BOX 85
DARRINGTON WA 98241

In Re the Matter of)	PDC Case No. 10-009
Douglas Lenker)	Findings of Fact,
)	Conclusions of Law and
Respondent)	Order Imposing Fine
<hr/>		

A brief enforcement hearing (brief adjudicative proceeding) was held August 27, 2009, in Room 206, Evergreen Plaza Building, Olympia, Washington to consider whether the Respondent failed to file the Personal Financial Affairs Statement (PDC Form F-1), which was due within two weeks of becoming a candidate in 2009, a violation of RCW 42.17.240.

The hearing was held in accordance with Chapters 34.05 and 42.17 RCW and Chapter 390-37 WAC. Commission Chair Jim Clements was the Presiding Officer. The Commission staff was represented by Kurt Young, Compliance Officer. The Respondent was not present and did not submit any written material to be considered by the Presiding Officer.

A brief enforcement hearing notice was sent to the Respondent on August 12, 2009. Having considered the evidence, the Presiding Officer finds as follows:

FINDINGS OF FACT

1. The Respondent is a first-time candidate seeking the office of School Director for Darrington School District in 2009.
2. The Respondent was required to file the Personal Financial Affairs Statement (PDC Form F-1) within two weeks of becoming a candidate, or no later than June 19, 2009.
3. The F-1 report was not filed by the date of the Brief Enforcement Hearing.

CONCLUSIONS OF LAW

Based on the above facts, as a matter of law, the Presiding Officer concluded as follows:



1. This matter was duly and properly convened and all jurisdictional, substantive and procedural requirements have been satisfied.
2. The Respondent violated RCW 42.17.240 by failing to file a Personal Financial Affairs Statement.

ORDER

ON the basis of the foregoing Findings of Fact and Conclusions of Law,

IT IS HEREBY ORDERED that the Respondent is assessed a civil penalty of \$150¹, of which the entire \$150 is suspended on the condition that the missing F-1 report is filed within 10 days of the date of this order.

This is an **Initial Order** of the Public Disclosure Commission. There are two ways the Respondent may appeal this order to the Commission. Once the order becomes a final order, it may also be appealed to Superior Court.

REVIEW OF INITIAL ORDER - COMMISSION

- a. The Respondent may request a review of this Initial Order by the entire Commission.
- b. The request may be made orally or in writing, and must be received at the Public Disclosure Commission office within **21 business days** after the postmark date of this Initial Order. The Respondent must state the reason for the review, and identify what alleged errors are contained in the initial order.
- c. If the Respondent requests a review, no penalty need be paid until after the Commission rules on the request.
- d. By law, a request for review of the initial order is deemed to have been denied if the Commission does not make a disposition of the matter within 20 business days after the request is submitted.
- e. If the Commission is unable to schedule a meeting to consider the Respondent's request for review within 20 business days, the Initial Order becomes a Final Order and the matter will automatically be treated as a request for reconsideration of a final order unless the Respondent advises the Commission otherwise. The matter will be scheduled before the full Commission as soon as practicable.
- f. A request for reconsideration must be in writing. Therefore, if the request for review of the Initial Order was made orally and deemed to have been denied because it could not be scheduled for consideration within 20 business days, the request must now be put in writing. (See Reconsideration of Final Order below.)

¹ The assessed penalty is based on a penalty schedule previously adopted by the Commission that takes into consideration prior violations and whether missing reports were filed before the date of the hearing. In assessing the penalty, the Presiding Officer considered that the Respondent had no prior violations and that the missing report was not filed before the date of the hearing.

- g. If no request for review is received within 21 business days, this order will automatically become a **Final Order** of the Commission, and the Respondent will be legally obligated to pay the penalty unless reconsideration has been sought or the matter has been timely appealed to Superior Court. (RCW 42.17.395, RCW 34.05.470 and RCW 34.05.570).

