



State of Washington
PUBLIC DISCLOSURE COMMISSION

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Memorandum

To: Public Disclosure Commission

From: Tabatha Blacksmith, Compliance Coordinator

Date: March 24, 2022

Subject: Dayn M. Brunner Enforcement Hearing Memorandum; PDC Case 102993

Allegation:

Public Disclosure Commission (PDC) staff alleges that Dayn Brunner, a Fire Commissioner for Snohomish Fire Prot. Dist. 24, violated RCW 42.17A.700 by failing to file a Personal Financial Affairs Statement (F-1 report), disclosing personal financial information for calendar year 2020 that was due no later than April 15, 2021.

Background:

- Dayn Brunner (the “Respondent”) has served as Fire Commissioner for Snohomish Fire Prot. Dist. 24 since January 1, 2019, and currently holds this office.
- Pursuant to RCW 42.17A.700, an elected or appointed official who held office in 2020 was required to file an F-1 report, disclosing personal financial information for calendar year 2020, no later than April 15, 2021.
- In March and April of 2021, PDC staff sent email reminders to all elected and appointed officials regarding their missing F-1 reports for calendar year 2020.
- On May 12, 2021, PDC staff emailed the Respondent a warning notice regarding the missing F-1 report. The notice was sent to the Respondent’s email address-of-record, which is a personal Yahoo email.
- On March 14, 2022, PDC staff served the Respondent, by email and mail, with a hearing notice for a March 24, 2022 Enforcement Hearing before the full Public Disclosure Commission concerning his failure to file the F-1 report.

- As of March 17, 2022, the Respondent has not filed the missing F-1 report covering calendar year 2020 that was due no later than April 15, 2021.

Prior Violations of RCW 42.17A.700:

The Respondent has two prior violations of RCW 42.17A.700 that occurred within the last five years:

Prior Violation (PDC Case 22218)

- The Respondent failed to timely 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, in which the Respondent was found in violation of RCW 42.17A.700 and assessed a \$250 penalty for failing to file an F-1 report, which was due no later than April 17, 2017. PDC staff served the Initial Order to the Respondent, by mail, on September 5, 2017.
- As of March 17, 2022, the Respondent has not filed the F-1 report for calendar year 2016 or paid the \$250 civil penalty for PDC Case 22218. The penalty has been sent to collections.

Prior Violation (PDC Case 38838)

- The Respondent failed to timely file an F-1 report for calendar year 2017, which was due no later than April 16, 2018.
- On October 25, 2018, an Enforcement Hearing was held, in which the Respondent was found in violation of RCW 42.17A.700 and assessed a \$1,500 penalty for failing to file an F-1 report, which was due no later than April 16, 2018. PDC staff served the Final Order to the Respondent, by email and mail, on November 2, 2018.
- As of March 17, 2022, the Respondent has not filed the F-1 report for calendar year 2017 or paid the \$1,500 civil penalty for PDC Case 38838. The penalty has been sent to collections.

Staff Recommendations:

- Staff recommends the Commission find that the Respondent violated RCW 42.17A.700 for failing to file an F-1 report for calendar year 2020;
- Assess the Respondent a civil penalty per WAC 390-37-182, the full adjudicatory proceeding penalty schedule, made payable within 30 days of the date of the Order. The base penalty range for a 3rd occasion where the F-1 report is not filed is \$2,000-\$3,000; and
- Order the Respondent to file an F-1 report covering calendar year 2020 within 30 days of the date of the Order.