



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 17, 2013

RE: PDC Staff Request for Review for **Patrick Nelson: PDC Case No. 13-295**

Agenda Item

PDC staff is seeking a review by the Commission of an initial order entered in a Brief Enforcement Hearing for Patrick Nelson in PDC Case No. 13-295. The review is scheduled for the September 26, 2013, Commission meeting.

Background

Mr. Nelson filed a 2013 Declaration of candidacy with King County Elections as a candidate seeking the office of City Councilmember for the City of Black Diamond. Based on his declaration, Mr. Nelson 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, disclosing his financial activities for the previous 12 months.

Mr. Nelson filed an F-1 report on July 22, 2013. A Brief Enforcement Hearing was held on August 1, 2013, at which the Presiding Officer found Mr. Nelson in violation of RCW 42.17A.700 for failing to timely file an F-1 report within two weeks of declaring his candidacy in 2013. Mr. Nelson was assessed a civil penalty of \$100 in accordance with the penalty schedule set forth in WAC 390-37-165, which is payable within 30 days of the date of the order. The initial Order was entered August 13, 2013.

Request for Review

The Order for Mr. Nelson was sent via certified mail and was returned to the PDC on September 11, 2013, as "Unclaimed." PDC staff reviewed the address and other information in the PDC database, and discovered that Mr. Nelson timely withdrew his candidacy with King County Elections within the statutory timeframe.

On September 12, 2013, PDC staff reviewed information on the King County Elections website, which confirmed that Patrick Nelson had withdrawn his candidacy shortly after filing week, and prior to the May 31, 2013, F-1 due date.

Patrick Nelson
Request for Review
PDC Case No. 13-295
Page 2

Staff Recommendation

Based on the information listed on the King County Election's webpage, staff is recommending that the Commission vacate the initial order in PDC Case No. 13-295, and dismiss the allegations against Patrick Nelson.

Attachments:

- Findings of Fact, Conclusions of Law, and Order Imposing Fine (PDC Case No. 13-295)
- Screenshot from King County Election's webpage.



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

Patrick Nelson
28903 218th Avenue SE
Black Diamond WA 98010

In Re Compliance with RCW 42.17A

Patrick Nelson

Respondent.

PDC Case No. 13-295

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 timely 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 Patrick Nelson 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 City Councilmember in the City of Black Diamond 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 filed the missing F-1 report on July 22, 2013, prior to the date of the hearing.
4. The Respondent has no prior violations.

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 timely file the F-1 report, which was due to be filed no later than May 31, 2013.

ORDER

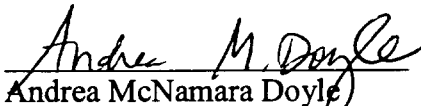
ON the basis of the foregoing Findings of Fact and Conclusions of Law,

IT IS HEREBY ORDERED that the Respondent is assessed a civil penalty of \$100 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 13 day of August, 2013.

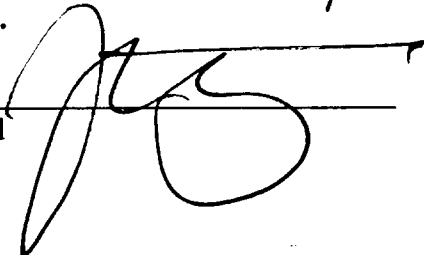
Public Disclosure Commission


Andrea McNamara Doyle
Executive Director

Enclosure: Information about Appeal Rights

I, Jacob 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



Date

8/13/13



Elections

King County Elections

You're in: [Elections Home](#) » [Candidate filing](#) » [Candidate contact information](#) [SHARE](#) [PRINT](#) [SITEMAP](#)

Elections Home

[News](#)

[Register to vote](#)

[How to vote](#)

[After you vote](#)

[Current elections](#)

[For jurisdictions](#)

[Prior elections](#)

[About us](#)

[For candidates](#)

[Contact us](#)

[Videos](#)

[Reference](#)

[Español](#)

[tiếng Việt](#)

King County Elections
919 S.W. Grady Way
Renton, WA 98057-2906

206-296-VOTE (8683)
TTY: Relay: 711
FAX: 206-296-0108

Hours:
Weekdays 8:30 a.m. - 4:30 p.m.

Candidate Filings

Races listed on this page: 1

City
City of Black Diamond
Council Position
No. 2
nonpartisan office

Erika Morgan
33624 ABRAMS AVE
BLACK DIAMOND, WA 98010
smilemeadow@tx3.net
(360) 886-0187

Bill Roth
28952 234TH AVE SE
BLACK DIAMOND, WA 98010
billrothbd@gmail.com
(360) 829-7699

Patrick Nelson
(Withdrawn)
28903 218TH AVE SE
BLACK DIAMOND, WA 98010
ps21mediagroup@gmail.com
(253) 217-2695

[Return to full list of candidates](#) | [Return to top of page](#)

Updated: March 1, 2013

[News](#) | [Register to vote](#) | [How to vote](#) | [After you vote](#) | [Current elections](#) | [For jurisdictions](#) | [Prior elections](#) | [About us](#) | [For candidates](#) | [Español](#) | [tiếng Việt](#)

[Home](#) | [Privacy](#) | [Accessibility](#) | [Terms of use](#) | [Search](#)