



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

March 11, 2021

William "Beau" Burkett
1739 Collins Rd
PO Box 923
Buckley WA 98321

And delivered electronically to "Respondent E-Mail"

Subject: PDC Order, Case 80176

Dear William "Beau" Burkett,

Enclosed is a copy of the Public Disclosure Commission's Order Imposing Fine that was entered in the above-referenced case. At the February 25, 2021, Brief Enforcement hearing, the Presiding Officer assessed a total civil penalty of \$1,000 in accordance with WAC 390-37-143. The \$1,000 penalty is payable within 30 days of the date of this Order.

The \$1,000 penalty is payable no later than **April 10, 2021**. 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**

Please note that you owe previous outstanding penalties, in addition to the new penalty assessed pursuant to the enclosed Public Disclosure Commission's Order Imposing Fine. These outstanding penalties have been sent to a collection agency. To pay past due penalties in full, please contact PMT Solutions (a collection agency) directly at 425-882-4800, provide your name and PDC Case #s 16-242, 10036, 22221 and 38794.

Thank you for your prompt attention to this matter. Please file the missing F-1 reports for calendar years 2018 & 2019 within 30 days of this order.

If you require assistance in filing these reports, you may contact office at 360-753-1111 or by e-mail at pdc@pdc.wa.gov. Please give your case# 80176 when calling or emailing.

Sincerely,

Electronically Signed by Tabitha Townsend

Tabitha Townsend
Compliance Coordinator

Enclosure: Initial Order

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7 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**
8 **OF THE STATE OF WASHINGTON**

9 In re the Matter of Enforcement Action
10 Against:

PDC CASE NO. 80176

11 WILLIAM (BEAU) BURKETT,

FINAL ORDER

12 Respondent.
13

14 **I. INTRODUCTION**

15 This matter was heard remotely by the Washington State Public Disclosure Commission
16 (Commission) on February 25, 2021, by telephonic and online streaming access. The hearing
17 was held pursuant to Chapter 34.05 RCW, Chapter 42.17A RCW, and Chapter 390-37 WAC.

18 Commissioners present were Fred Jarrett, Commission Chair (presiding); Nancy Isserlis,
19 Commission Vice-Chair; and Commissioners William Downing and Russell Lehman. Also
20 present were Assistant Attorney General John S. Meader representing the Commission, Assistant
21 Attorney General Chad Standifer representing Commission staff, and Tabitha Townsend,
22 Compliance Coordinator, on behalf of PDC Staff. Respondent William (Beau) Burkett did not
23 appear on his own behalf. The proceeding was open to the public as limited by Governor's
24 Proclamation 20-28 *et seq.* and recorded.

25 The hearing concerned allegations that William (Beau) Burkett (Respondent) violated
26 RCW 42.17A.700 by failing to timely file a Personal Financial Affairs Statement (F-1 report)

1 disclosing personal financial information for calendar years 2018 and 2019 that were due no
2 later than April 15, 2019 and April 15, 2020, respectively.

3 The Commissioners had before them the following materials:

- 4 ○ Case Memorandum for PDC Case No. 80176 prepared by Tabitha Townsend and dated
5 February 17, 2021;
- 6 ○ Exhibit 1: F-1 report for calendar year 2014, dated August 4, 2015;
- 7 ○ Exhibit 2: Warning letter for Case No. 80176, dated September 22, 2020;
- 8 ○ Exhibit 3: Email communications with Respondent and Sandy Burkett from December
9 8, 2020, through February 12, 2021;
- 10 ○ Exhibit 4: Full hearing notice for Case No. 80176, dated February 12, 2021;
- 11 ○ Exhibit 5: Order Imposing Fine for PDC Case No. 38794, dated November 20, 2018;
- 12 ○ Exhibit 6: Order Imposing Fine for PDC Case No. 22221, dated September 15, 2017;
- 13 ○ Exhibit 7: Order Imposing fine for PDC Case No. 10036, dated February 7, 2017.

14 15 **II. FINDINGS OF FACT**

16 1. William (Beau) Burkett was an incumbent City Councilmember for the City of
17 Buckley. He was elected in 2015 and his term expired on December 31, 2019.

18 2. Pursuant to RCW 42.17A.700, an elected or appointed official is required to file
19 a Personal financial Affairs Statement (F-1 report) no later than April 15, 2020, disclosing
20 financial activities for calendar year 2019. An elected or appointed official is also required to
21 file an F-1 report no later than April 15, 2019, disclosing financial activities for calendar year
22 2018. The Respondent failed to timely file both reports.

23 3. Between February and April of 2020, PDC staff sent the Respondent seven email
24 reminders regarding his missing F-1 report for calendar year 2019.

25 4. PDC staff emailed reminders to the Respondent that he had missed the deadline
26 of April 15, 2020, on April 22, 2020, April 29, 2020, and May 5, 2020.

1 5. From July 27 through October 7, 2020, PDC staff also made telephone calls to
2 elected and appointed officials, and to representatives in the jurisdictions in which they serve,
3 reminding them of their missed obligation to file the F-1 report covering calendar year 2019 that
4 was due April 15, 2020;

5 6. On August 4, 2020, PDC staff received an email from Mr. Burkett's jurisdiction
6 with a new phone number to contact him. On August 20, 2020, the PDC attempted to call the
7 number but no voicemail was set up so staff was unable to leave a voicemail message.

8 7. On September 22, 2020, PDC staff sent a warning letter to Mr. Burkett
9 concerning the missing F-1 report to the address provided to the PDC on the last F-1 report he
10 filed on August 4, 2015.