RECONSIDERATION OF FINAL ORDER - COMMISSION

- a. Any party may ask the Commission to reconsider a final order. The request must be in writing and must include the specific grounds or reasons for the request. Grounds for reconsideration shall be limited to:
 - i) A request for review was deemed denied in accordance with WAC 390-37-144(4);
 - ii) New facts or legal authorities that could not have been brought to the commission's attention with reasonable diligence. If errors of fact are alleged, the requester must identify the specific evidence in the prior proceeding on which the requester is relying. If errors of law are alleged, the requester must identify the specific citation; or
 - iii) Significant typographical or ministerial errors in the order.
- b. The request must be delivered to the Public Disclosure Commission office within **21 business days** after the postmark date of this order.
- c. The Public Disclosure Commission is deemed to have denied the request for reconsideration if, within 20 business days from the date the request is filed, the Commission does not either dispose of the petition or serve the parties with written notice specifying the date by which it will act on the petition. (RCW 34.05.470).
- d. The Respondent is not required to ask the Public Disclosure Commission to reconsider the final order before seeking judicial review by a superior court. (RCW 34.05.470).

FURTHER APPEAL RIGHTS - SUPERIOR COURT

- a. A **final order** issued by the Public Disclosure Commission is subject to judicial review under the Administrative Procedure Act, chapter 34.05 RCW. (RCW 42.17.395(5)). The procedures are provided in RCW 34.05.510 - .598.
- b. The petition for judicial review must be filed with the superior court and served on the Public Disclosure Commission and any other parties within **30 days** of the date that the Public Disclosure Commission serves this Final Order on the parties. (RCW 34.05.542(2)).
- c. Service is defined in RCW 34.05.010(19) as the date of mailing or personal service.

ENFORCEMENT OF FINAL ORDERS

- a. If there is no timely request for review or reconsideration, this Initial Order becomes a Final Order. The Respondent is legally obligated to pay any penalty assessed.
- b. The Commission will seek to enforce a final order in superior court under RCW 42.17.395 - .397, and recover legal costs and attorney's fees, if the penalty remains unpaid and no petition for judicial review has been timely filed under chapter 34.05 RCW. This action will be taken without further order by the Commission.

Entered this 3RD day of September, 2009.

Public Disclosure Commission



Vicki Rippie
Executive Director



PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908 • (360) 753-1111 • FAX (360) 753-1112
Toll Free 1-877-601-2828 • E-mail: pdcc@pdc.wa.gov • Website: www.pdc.wa.gov

September 18, 2009

Douglas Lenker
PO Box 85
Darrington, WA 98241

Re: PDC Case # 10-009 Penalty Amount Due: \$150

In a Final Order entered September 3, 2009 you were assessed a total penalty of \$150 in PDC Case # 10-009, of which \$150 was suspended if you filed your F-1 report within 10 days of the Final Order. As of the date of this letter, we have not received your F-1 form, so you now owe the full \$150 penalty. Your payment is due immediately.

Please mail a check or money order, payable to the State Treasurer, to:

Public Disclosure Commission
711 Capitol Way RM 206
PO Box 40908
Olympia, WA 98504

Thank you for your prompt reply. If you have any questions, or would like to arrange a payment plan, please contact me at (360) 753-1985, or toll-free 1-877-601-2828.

Sincerely,


Suemary Trobaugh
Administrative Officer

Enclosure



PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908 • (360) 753-1111 • FAX (360) 753-1112

Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdcc.wa.gov

October 21, 2009

Douglas Lenker
PO Box 85
Darrington, WA 98241

Second Notice

Re: PDC Case No. 10-009 Penalty Amount Due Immediately: \$150

On September 3, 2009 you were assessed a penalty of \$150 in PDC Case #10-009, all of which was suspended if you filed the missing F-1 report within ten days of the Final Order. We did not receive your F-1 report, so your payment of \$150 was due October 5, 2009. If you need to arrange a payment plan, please contact me right away at (360) 753-1985, or toll-free 1-877-601-2828.

