



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

January 28, 2020

Toni Overmyer
25819 20th Ave S
Des Moines WA 98198

And delivered electronically to “toni.overmyer@gmail.com”

Subject: PDC Order, Case 59761

Dear Toni Overmyer,

Enclosed is a copy of the Public Disclosure Commission’s Order Imposing Fine that was entered in the above-referenced case. At the January 23, 2020, Brief Enforcement hearing, the Presiding Officer assessed a total civil penalty of \$500 in accordance with WAC 390-37-143.

Thank you for your prompt attention to this matter.

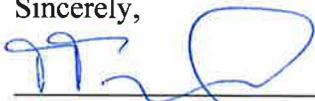
Make payments to:

**WA State Treasurer
PO Box 40908
Olympia WA 98504-0908**

Include PDC Case# 59761 on your payment.

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

Sincerely,



Tabitha Townsend
Compliance Coordinator

Enclosure: Initial Order



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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

In Re: Compliance with RCW 42.17A

PDC Case 59761

Toni Overmyer,

Respondent.

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

Pursuant to the brief enforcement hearing (brief adjudicative proceeding) notice sent to Toni Overmyer on January 13, 2020, a brief adjudicative proceeding was held on January 23, 2020, in Room 206, Evergreen Plaza Building, 711 Capitol Way, Olympia, Washington, to consider whether the Respondent violated RCW 42.17A.205, .210, and .215 by failing to file a Candidate Registration (C-1) as a 2019 Candidate for Park & Recreation Commissioner of Des Moines Pool Metro Park District, which was due to be filed within two weeks of becoming a candidate or no later than June 3, 2019.

The hearing was held in accordance with Chapters 34.05 RCW and 42.17A RCW and Chapter 390-37 WAC. Commission Chair David Ammons was the Presiding Officer. The Commission staff was represented by Tabitha Townsend, Compliance Coordinator. The Respondent did not participate.

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

FINDINGS OF FACT

1. Toni Overmyer (Respondent) was a candidate for Park & Recreation Commissioner of Des Moines Pool Metro Park District.
2. As a candidate for election, the Respondent was required to file a Candidate Registration (C-1 report) within two weeks of becoming a candidate or no later than June 3, 2019.
3. The Respondent has not filed the missing C-1 report before the hearing date of January 23, 2020.
4. On September 24, 2018, the Respondent was found in violation of RCW 42.17A.700, in PDC Case 38884, for not filing Personal Financial Affairs Statement (F-1) timely and was assessed a penalty of \$150 with \$100 suspended upon condition that the Respondent paid the unsuspended \$50 within 30 days of the date of the Order in that case, and was found to have committed no further violations of Chapter 42.17A RCW or Title 390 WAC for a period of four years following the date of the Order. The Order memorializing this ruling was entered on October 5, 2018.

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, .210 and .215 by failing to file the Candidate Registration report by June 3, 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 penalty schedule set forth in WAC 390-37-143, payable within 30 days of the date of the Order.

It is further ordered that the Respondent:

1. **Pay the \$500 civil penalty within 30 days of the date of this Order.**
2. **Commit no further violations of Chapter 42.17A RCW or Title 390 WAC, for a period of 5 years from the date of this Order.**

In the event the Respondent fails to pay the \$500 civil penalty within 30 days of the date of the Order, PDC staff will refer the matter for collections.

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

Entered this 28th day of January, 2020.

Public Disclosure Commission



Peter Lavalley
Executive Director

I, Tabitha Townsend, certify that I served 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

1-28-20
Date

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.