



**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](mailto:pdcc@pdcc.wa.gov) • Website: [www.pdcca.wa.gov](http://www.pdcca.wa.gov)**

March 8, 2021

JEFF BISSONNETTE  
9217 N WILLAMETTE BLVD  
PORTLAND OR 97203

Also delivered electronically to JEFF BISSONNETTE at  
“[jbissonnette@ucsusa.org](mailto:jbissonnette@ucsusa.org),[jbissonnette@ucsusa.org](mailto:jbissonnette@ucsusa.org)”

Subject: Lobbyist Brief Enforcement Hearing Notice; PDC Case Number **86676**

Dear JEFF BISSONNETTE:

The Public Disclosure Commission (PDC) has not received one or more monthly Lobbying Expense reports (L-2 reports), due by the 15th day of each calendar month, disclosing activity in the previous calendar month.

According to PDC records, you are missing L-2 reports for the following period(s) in calendar year 2020:

**January February March April May June July August September October November  
December**

In accordance with RCW 42.17A.110 and RCW 42.17A.755, a Brief Adjudicative Proceeding (Brief Enforcement Hearing) has been scheduled to determine if **JEFF BISSONNETTE** violated RCW 42.17A.615 by failing to file one or more monthly Lobbying Expense reports (L-2 reports), due by the 15th day of each calendar month, disclosing activity in the previous calendar month. Under the Brief Enforcement Hearing rules, the Presiding Officer has the authority to assess civil penalties in accordance with WAC 390-37-143, a penalty schedule adopted by the Commission (see enclosed Brief Enforcement Hearings FAQ).

**HEARING INFORMATION**

Date and time:	Thursday, April 1, 2021 at 1:25 p.m.
Place:	Remotely from Olympia Live Audio and Online Transmission
Presiding Officer:	Fred Jarrett, Chair, Public Disclosure Commission
Authority:	RCW 42.17A and WAC 390

## **HOW TO AVOID THE HEARING**

In order to avoid the Brief Enforcement Hearing, please ensure that the following items are **received by the PDC no later than 12:00 p.m. March 24, 2021:**

1. Completed L-2 report(s) or amend your registration appropriately to indicate months when you were not lobbying. (on-line Reporting instructions are enclosed)
2. Contact PDC Staff by e-mail at [pdcc@pdc.wa.gov](mailto:pdcc@pdc.wa.gov) to explain what actions you have taken to file the missing L-2 reports or to amend your registration (reference your case#).

## **PARTICIPATING BY TELEPHONE**

The Enforcement Hearing will be audio and video recorded. The Commission and staff will join the meeting remotely.

Anyone wishing to participate in the hearing by telephone must follow the instructions below and call into the meeting **promptly at 1:10 p.m. on Thursday, April 1, 2021**. Please stay on the call until the Presiding Officer calls your name and case number. After your case has been heard, you may hang up or stay on the call.

*Please note that you must keep your phone on mute at all times except while your case is being heard. Use \*6 to mute your phone and \*6 again to unmute when it is your turn to speak.*

### **Join on your telephone by dialing:**

1-206-809-2388 United States, Seattle

Follow the verbal prompts and enter the Phone Conference ID: 313309808#

Use \*6 on your telephone keypad to mute your call and use \*6 again to unmute your phone when it is your turn to speak.

If you experience technical difficulties with the call-in participation after the meeting has started at 1:10 p.m., call the PDC's main number 1-360-753-1111 and staff will try to assist you.

## **INTERPRETER**

If a party or witness to this proceeding speaks limited English or is hearing-impaired, and needs an interpreter, a qualified interpreter will be appointed at no cost to you. Please inform us at least five business days before the hearing or no later than **March 25, 2021** if you require an interpreter for this proceeding and/or translation of its written materials in a language other than English. Please contact us by email at [pdcc@pdc.wa.gov](mailto:pdcc@pdc.wa.gov) or call us at (360) 753-1111 or 1-877-601-2828 to request an interpreter.

## **SUBMITTING WRITTEN MATERIALS**

In advance of the Enforcement Hearing, you may provide a written response describing the facts of your case for consideration by the Commission, including any circumstances or mitigating factors you would like considered. Please submit your written response so it is received by **no later than 12:00 p.m. March 24, 2021**

If you have any questions about the hearing process prior to the hearing date, please contact PDC Staff by email at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov) and be sure to reference your case number in the subject line of the email.

