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

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

9 WILLIAM MIRAND,
10 Respondent.
11

PDC CASE NO. 94257
FINAL ORDER ON
RECONSIDERATION

12
13 This matter was heard at the Regular Meeting of the Washington State Public Disclosure
14 Commission (Commission) on October 28, 2021, by telephonic and online streaming access.
15 William Mirand (Respondent) requested reconsideration of the Presiding Officer's Order, issued
16 following a Brief Enforcement Hearing (Brief Adjudicative Proceeding) held July 15, 2021. The
17 hearing was held in accordance with Chapters 34.05 and 42.17A RCW, and Chapter 390-37
18 WAC.

19 Commissioners present were Fred Jarrett, Commission Chair (presiding); Nancy Isserlis,
20 Commission Vice-Chair; and Commissioners William Downing and Allen Hayward. Also
21 present both telephonically and online were Assistant Attorney General John S. Meader
22 representing the Commission, Assistant Attorney General Chad Standifer, representing PDC
23 Staff, and Tabatha Blacksmith, PDC Compliance Coordinator. The Respondent did not appear
24 on his own behalf. The proceeding was open to the public as limited by Governor's Proclamation
25 20-28 *et seq.* and recorded.

26 The Commissioners had before them the following materials:

1. Case memorandum dated October 28, 2021, prepared by Tabatha Blacksmith, PDC Compliance Coordinator;
2. Brief Enforcement Hearing Notice, served June 26, 2021;
3. Initial Order Imposing Fine, issued August 12, 2021;
4. Respondent's written request for reconsideration, received October 5, 2021;
5. Personal Financial Affairs Statement (F-1), filed October 20, 2021;
6. Reconsideration Hearing Notice, served October 18, 2021;
7. Respondent's supplemental appeal information, received October 18, 2021.

I. FINDINGS OF FACT

This matter involves William Mirand (Respondent), a Regent/Trustee of Bellingham Technical College during calendar year 2020. His term ended October 5, 2021. During a Brief Enforcement Hearing held on July 15, 2021, Respondent was found to have violated RCW 42.17A.700 for failure to timely file a Personal Financial Affairs Statement (F-1 Report) no later than April 15, 2021. At the Brief Enforcement Hearing, an Order imposing a \$250 civil fine, with \$150 suspended, was entered. The Respondent has no prior violations of RCW 42.17A.700 with the PDC.

1. In March and April of 2021, PDC staff sent email reminders to all elected and appointed officials regarding the missing F-1 reports for calendar year 2020.

2. On May 12, 2021, PDC staff emailed the Respondent a warning notice regarding the missing F-1 report. The notice was sent to Respondent's email address-of-record.

3. On June 26, 2021, PDC staff emailed a hearing notice for a Brief Adjudicative Proceeding (Brief Enforcement Hearing), to be held on July 15, 2021, to Respondent's email address-of-record.

4. On August 17, 2021, PDC staff served the Initial Order memorializing the Commission's ruling, by email, to the Respondent's contact email address of record.

1 5. On October 5, 2021, PDC staff received written materials from Ronda Laughlin
2 of Bellingham Technical College, on Respondent's behalf, appealing the August 12, 2021 Order
3 based upon the Respondent being unaware of the filing requirement and that he did not receive
4 the notices regarding the missing report and the hearing.

5 6. On October 6, 2021, Respondent filed an F-1 report covering activity for January
6 1, 2021 through October 5, 2021, rather than calendar year 2020. Respondent had used 2020 tax
7 information to complete the report and PDC staff worked with Respondent to file a report
8 covering the correct time period during the calendar year 2020.

9 7. On October 18, 2021, PDC staff served Respondent, by email, with a hearing
10 notice for an October 28, 2021 Reconsideration hearing before the Commission, along with
11 instructions on how to participate in the hearing remotely.

12 8. Respondent filed the correct F-1 report on October 20, 2021.
13

14 **II. CONCLUSIONS OF LAW**

15 1. The Commission has jurisdiction over this proceeding pursuant to Chapter
16 42.17A RCW, the State campaign finance and disclosure law; Chapter 34.05 RCW, the
17 Administrative Procedure Act; and Title 390 WAC.
18

19 2. Pursuant to RCW 42.17A.700, the Respondent was required to file an F-1 report
20 disclosing financial information for the calendar year 2020 no later than April 15, 2021.
21

22 3. The Respondent violated RCW 42.17A.700 by failing to timely file the F-1
23 report for calendar year 2020 that was due no later than April 15, 2021.
24

25 **II. ORDER**

26 The Request for Reconsideration is GRANTED. This Order on Reconsideration will

1 be the Final Order. The civil penalty of \$250, with \$150 suspended, imposed at the July 15,
2 2021, hearing is AFFIRMED and reinstated with the following conditions:

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4 1. Respondent William Mirand is assessed a total civil penalty of \$250, with \$150
5 suspended, on the following conditions:

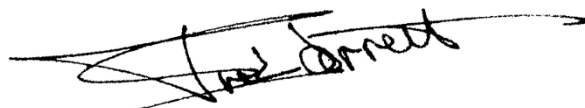
6 a. The Respondent remains in full compliance with all PDC reporting
7 requirements and is not found to have committed any further violations
8 of Chapter 42.17A RCW or Title 390 WAC within four years of the date
9 of this Final Order. The suspended penalty shall not be assessed based
10 solely upon any remediable violation, minor violation, or error classified
11 by the Commission as appropriate to address by a technical correction.
12

13 2. If the Respondent fails to make timely payment of the suspended portion of the
14 civil penalty (\$100) in full within 30 days, the total civil penalty shall
15 immediately become due without further action by the Commission.
16

17 SO ORDERED this 16th day of November, 2021.

18 WASHINGTON STATE PUBLIC
19 DISCLOSURE COMMISSION

20 FOR THE COMMISSION:

21 

22 Fred Jarrett,
23 Chair, Public Disclosure Commission
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3 *This order sent by email to:*
4 William Mirand, Respondent
5 williamamirand@gmail.com

6 Tabatha Blacksmith,
7 PDC Compliance Coordinator,
8 tabatha.blacksmith@pdc.wa.gov

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

e-signed Tabatha Blacksmith
Signed

November 16, 2021
Date

9
10 **NOTICE: PETITION FOR JUDICIAL REVIEW**

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