



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 28, 2019

DANIEL SYDNEY HEVENOR
5792 2ND AVE
FERNDALE, WA 98248

And delivered electronically to "dhevenor@yahoo.com"

Subject: PDC Order, Case 53400

Dear Daniel Sydney Hevenor,

Enclosed is a copy of the Public Disclosure Commission's Order Imposing Fine that was entered in the above-referenced case. At the August 20, 2019, Brief Enforcement hearing, the Presiding Officer assessed a total civil penalty of \$500 in accordance with WAC 390-37-143.

Your \$500 penalty is payable no later than **September 27, 2018**. Please make the check or money order payable to the WA State Treasurer, and mail the payment to the following:

**PUBLIC DISCLOSURE COMMISSION
PO BOX 40908
OLYMPIA WA 98504-0908**

Thank you for your prompt attention to this matter. Please file the missing C-1 report, and the missing F-1 report certifying financial affairs for twelve calendar months prior to becoming a candidate in the 2019 election.

If you have questions, please contact us by email at pdcc@pdcc.wa.gov.

Sincerely,

Fox Blackhorn
Compliance Coordinator 2

Enclosures (2): Initial Order
Warning Letter



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.pdca.wa.gov

BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

In Re: Compliance with RCW 42.17A

PDC Case 53400

DANIEL SYDNEY HEVENOR,
Respondent.

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

Pursuant to the brief enforcement hearing (brief adjudicative proceeding) notice sent to Daniel Sydney Hevenor on August 6, 2019, A brief adjudicative proceeding was held on August 20, 2019, in Room 206, Evergreen Plaza Building, 711 Capitol Way, Olympia, Washington, to consider whether the Respondent violated RCW 42.17A.205 by failing to file a Candidate Registration (C-1 report) as a candidate for the 2019 election cycle, and RCW 42.17A.700 by failing to file a Personal Statement of Financial Affairs (F-1 report) as a candidate for the 2019 election cycle, disclosing campaign information and financial activities for the previous 12 calendar months. Both reports were due to be filed within two weeks of declaring candidacy, or not later than May 30, 2019,

The hearing was held in accordance with Chapters 34.05 RCW and 42.17A RCW and Chapter 390-37 WAC. Commission Vice-Chair David Ammons was the Presiding Officer. The Commission staff was represented by Tabatha Blacksmith, Compliance Coordinator. The Respondent did not participate in the hearing or submit any written materials.

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

FINDINGS OF FACT

1. The Respondent was a candidate for City Council Member of the City of Ferndale.
2. As a candidate for election, the Respondent was required to file both C-1 and F-1 reports within two weeks of declaring candidacy or no later than May 30, 2019.
3. The Respondent did not file the missing C-1 and F-1 reports 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.205 and RCW 42.17A.700 by failing to file the C-1 and F-1 reports within two weeks of declaring candidacy or by May 30, 2019.

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 \$500, in accordance with the C-1 and F-1 penalty schedule set forth in WAC 390-37-143, payable within 30 days of the date of the Order.

In the event the Respondent fails to pay the \$500 civil penalty within 30 days of the date of the Order, PDC staff is directed to refer the matter to the Department of Enterprise Services (DES) for collection of the amount owed.

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

Entered this 28th day of August, 2019.

Public Disclosure Commission


Peter Lavalley
Executive Director

I, Fox Blackhorn-Delph, certify that I mailed a copy of this order to the Respondent at their respective address postage pre-paid, and by e-mail on the date stated herein.


Signed

August 28, 2019
Dated

APPEALS OF INITIAL ORDER

REVIEW OF INITIAL ORDER - BY THE COMMISSION

You may request that the full Commission review this initial order. To seek review, you must:

- Make the request orally or in writing, stating the reason for review, and identifying what alleged errors are contained in the initial order. *See* WAC 390-37-144(1). Staff may ask for written confirmation of oral requests for review.
- **REQUESTS FOR REVIEW MUST BE RECEIVED AT THE COMMISSION OFFICE WITHIN TWENTY-ONE (21) CALENDAR DAYS AFTER THE POSTMARK DATE OF THIS INITIAL ORDER.** Written requests for review should be delivered or mailed to the Washington State Public Disclosure Commission, 711 Capitol Way, Room 206, Box 40908, Olympia, WA 98504-0908.