Sincerely,

PDC Staff  
Compliance and Enforcement Division



Enclosures (3):

- Lobbyist Reporting and Amending Reports instructions
- Brief Enforcement Hearings – Information for Filers (FAQs)
- Penalty Schedule – WAC 390-37-143

## Reporting

Report compensation and expenses on an accrual basis. That is, report them for the month in which each was incurred or earned, not necessarily when received. (If reported amounts differ from what is actually received from the employer, file an amended report reflecting the correct amounts.)

## Completing the Monthly Expenditure Report (L2) Overview

Expenditure reports are due for all months in which the lobbyist/firm is registered, regardless of activity level.

1. Login to the Lobbyist Electronic Filing system using your user account.
2. Under Lobbyists I File For, choose the name of the lobbyist/firm who the expenditure report will be filed for.
3. On the page for the lobbyist/firm, find the Lobbyist Menu and choose the New Monthly Filing option.
4. On the following page, entitled Create a new L2 filing, you can select to bring forward data from a previous filing or you can start from scratch. Once you have indicated your choice, click the Submit icon to proceed. Caution – if you use the "bring forward" option keep in mind that any activity which is date specific will cause problems when you attempt to submit the report. For example, if you bring forward activity such as entertainment or contributions from a previous report, it will have that activity with the date it appeared previously. The "bring forward" option works best when choosing information which is non-date specific such as compensation and sub-contract compensation.
5. In the following screen there are a series of tabs listing different categories of lobbying activities. Review information on each tab where you will indicate, through a series of yes or no questions, whether you have reportable activity. If there is activity, continue on that tab to provide the requested information.
6. Once you have completed all tabs and are ready to submit, click the Submit to PDC icon at the bottom of the screen. The report will now validate for errors or incomplete entries. If this happens, return to the tab in question to correct or enter the information and then re-submit. You will now see the report you have just completed listed under the heading Submitted Monthly Reports (L2) with the date and time submitted.

## Completing the Monthly Expenditure Report (L2) Detailed Instructions

### Identify the lobbyist

Report compensation and expenses on an accrual basis. That is, report them for the month in which each was incurred or earned, not necessarily when received. (if reporting amounts differ from what is actually received from the employer, file an amended report reflecting the correct amounts). Expenditure reports are due for all months in which the lobbyist/firm is registered, regardless of activity level.

- Login to the Lobbyist Electronic Filing system using your user account.
- Under Lobbyists I File For, choose the name of the lobbyist/firm who the expenditure report will be filed for.

### Identify the reporting period

- On the page for the lobbyist/firm, find the Lobbyist Menu and choose the New monthly filing option.
- Choose your reporting period from the drop-down field
- You can select to bring forward data from a previous filing or you can start from scratch. Once you have indicated your choice, click the submit icon to proceed. **Caution** – if you use the "bring forward" option, keep in mind that any activity which is date specific will cause problems when you attempt to submit the report. For example, if you bring forward activity such as entertainment or contributions from a previous report, it will have that activity with the date it appeared previously. The "bring forward" option works best when choosing information which is non-date specific such as compensation and sub-contract compensation.

The lobbyist (or person filing the report) will see a series of tabs on the monthly report page; Personal, Compensation, Entertainment, Contributions, Advertising, Other and Lobbying. For more detailed instructions

on these tabs, please see our instructions at: <https://www.pdc.wa.gov/learn/publications/lobbyist-instructions/reporting>

## Amending Reports

Although every effort should be made to file complete and accurate reports, mistakes do happen. If you discover an omission or mistake in a previous report, file an amended report.

Complete an amended L-2 report as follows: log in to the lobbyist/form page, find the report in question listed in the Submitted Monthly Reports area and click Amend (under the Actions column).

Amended L-2 reports should be filed as soon as the error is discovered.

Amendments to any of the information on the L-1 form are to be filed within one week of the change prompting the revision and the entire form must be completed (not simply the new information).