11 8. Between December 8, 2020, and December 18, 2020, PDC staff was able to
12 communicate by phone and email with Respondent's spouse regarding the F-1 requirements,
13 prior violations, and penalties owed. Ms. Burkett offered to facilitate obtaining the reports and
14 penalties owed. She also gave the PDC her own email address for future correspondence.

15 8. On February 12, 2021, PDC staff served the Respondent by electronic mail with
16 a hearing notice for a February 25, 2021, Adjudicative Proceeding before the full Public
17 Disclosure Commission concerning the failure to file the F-1 reports.

18 9. Prior violations of RCW 42.17A.700:

19 a) First Violation, PDC Case No. 16-242:

- 20 • The Respondent failed to timely file an F-1 report for calendar year 2014, which
21 was due no later than April 15, 2015.
- 22 • On August 21, 2015, an Order Imposing Fine was entered imposing a civil
23 penalty of \$100.
- 24 • To date the Respondent has not paid the \$100 civil penalty.

25 b) Second Violation, PDC Case No. 10036:

- 26 • The Respondent failed to file an F-1 report for calendar year 2015, which
 was due no later than April 15, 2016.

- On January 20, 2017, a Brief Adjudicative Proceeding (Brief Enforcement Hearing) was held at which the Respondent was found in violation of RCW 42.17A.700 and assessed a \$250 civil penalty for failing to file an F-1 report.
- To date the Respondent has not paid the outstanding \$250 civil penalty for PDC Case No. 10055 or filed the required F-1 report.

c) Third Violation, PDC Case No. 22221:

- The Respondent failed to file an F-1 report for calendar year 2016, which was due no later than April 17, 2017.
- On August 23, 2017, a Brief Adjudicative Proceeding (Brief Enforcement Hearing) was held at which the Respondent was found in violation of RCW 42.17A.700 and assessed a \$1,000 civil penalty for failing to file an F-1 report that was due no later than April 17, 2017.
- To date the Respondent has not paid the outstanding \$1,000 civil penalty for PDC Case No. 22221 or filed the required F-1 report.

d) Fourth Violation, PDC Case No. 38794:

- The Respondent failed to file an F-1 report for calendar year 2017 which was due no later than April 16, 2018.
- On October 25, 2018, an Adjudicative Proceeding(Enforcement Hearing) was held before the full Commission at which the Respondent was found in violation of RCW 42.17A.700 and assessed a \$500 civil penalty for failing to file an F-1 report that was due no later than April 16, 2018.
- To date the Respondent has not paid the outstanding \$500 civil penalty for PDC Case No. 38864 or filed the required F-1 report.

10. Staff recommended at the February 25, 2021, hearing a civil penalty of \$1,000 pursuant to the penalty schedule in WAC 390-37-182.

III. CONCLUSIONS OF LAW

1. The Commission has jurisdiction over this proceeding pursuant to Chapter 42.17A RCW, the State campaign finance and disclosure law; Chapter 34.05 RCW, the Administrative

1 Procedure Act; and Title 390 WAC.

2 2. Based on the above Findings of Fact, Conclusions of Law, and hearing testimony, the
3 Commission concludes:

- 4 a. William (Beau) Burkett violated RCW 42.17A.700 by failing to timely file F-1
5 financial reports for the years 2018 and 2019.

6
7 **IV. ORDER**

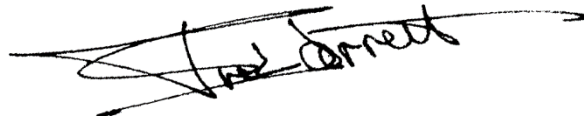
8 Based upon the Findings of Fact and Conclusions of Law, the Commission orders that:

- 9
10 1. Respondent William (Beau) Burkett is assessed a total civil penalty of \$1,000
11 which shall be paid within 30 days of the date of this Final Order.
12
13 2. The missing F-1 reports for calendar years 2018 and 2019 shall be filed within
14 30 days of the date of this Order. If the Respondent fails to comply with the filing
15 of the F-1 reports or fails to make timely payment of the civil penalties, PDC staff
16 may sent the amounts due for collection without further action by the
17 Commission.

18 So ORDERED this _11th_ day of March 2021.
19

20
21 WASHINGTON STATE PUBLIC
DISCLOSURE COMMISSION

22 FOR THE COMMISSION:

23 
24

25 _____
Fred Jarrett
26 Chair, Public Disclosure Commission

Copy of this Order mailed and/or emailed to:

William (Beau) Burkett, Respondent, and Sandy Burkett
[Burkett 35@comcast.net](mailto:Burkett35@comcast.net); sandralee.6@icloud.com

Tabitha Townsend, Compliance Coordinator, PDC Staff
pdc@pdc.wa.gov;

I, Tabitha Townsend, certify that I e-mailed and mailed a copy of this order to the
Respondent at his respective address postage pre-paid on the date stated herein.

Electronically Signed by Tabitha Townsend
Signed

March 11, 2021
Date

NOTICE: RECONSIDERATION

Pursuant to the provisions of RCW 34.05.470 and WAC 390-37-150, you may file a Petition for Reconsideration with the PDC within ten (10) days from the date this Final Order is served upon you. Any Request for reconsideration must state the specific grounds for the relief requested. Petitions must be delivered or mailed to the Washington State Public Disclosure Commission, 711 Capitols Way, Room 206, Box 40908, Olympia WA 98504-0908.

NOTICE: PETITION FOR JUDICIAL REVIEW

You have the right to appeal this Final Order to Superior Court, pursuant to the Petition for Judicial Review provisions of RCW 34.05.542. Any Petition for Judicial Review of this Final Order must be filed with the court and also served upon both the Commission and the Office of the Attorney general within thirty (30) days after the date this Final Order is served upon you.