If review of this initial order is timely requested, the full Commission will hear the matter. If the Commission is unable to schedule a meeting to consider the request within twenty (20) calendar days, this initial order becomes a final order, and any request for review will automatically be considered a request for reconsideration of a final order. *See* WAC 390-37-144(4). The matter would then be scheduled for consideration and disposition at the next Commission meeting at which it is practicable to do so.

A Respondent does not need to pay a penalty until after the Commission rules on a request for review of an initial order.

FURTHER APPEAL RIGHTS – SUPERIOR COURT

If the Commission does not receive a request for review of this initial order within twenty-one (21) calendar days, the initial order shall be the final order. *See* WAC 390-37-142(5).

YOU HAVE THE RIGHT TO APPEAL A FINAL ORDER TO SUPERIOR COURT, PURSUANT TO THE PETITION FOR JUDICIAL REVIEW PROVISIONS OF RCW 34.05.552.



**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.pdca.wa.gov

August 28, 2019

Delivered electronically to "dhevenor@yahoo.com"

Subject: Complaints filed by Amanda Zimmerman, Keith Olson, and Bill Pate, PDC Case 53400

Dear Daniel Sydney Hevenor:

Below is a copy of an electronic letter sent to the Complainants concerning complaints filed with the Public Disclosure Commission (PDC).

As noted in the letter to the Complainants, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1) and will not conduct a more formal investigation into these allegations or take further enforcement action in this matter.

However, pursuant to WAC 390-37-060(1)(d), this serves as a formal written warning concerning failure to report contributions and expenditures as required of a candidate running for public office. Staff expects you to timely file all required reports of contributions and expenditures in future years. The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

If you have questions, you may contact Fox Blackhorn at 1-360-753-1980 toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

Fox Blackhorn
Compliance Coordinator 2

Endorsed by:

Peter Lavalley
Executive Director



**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

August 28, 2019

Delivered electronically to “azimmerman506@gmail.com”, “olson4mayor@comcast.net”, and “bill@pnwqbc.com”

Subject: Complaints regarding Daniel Sydney Hevenor, PDC Case 53400

Dear Amanda Zimmerman, Keith Olson, and Bill Pate:

The Public Disclosure Commission (PDC) has completed its review of the complaints you filed on June 20, June 21, and July 17, 2019. The complaints alleged that Daniel Sydney Hevenor may have violated RCW 42.17A.205 for failure to file a Candidate Registration (C-1 report) within two weeks of becoming a candidate; RCW 42.17A.235 for failure to timely and accurately file Monetary Contribution reports (C-3 reports) and Summary Full Campaign Contribution and Expenditure reports (C-4 reports), disclosing contributions and expenditures undertaken by the Campaign; and RCW 42.17A.700 for failure to file a Personal Financial Affairs Statement (F-1 report).

PDC staff reviewed the allegations; the applicable statutes, rules, and reporting requirements; and queried the Respondent's data in the PDC contribution and expenditure database, to determine whether the record supports a finding of one or more violations.

Based on staff's review, we found the following:

- At a Brief Enforcement Hearing held on August 20, 2019, the Presiding Officer found the Respondent in violation of RCW 42.17A.205 for failure to file the C-1 report, and RCW 42.17A.700, for failure to file the F-1 report, both due within two weeks after becoming a candidate, or no later than May 30, 2019, and assessed a civil penalty of \$500 in accordance with WAC 390-37-143, the brief enforcement hearing penalty schedule adopted by the Commission.
- As a candidate running for office in 2019, the Respondent was required by RCW 42.17A.235 to file regular C-3 and C-4 reports disclosing contributions received and expenditures undertaken by the Campaign, but failed to file any of the required reports.
- The Respondent is a first-time candidate who lost in the Primary Election.

Based on our findings staff has determined that, in this instance, failure to report contributions and expenditures do a violation that warrants further investigation.

Pursuant to WAC 390-37-060(1)(d), Daniel Sydney Hevenor will receive a formal written warning concerning your failure to report contributions and expenditures as required of a candidate running for public office. The formal written warning will include staff's expectation that Daniel Sydney Hevenor timely files all future required reports of contributions and

expenditures. The Commission will consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

Based on this information, the PDC finds that no further action is warranted and has dismissed this matter in accordance with RCW 42.17A.755(1).

If you have questions, you may contact Fox Blackhorn at 1-360-753-1980 toll-free at 1-877-601-2828, or by e-mail at fdc@fdc.wa.gov.

Sincerely,



Fox Blackhorn
Compliance Coordinator 2

Endorsed by,



Peter Cavallo
Executive Director

cc: Daniel Sydney Hevenor