## Completing the Registration (Hired directly by the client (employer))

The lobbyist/firm must complete a separate registration for each employer (client)

1. Login to the Lobbyist Electronic Filing system using your user account.
2. Under Lobbyists I File For, choose the name of the lobbyist/firm who the registration will be filed for.
3. In the next field which shows the name of the lobbyist/firm, choose **Add employment registration** from the Lobbyist Menu.
4. In Step 1: Add employment contract, choose the following: Hired directly by the client (employer). If the lobbyist is subcontracting from another lobbyist/firm, please see separate instructions.
5. In Step 2: Choose employer, enter the name of the employer you want to register in the search field. As you type the employer name, results will appear below. Choose from that list. Caution: if the name of the employer does not appear, try doing a broader search. For example, if the name of the employer is WASHINGTON WIDGET COALITION, try WIDGET or WA WIDGET. If you cannot find the name of the employer, please contact the PDC for verification that the employer does not exist in our system. If you have verified that the employer does not exist currently in our system, you must use the Invite Employer option located at the top of Step 2. Until the employer registers in our system, you will not be able to continue with the registration process. Once this is completed by the employer, repeat all steps listed above and continue.
6. In the next screen, complete the following sections;
  - Compensation
  - Description of Employment
  - Expenses and Reimbursement
  - Lobbying Length and Exemptions
  - Employment Period
  - Are you exempt?
  - Employment Period Date
  - Employer Areas of Interest
  - Certify
  - Submit to PDC
1. The registration has now been submitted but will only be valid once the employer “approves” it. The employer will receive an email to the address we have on record requesting their approval of the submission. We highly advise that lobbyists contact the employer directly to ensure that the approval is completed.
2. Once the employer approves the registration, the lobbyist will see the period the registration is valid listed beside the employer’s name in the Employers section.

## Completing the Registration (Subcontracting (hired by another lobbyist/firm))

The lobbyist/firm must complete a separate registration for each employer (client)

1. Login to the Lobbyist Electronic Filing system using your user account.

2. Under Lobbyists I File For, choose the name of the lobbyist/firm who the registration will be filed for.
3. In the next field which shows the name of the lobbyist/firm, choose **Add employment registration** from the Lobbyist Menu.
4. In **Step 1**: Add employment contract, choose the following: Subcontracting (hired by another lobbyist/firm). If the lobbyist is hired directly by the client (employer), please see separate instructions.
5. In **Step 2**: Select the lobbyist who hired you; enter the name of the lobbyist/firm in the search field. As you type the lobbyist/firm name, results will appear below. Choose from that list. If the name does not appear in the list, please contact the PDC for assistance.
6. In **Step 3**: Choose employer; the subcontracting lobbyist will select the client from the list of the principal lobbyist's employers displayed. A separate registration is required if the subcontract lobbyist is representing more than one employer of the principal lobbyist. If the name of the employer is not displayed in this list, it is because the principal lobbyist has not submitted a registration for the employer. If this is the case, please stop and contact the principal lobbyist, requesting the registration to be completed. Once this is done, the subcontracting lobbyist may proceed with the registration. In the next screen, complete the following sections;
  - Compensation
  - Description of Employment
  - Expenses and Reimbursement
  - Lobbying Length and Exemptions
  - Employment Period
  - Are you exempt?
  - Employment Period Date
  - Employer Areas of Interest
  - Certify
  - Submit to PDC
1. The registration has now been submitted but will only be valid once the principal lobbyist/firm "approves" it. The principal lobbyist/firm will receive an email to the address we have on record requesting their approval of the submission. We highly advise that subcontract lobbyists contact the principal lobbyist/firm directly to ensure that the approval is completed.
2. Once the principal lobbyist/firm approves the registration, the subcontract lobbyist will see the period the registration is valid listed beside the employer's (principal lobbyist) name in the Employment via Subcontract section.

## Terminating, Suspending and Reinstating Registrations

Registrations filed October 1, 2018, or later expire in January 2021, unless the lobbyist or lobbyist employer terminates the registration on an earlier date.

A lobbyist should terminate an employer's registration when the lobbying functions have ended. Terminations must be done by amending the registration in the electronic system.

Lobbyist employers may terminate the registration by submitting a written statement identifying which lobbyist is being terminated and as of what date.

A lobbyist must file an L-2 for the last month or portion thereof for which they were registered. For example, if lobbying activities conclude on May 23, an L-2 covering May 1 to May 23 would be filed on or before June 15 and must include the termination notice.

A lobbyist may temporarily suspend a registration by amending the registration to indicate the months in which no lobbying will be done for a specific period of time, no lobbying expenditures will be made during the time specified and no compensation will be earned for lobbying. During the period of the suspension, no monthly L-2 reports are required. A lobbyist who has suspended a registration reinstates it by amending the registration.