If your penalty remains unpaid, we will refer your case to the Attorney General's Office for collection in Superior Court, which could have a negative impact on your credit score.

To avoid additional fees and damage to your credit report, please mail a check or money order, payable to the State Treasurer, to:

Public Disclosure Commission
711 Capitol Way RM 206
PO Box 40908
Olympia, WA 98504

Thank you for your prompt reply. Please don't hesitate to contact me if you have any questions.

Sincerely,

Suemary Trobaugh
Administrative Officer

Enclosure

1 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**
2 **OF THE STATE OF WASHINGTON**

3 IN RE THE MATTER OF ENFORCEMENT
4 ACTION AGAINST

PDC CASE NO. 13-283

**ORDER ON
RECONSIDERATION**

5 Douglas Lenker

(Order Upholding Final Order)

6 Respondent.
7
8

9 This matter came before the Washington State Public Disclosure Commission on
10 October 24, 2013 at the PDC office, Room 206, Evergreen Plaza Building, 711 Capitol Way,
11 Olympia, Washington. The Respondent, Douglas Lenker, requested a reconsideration of the
12 initial order of a brief enforcement hearing (brief adjudicative proceeding) in this matter. The
13 review hearing was held in accordance with Chapters 34.05 and 42.17A RCW and Chapter
14 390-37 WAC.

15 Those present included Amit Ranade, Commission Chair; Grant Degginger,
16 Commission Vice-Chair; Barry Sehlin, Member; and Kathy Turner, Member. Also present
17 were Kurt Young, PDC Compliance Officer on behalf of the PDC Staff; PDC Executive
18 Director Andrea McNamara Doyle; Nancy Krier, General Counsel for the Commission; and
19 PDC staff member Nancy Coverdale as recorder/reporter of the proceedings. The Respondent
20 did not participate although he submitted a written request for reconsideration. The proceeding
21 was open to the public and recorded.

22 **I. PROCEDURAL HISTORY**

23 The matter involved allegations that Respondent violated RCW 42.17A.700 by failing
24 to file a Personal Financial Affairs Statement (F-1 report) as a candidate for the Darrington
25 School District in 2013.
26

1 A brief hearing was held on August 1, 2013. An initial order was entered August 14,
2 2013, making Findings of Fact, Conclusions of Law and assessing a \$400 civil penalty for the
3 violation found in that hearing.

4 On September 18, 2013 the Respondent sent an email requesting the Commission
5 review the initial order. He provided a new address mailing address (PO Box 147, Darrington,
6 WA 98241). The time period had expired for Respondent to seek review of an initial order;
7 therefore, the Respondent's request was considered a request for reconsideration of a final
8 order.

9 Following consideration of the final order, Respondent's request, Mr. Young's
10 September 18, 2013 memorandum and testimony, and Respondent's testimony, the
11 Commission unanimously voted to uphold the order.

12 **II. FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ORDER**

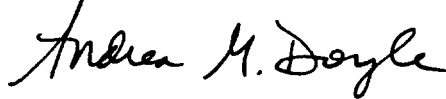
13 The Findings of Fact, Conclusions of Law and Order Imposing Fine entered August 14,
14 2013 are upheld.

15 The Executive Director is authorized to enter this order on behalf of the Commission.

16 So ORDERED this 5th day of November, 2013.

17 WASHINGTON STATE PUBLIC
18 DISCLOSURE COMMISSION

19 FOR THE COMMISSION:

20 

21 ANDREA MCNAMARA DOYLE
22 Executive Director

23
24 **ATTACHMENTS**

- 25 (1) Initial (Final) Order
26 (2) Appeals and Enforcement of Final Orders

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Copy of this order to:

Douglas Lenker
PO Box 147
Darrington, WA 98241

I, Jacob Berken certify that I mailed a copy of this order to the Respondent at Respondent's respective addresses, postage prepaid, on the date stated herein.

Jacob Berken
Signature

11/5/13
Date