



State of Washington
PUBLIC DISCLOSURE COMMISSION

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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

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| In Re: Compliance with RCW 42.17A | PDC Case 76875 |
| JESS MAHAN, Respondent. | Findings of Fact, Conclusions of Law, and Order Imposing Fine |

Pursuant to the brief enforcement hearing (brief adjudicative proceeding) notice sent to Jess Mahan on September 22, 2020, a brief adjudicative proceeding was held on October 21, 2020, remotely from Olympia, WA by live audio and online transmission, 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 2020 election cycle. The C-1 report was due to be filed within two weeks of declaring candidacy, or not later than June 1, 2020.

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 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 is a candidate for County Charter Review Commissioner of Clark County.
2. As a candidate for election, the Respondent was required to file a C-1 report within two weeks of declaring candidacy or no later than June 1, 2020.
3. The Respondent filed the missing C-1 report prior to the date of the hearing.
4. The Respondent has no prior violations.

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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 by failing to file the F-1 report within two weeks of declaring candidacy or by June 1, 2020.

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 \$150, with \$50 of the penalty suspended, 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 \$100 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 4 years from the date of this order, or the suspended \$50 will become payable.**

In the event the Respondent fails to pay the \$100 civil penalty within 30 days of the date of the Order, PDC staff is directed to refer the matter to collections.

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

Entered this 25th day of November, 2020.

Public Disclosure Commission

Electronically Signed

Peter Lavallee
Executive Director

I, Tabatha Blacksmith, certify that I mailed and emailed a copy of this order to the Respondent at their respective address postage pre-paid, and by email on the date stated herein.

Electronically Signed Tabatha Blacksmith
Signed

11/25/2020
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 by email, stating the reason for review, and identifying what alleged errors are contained in the initial order. *See* WAC 390-37-144(1).
- All requests for review must be submitted electronically to pdcc@pdc.wa.gov.
REQUESTS FOR REVIEW MUST BE RECEIVED BY THE COMMISSION WITHIN TWENTY-ONE (21) CALENDAR DAYS AFTER THE THIS INITIAL ORDER WAS ELECTRONICALLY DISTRIBUTED TO YOU.

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(7).

YOU HAVE THE RIGHT TO APPEAL A FINAL ORDER TO SUPERIOR COURT, PURSUANT TO THE PETITION FOR JUDICIAL REVIEW PROVISIONS OF RCW 34.05.514 *et seq.*