## **BRIEF ENFORCEMENT HEARINGS – INFORMATION FOR FILERS**

**You have received a letter or email from the PDC scheduling a Brief Enforcement Hearing before a PDC Commissioner. Here are the answers to some Frequently Asked Questions about these brief hearings. This FAQ is informational only and should not be considered legal advice.**

### **What is a Brief Enforcement Hearing?**

The PDC is responsible for enforcing the State's campaign finance laws. We may schedule what is called a Brief Enforcement Hearing (also known as a "Brief Adjudicative Proceeding" under the Administrative Procedure Act) to address compliance with campaign finance reporting requirements when evidence shows the following types of alleged violations may have occurred:

- Failure to file or timely file required reports of financial affairs, campaign contributions and/or expenditures, independent expenditures, or funds spent on lobbying;
- Improper use of public facilities or resources in election campaigns when the value of public funds expended or facilities used was minimal; and
- Infractions of political advertising laws regarding sponsor identification or political party identification.

Brief Enforcement Hearings may be scheduled on other matters as well, if the basic facts are agreed to or are not being contested, and it is anticipated that the likely penalty imposed (if a violation is found) will be \$1,000 or less. The Commission has adopted a penalty schedule for Brief Enforcement Hearings which can be found in the Washington Administrative Code [WAC 390-37-143](#).

A Presiding Officer, who is a PDC Commissioner, will conduct the hearing. PDC staff will present the case to the Presiding Officer, and you will have an opportunity to explain the circumstances related to the alleged violations. You may do this by telephone or in writing by email or letter. (Instructions can be found in the hearing notice.)

### **Who are the parties involved?**

The PDC Staff initiates and investigates possible violations and brings cases forward to the Commission or its Presiding Officer. The person who is alleged to be out of compliance with the law is referred to as the "Respondent."

### **What can I do to avoid the hearing?**

If you received a hearing notice, you still have the opportunity to come into compliance by filing the missing report(s) and contacting PDC Staff to look at resolution options. Please contact PDC Compliance and Enforcement Staff at [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov), include your case number in the subject line.

### **What do I do to prepare for the hearing?**

The brief hearings are informal in nature. You are not required to have an attorney for this hearing. Hearings take place remotely from Olympia via live audio and online transmission. You may participate by telephone by using the call in information included in the hearing notice or send a written response to [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov). (Instructions can be found in the hearing notice.)

If you are having other people (witnesses) testify on your behalf, they must be available at the hearing, and Staff needs to be informed of the number of witnesses and time needed for their testimony. The scheduled hearing starting time is the start time for several matters that will be heard by the Presiding Officer, and your case may not be the first one heard. So you will need to remain available to participate until your case is called. (Instructions can be found in the hearing notice.)

***Participation by telephone.*** If you wish to participate by phone, please follow the call-in information included in the hearing notice. As mentioned above, the hearing time is an estimate, and you must be available until your case is called.

***Participation in-writing.*** If you are participating only by submitting written materials, make sure any written materials you want the Presiding Officer to consider are delivered to the PDC staff by e-mail before the hearing. (The hearing notice includes instructions and a due date for submittal of written materials.)

***Waiving your right to participate.*** If you have submitted nothing in writing prior to the hearing, have made no other arrangements, and you do not appear by phone, or through your legal counsel at the hearing, it will be presumed that you have decided to waive your right to participate at the hearing.

### **What happens at the hearing?**

The Presiding Officer will introduce the participants and explain the procedure for the hearing. The hearing will be audio-taped.

The Presiding Officer will swear-in PDC Staff for them to present information regarding the alleged violation of law. You will then have an opportunity to testify, which is your opportunity to present information. All testimony by Staff, Respondents, and witnesses is given under oath. The Presiding Officer may ask you some questions about the information you, PDC Staff, or witnesses have presented. If you have decided to participate in writing instead of by phone, your written information will be considered by the Presiding Officer as part of the hearing materials.

If at any time the Presiding Officer believes the alleged violations are serious enough to merit penalties greater than \$1,000, the Presiding Officer will adjourn the hearing and direct that the matter be scheduled for a hearing before the full Commission at a later time.

### **How is the decision made?**

After considering all the information presented at the hearing, the Presiding Officer will make a decision about the allegation(s) and any appropriate penalty amount. The decision is typically announced orally at the hearing.

