



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

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October 15, 2021

Delivered electronically to starwave96@gmail.com

Subject: Final Order; PDC Case Number 94053

Dear Rick Hughes:

Attached is the Final Order entered at the September 23, 2021 Regular Commission Meeting of Public Disclosure Commission.

The Commission Vacated the Initial Order and no penalty is due.

If you have any questions, please contact PDC Staff by email at pdc@pdc.wa.gov – and be sure to reference your case number in the subject line of the email.

Sincerely,

PDC Staff
Compliance and Enforcement Division

Enclosure

- Final Order



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

7 In Re: The Matter of Enforcement Action
8 Against:

PDC CASE NO. 94053

FINAL ORDER

9 CHARLES (RICK) HUGHES,
10 Respondent.
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14 This matter was heard remotely by the Washington State Public Disclosure Commission
15 (Commission) on September 23, 2021, by telephonic and online streaming access. Respondent
16 requested review of the Initial Order within 21 calendar days of the order being served on him.
17 The hearing was held in accordance with Chapters 34.05 and 42.17A RCW, and Chapter 390-37
18 WAC.

19 Commissioners present both telephonically and online were Fred Jarrett, Commission
20 Chair (presiding); Nancy Isserlis, Commission Vice-Chair; Commissioner Bill Downing, and
21 Commissioner Allen Hayward. Also present both telephonically and online were Assistant
22 Attorney General John S. Meader representing the Commission, Assistant Attorney General
23 Chad Standifer, representing PDC Staff, and Jennifer Hansen, PDC Compliance Officer.
24 Respondent Charles (Rick) Hughes appeared on his own behalf. The proceeding was open to
25 the public as limited by Governor's Proclamation 20-28 *et seq.* and recorded.
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1 The Commissioners had before them the following materials:

- 2 1. Case memorandum dated September 15, 2021, prepared by Jennifer Hansen, PDC
3 Compliance Officer;
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- 5 2. Brief Enforcement Hearing Notice, PDC Case 94053, sent to Respondent on June 25,
6 2021, for Adjudicative Proceedings on July 15, 2021;
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- 8 3. Initial Order Imposing Fine, PDC Case 94053, entered August 16, 2021;
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- 10 4. Respondent's written request for review dated September 8, 2021;
- 11
- 12 5. Reconsideration Hearing Notice, PDC Case 94053, served September 15, 2021, and
13 the corrected notice served September 17, 2021.
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15 I. FINDINGS OF FACT

16 The matter involves an alleged violation of RCW 42.17A.700 for failure to timely file a
17 Personal Financial Affairs Statement (F-1 Report) no later than April 15, 2021, for calendar year
18 2020.

19 1. Charles (Rick) Hughes served on the San Juan County Council during the
20 calendar year 2020, until his term expired in December, 2020. The Respondent has no
21 prior violations with the PDC.

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23 2. Between February and May of 2021, PDC staff sent email reminders to all elected
24 and appointed officials regarding their missing F-1 reports for calendar year 2020.

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1 3. On May 11, 2021, PDC staff emailed warning letters to elected and appointed
2 officials regarding their missing F-1 reports for calendar year 2020.

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4 4. On June 25, 2021, PDC staff emailed the Respondent a hearing notice for a
5 Brief Adjudicative Proceeding (Brief Enforcement Hearing) to be held on July 15,
6 2021. The hearing notice was sent to the Respondent's email address of record.

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8 5. At the July 15, 2021, Brief Enforcement Hearing the Respondent was found in
9 violation of RCW 42.17A.700 for failure to timely file the F-1 report no later than April
10 15, 2021, and was assessed a \$250 penalty, consistent with WAC 390-37-143, the Brief
11 Enforcement Hearing penalty schedule adopted by the Commission.

12
13 6. On August 16, 2021, PDC staff served the Initial Order memorializing the
14 Commission's ruling by email to the contact email address of record.

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16 7. Respondent filed the F-1 report covering calendar year 2020 activity on June
17 29, 2021.

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19 8. On September 8, 2021, the Respondent submitted written materials to PDC
20 Staff to appeal the August 16, 2021, Order based on the fact he has been serving as a
21 frontline worker responding to the COVID-19 pandemic and continued to do so
22 throughout the filing period. He stated he inadvertently missed the earlier emailed
23 notices regarding the enforcement action.

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25 9. On September 15, 2021, PDC staff served Respondent by email with a hearing
26 notice for a September 23, 2021, Hearing on Reconsideration before the Commission,

1 along with instructions on how to participate in the hearing remotely. On September
2 17, 2021, staff served the Respondent with a corrected hearing notice to reflect the
3 appropriate agenda time.

4 5 **II. CONCLUSIONS OF LAW**

6 1. The Commission has jurisdiction over this proceeding pursuant to Chapter
7 42.17A RCW, the State campaign finance and disclosure law; Chapter 34.05 RCW, the
8 Administrative Procedure Act; and Title 390 WAC.

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10 2. Pursuant to RCW 42.17A.700, an elected or appointed official who held office
11 in 2020 was required to file an F-1 report, disclosing financial information for calendar
12 year 2020, no later than April 15, 2021.


13 14 **III. ORDER**

15 After consideration of the mitigating and aggravating factors, including Respondent's
16 significant challenges as a COVID-19 frontline worker, and the Findings of Fact and
17 Conclusions of Law, the Commission VACATES the Initial Order assessing a civil penalty of
18 \$250 for late filing of the F-1 report in violation of RCW 42.17A.700. This Order will be the
19 Final Order.

20 SO ORDERED this 15th day of October, 2021.

21 WASHINGTON STATE PUBLIC
22 DISCLOSURE COMMISSION

23 FOR THE COMMISSION:

24 

25 Fred Jarrett,
26 Chair, Public Disclosure Commission

1 *This order sent by email to:*

2 Charles (Rick) Hughes, Respondent
3 Starwave96@gmail.com

4 Jennifer Hansen,
5 PDC Compliance Officer,
6 Jennifer.Hansen@pdc.wa.gov

I, Jennifer Hansen, certify that I emailed a copy of this order to the Respondent at his respective email address.

Jennifer Hansen October 15, 2021
Signed Date

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10 **NOTICE: RECONSIDERATION**

11 Pursuant to the provisions of RCW 34.05.470 and WAC 390-37-150, you may file a Petition for
12 Reconsideration with the PDC within ten (10) days from the date this Final Order is served upon
13 you. Any Request for reconsideration must state the specific grounds for the relief requested.
14 Petitions must be delivered or mailed to the Washington State Public Disclosure Commission,
15 711 Capitols Way, Room 206, Box 40908, Olympia WA 98504-0908.

16 **NOTICE: PETITION FOR JUDICIAL REVIEW**

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