The Presiding Officer will use the penalty schedule referred to above that has been adopted by the Commission in rule to determine the appropriate penalty for certain types of violations, taking into account aggravating and mitigating factors. The penalty schedule is below.

### **What happens after my hearing?**

A written decision, called an Initial Order, laying out the Presiding Officer's ruling, including the findings and the penalty, will be sent to you. The PDC tries to get orders issued within 10 days if possible, and not later than 30 days. If a monetary penalty is imposed in the Initial Order, the penalty must be paid to the **Washington State Treasurer** and mailed to the address listed in the Order cover letter within the time frame stated in the Order.

Along with your Initial Order, you will also receive information about your appeal rights, including how to request review or reconsideration by the full Commission if you disagree with the Initial Order. Follow these procedures carefully if you wish to appeal. If there is no appeal before the PDC, the Initial Order becomes a Final Order, and further appeals must be made in Superior Court.

### **What are the rules that apply to the procedures of my hearing?**

The PDC's laws and rules are available on the PDC's website at [www.pdc.wa.gov](http://www.pdc.wa.gov). The laws are in the Revised Code of Washington ([RCW](#)) [Chapter 42.17A](#). The rules are in the Washington Administrative Code ([WAC](#)) [Title 390](#). Brief Adjudicative Proceedings are described at [WAC 390-37-140](#) through [390-37-150](#) and in the Administrative Procedure Act (APA) at [RCW 34.05.482-494](#).

**Penalty schedule**

The presiding officer may assess a penalty up to one thousand dollars upon finding a violation of chapter [42.17A](#) RCW or Title 390 WAC.

(1) Base penalty amounts:

<b>Violation</b>	<b>1st Occasion</b>	<b>2nd Occasion</b>	<b>3rd Occasion</b>
<b>Failure to timely file an accurate and complete statement of financial affairs (F-1):</b>			
Filed report after hearing notice, but before enforcement hearing. Provided written explanation or appeared at hearing to explain mitigating circumstances. Did not enter into statement of understanding.	\$0 - \$150	\$150 - \$300	\$300 - \$600
Filed report after hearing notice, but before enforcement hearing. Did not enter into statement of understanding.	\$150	\$300	\$600
Failed to file report by date of enforcement hearing.	\$250	\$500	\$1,000
<b>Candidate's failure to timely file an accurate and complete registration statement (C-1)/statement of financial affairs (F-1):</b>			
Filed report after hearing notice, but before enforcement hearing. Provided written explanation or appeared at hearing to explain mitigating circumstances. Did not enter into statement of understanding.	\$0 - \$150 per report	\$150 - \$300 per report	\$300 - \$600 per report up to \$1,000
Filed report after hearing notice, but before enforcement hearing. Did not enter into statement of understanding.	\$150 per report	\$300 per report	\$600 per report up to \$1,000
Failed to file report by date of enforcement hearing.	\$250 per report	\$500 per report	consideration by full commission
<b>Failure to timely file an accurate and complete lobbyist monthly expense report (L-2):</b>			
Filed report after hearing notice, but before enforcement hearing. Provided written explanation or appeared at hearing to explain mitigating circumstances. Did not enter into statement of understanding.	\$0 - \$150	\$150 - \$300	\$300 - \$600
Filed report after hearing notice, but before enforcement hearing. Did not enter into statement of understanding.	\$150	\$300	\$600
Failed to file report by date of enforcement hearing.	\$250	\$500	\$1,000
<b>Failure to timely file an accurate and complete lobbyist employer report (L-3):</b>			
Filed report after hearing notice, but before enforcement hearing. Provided written explanation or appeared at hearing to explain mitigating circumstances. Did not enter into statement of understanding.	\$0 - \$150	\$150 - \$300	\$300 - \$600
Filed report after hearing notice, but before enforcement hearing. Did not enter into statement of understanding.	\$150	\$300	\$600
Failed to file report by date of enforcement hearing.	\$250	\$500	\$1,000
<b>Failure to timely file accurate and complete disclosure reports:</b>			
Political committee registration (C-1pc).	\$150	\$300	\$600
Statement of contributions deposit (C-3).	\$150	\$300	\$600
Summary of total contributions and expenditures (C-4).	\$150	\$300	\$600
Independent expenditures and electioneering communications (C-6).	\$150	\$300	\$600
Last minute contribution report (LMC).	\$150	\$300	\$600

Out-of-state committee report (C-5).	\$150	\$300	\$600
Annual report of major contributors (C-7).	\$150	\$300	\$600
Failure to timely file accurate and complete reports disclosing lobbying activities:			
Lobbyist registration (L-1).	\$150	\$300	\$600
Public agency lobbying report (L-5).	\$150	\$300	\$600
Grass roots lobbying report (L-6).	\$150	\$300	\$600
Failure to file electronically.	\$350	\$650	\$1,000
Exceeding contribution limits.	\$150	\$300	\$600
Exceeding mini reporting threshold.	\$150	\$300	\$600
Failure to comply with political advertising sponsor identification requirements.	\$150	\$300	\$600
Failure to include required candidate's party preference in political advertising.	\$150	\$300	\$600
Failure to comply with other political advertising requirements, RCW <a href="#">42.17A.330</a> through <a href="#">42.17A.345</a> .	\$150	\$300	\$600
Use of public facilities to assist a campaign for election or promote a ballot measure.	\$150	\$300	\$600
Treasurer's failure to timely file an accurate and complete annual treasurer's report (T-1):			
Filed report after hearing notice, but before enforcement hearing. Provided written explanation or appeared at hearing to explain mitigating circumstances. Did not enter into statement of understanding.	\$0 - \$150	\$150 - \$300	\$300 - \$600
Filed report after hearing notice, but before enforcement hearing. Did not enter into statement of understanding.	\$150	\$300	\$600
Failed to file report by date of enforcement hearing.	\$250	\$500	\$1,000

"Occasion" means established violation. Only violations in the last five years will be considered for the purpose of determining second and third occasions.

(2) In determining the appropriate penalty, the presiding officer may consider the nature of the violation and aggravating and mitigating factors, including:

- (a) Whether the respondent is a first-time filer;
- (b) The respondent's compliance history for the last five years, including whether the noncompliance was isolated or limited in nature, indicative of systematic or ongoing problems, or part of a pattern of violations by the respondent, or in the case of a political committee or other entity, part of a pattern of violations by the respondent's officers, staff, principal decision makers, consultants, or sponsoring organization;
- (c) The respondent's unpaid penalties from a previous enforcement action;
- (d) The impact on the public, including whether the noncompliance deprived the public of timely or accurate information during a time-sensitive period, or otherwise had a significant or material impact on the public;
- (e) The amount of financial activity by the respondent during the statement period or election cycle;
- (f) Whether the late or unreported activity was significant in amount or duration under the circumstances, including in proportion to the total amount of expenditures by the respondent in the campaign or statement period;
- (g) Corrective action or other remedial measures initiated by respondent prior to enforcement action, or promptly taken when noncompliance brought to respondent's attention;
- (h) Good faith efforts to comply, including consultation with PDC staff prior to initiation of enforcement action and cooperation with PDC staff during enforcement action, and a demonstrated wish to acknowledge and take responsibility for the violation;

(i) Personal emergency or illness of the respondent or member of his or her immediate family;

(j) Other emergencies such as fire, flood, or utility failure preventing filing;

(k) Sophistication of respondent or the financing, staffing, or size of the respondent's campaign or organization; and

(l) PDC staff, third-party vendor, or equipment error, including technical problems at the agency preventing or delaying electronic filing.

(3) The presiding officer has authority to suspend all or a portion of an assessed penalty under the conditions to be determined by that officer including, but not limited to, payment of the nonsuspended portion of the penalty within five business days of the date of the entry of the order in that case.

(4) If, on the third occasion, a respondent has outstanding penalties or judgments, the matter will be directed to the full commission for consideration.

(5) The presiding officer may direct a matter to the full commission if the officer believes one thousand dollars would be an insufficient penalty or the matter warrants consideration by the full commission. Cases will automatically be scheduled before the full commission for an enforcement action when the respondent:

(a) Was found in violation during a previous reporting period;

(b) The violation remains in effect following any appeals; and

(c) The person has not filed the disclosure forms that were the subject of the prior violation at the time the current hearing notice is being sent.

[Statutory Authority: RCW [42.17A.110](#)(1) and 2018 c 304. WSR 18-24-074, § 390-37-143, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW [42.17A.110](#)(1) and [42.17A.570](#). WSR 18-10-088, § 390-37-143, filed 5/1/18, effective 6/1/18. Statutory Authority: RCW [42.17A.110](#). WSR 17-03-004, § 390-37-143, filed 1/4/17, effective 2/4/17.]