

|  |
|--|
| <b>Respondent Name</b>   |
| Joshua Binda   |
| <b>Complainant Name</b>  |
| Glen Morgan  |
| <b>Complaint Description</b>   |
| <p><a href="#">Glen Morgan</a><br/> reported via the portal<br/> (Thu, 4 May 2023 at 11:33 AM)<br/> To Whom it may concern,</p> <p>It has come to my attention that Lynwood City Councilman Joshua Binda, since 2021, continues to egregiously violated Washington State’s campaign finance laws (RCW 42.17A). The more recent violation referenced in this complaint are as follows:</p> <p><b>1) Failure to file financial disclosure documents, possibly attempting to disclose controversial sources of income, etc (Violation of RCW 42.17A.700, .710)</b></p> <p>Lynwood City Councilmember Joshua Binda is a serial violator of Washington State’s campaign finance laws from the start of his successful campaign for Lynwood City Council in 2021. This is well documented, but worth referencing to place this current violation in the context and pattern of behavior it deserves. For a quick trip down this violator’s memory lane, please note the following cases:</p> <p>#1 – <b>PDC Case #110503</b> – Please note this case was initiated by PDC staff against Mr. Binda and referenced the fact that he did not file his financial disclosure information or F1 form when he ran for office. He was fined \$250 at the time, and rather than paying 50% of the fine, he chose to ignore it, and it remains unpaid to this day. (See attached)</p> <p>#2/#3 – <b>PDC Case #100589 &amp; #100348</b> – Please note that these two cases were essentially combined into an investigation by PDC staff lasting more than a year which was initiated by three different people filing complaints, including myself. The violations exposed in this investigation included a wide ranging collection of illegal activity ranging from a failure to comply with the inspection of campaign finance records by a local journalist (Binda concealed everything at the time), to massive misuse of campaign funds for personal use, failure to timely disclose anything, and a variety of other violations. Ultimately, this case went before the full PDC board and Binda was fined \$1000 (see attached). I will note for the record that I personally testified against issuing such a small fine at the time earlier this year considering both the scope of the violations but also the poor precedent it would set for future behavior. (see attached files). I will note, once again, for the record that this fine also remains unpaid by this politician. I’m sure he has no plans to pay any future fines the commission may impose either.</p> <p>With this happy background, this brings me to the details associated with the reason for this current complaint. First, I noticed that Councilman Binda has failed to file his more recent Financial Disclosure document, which was due last month. While this is a pattern of behavior for this politician, I will also note, this is particularly significant due to various controversies swirling around this candidate regarding how he is possibly misusing public resources getting paid by schools to speak to students, or other strange financial operations in which he appears to be involved. I’m not sure anyone knows what this guy is doing, but he could report the truth (or some facsimile of it) to the PDC on his F1 and the public could at least ascertain for themselves if this guy is telling the truth or not. For further background on this candidate’s financial behavior (please note, <b>I tend to believe it is fine if this guy wants to pose shirtless and while it is a little odd to ask people to get tatoos – this isn’t the relevant issue here – the question is how much he is being paid, who is paying him, and why it isn’t being reported as required by law</b>), I will link to local media reports here:</p> |

[Calls for Binda to resign mount as Council echoes residents' concerns - Lynnwood Times](#)

[Lynnwood council member under fire for posting shirtless photo - MyNorthwest.com](#)

[Rantz: Council member slammed for misrepresenting himself at conference - MyNorthwest.com](#)

Additionally, I will point out for the record, this candidate still has not submitted the first F1 which was due last year as well. There are essentially two missing F1s, and while it seems unlikely this candidate will comply with the PDC rules or requests, perhaps frequent reminders from the PDC could shed some light on the murky financial dealings surrounding this public official.

In theory, this is what the PDC is supposed to be preventing – total concealment of financial information from the public. However, for years this candidate has been doing this, and since he isn't paying any of the fines levied by the PDC, it appears that there is no cost for him continuing to ignore the law. Maybe, someday that will change.

For now, I will do my part and point out the obvious.

Best Regards,

Glen Morgan

**What impact does the alleged violation(s) have on the public?**

The public has a right to know who is funding these politicians. Even if they are paid to get tatoos and go shirtless at high school presentations, the question the public deserves to be able to answer is who is paying these guys? Where is the money coming from? How much is being paid to them? What other organizations are they officers, etc. All of this has been concealed from the public by this politician. This particularly matters when the politician just ignores the previous fines he has received for lawbreaking in the past.

**List of attached evidence or contact information where evidence may be found**

Referenced in the complaint

**List of potential witnesses**

Obviously the candidate, and perhaps some of the shadow money supporters would be worth interviewing if you can find them.

**Certification (Complainant)**

I certify (or declare) under penalty of perjury under the laws of the State of Washington that information provided with this complaint is true and correct to the best of my knowledge and belief.

# Financial Affairs Disclosure - Washington State Public Disclosure Commission

Joshua Binda

Covering February 27, 2020 - February 26, 2021

## Candidacies:

CITY COUNCIL MEMBER - CITY OF LYNNWOOD - City Council Member Position 3 - 2021 General

\* Unless otherwise indicated, all reported information pertains to Joshua Binda.

**Submitted date:** 7/14/2021

**Certified by:** Josh Binda

**Email:** info@joshbinda.com

[SUBMISSION HISTORY](#)

## Income

Reportable income, including wages, tips, sales commissions, stock options, non-investment retirement income and miscellaneous income such as legal judgments, rental property income, etc.:

There is no income from wages, tips, sales commissions, stock options, non-investment retirement income or any other miscellaneous income.

## Assets

Financial assets and interest income are reported from bank accounts, insurance policies, broker-directed investment accounts, self-directed investment accounts and other financial assets:

There are no reportable financial assets, including bank accounts, insurance policies, broker or self-directed investment accounts or any other financial assets.

## Real estate

Real estate owned in the state of Washington:

There is no real estate owned in Washington State.

## Debt

There is no debt owed in excess of \$2,400.

## Business associations

Business entities where Joshua Binda owns 10 percent or more, or serves as an officer, director or general partner.

### **Lynnwood Diversity, Equity, and Inclusion Committee** ( Joshua Binda )

Chair

*19100 44th Ave W*

*Lynnwood WA 98036*

City Government Committee

### **Government Payments**

No payments were received by Lynnwood Diversity, Equity, and Inclusion Committee from a government agency where Joshua Binda sought or held office.

### **Other Government Payments**

No payments were received by Lynnwood Diversity, Equity, and Inclusion Committee in excess of \$12,000 from a government agency where Joshua Binda **did not** seek or hold office.

### **Business Payments**

No payments were received by Lynnwood Diversity, Equity, and Inclusion Committee in excess of \$12,000 from any business customer.

## Lobbying activity

Compensation received for lobbying activities:

No qualifying lobbying activity was done.



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)

February 17, 2023

Sent electronically to Mario Lotmore at [publisher@lynnwoodtimes.com](mailto:publisher@lynnwoodtimes.com)

Subject: Complaint filed against Joshua Binda, PDC Case 100589

Mr. Lotmore,

Public Disclosure Commission (PDC) staff has completed its review, investigation and enforcement hearing of the complaints filed by Thomas Brooks, Glen Morgan, and yourself against Joshua Binda for PDC Cases 100348 & 100589. There was one outstanding allegation that remained to be resolved concerning your October 30, 2021, request made to the Joshua Binda Campaign to conduct a public inspection of the Campaign books of account, during the public inspection period preceding the November 2, 2021, general election.

PDC staff reviewed the allegations listed in your complaint; the applicable statutes, rules, and reporting requirements concerning the public inspection of campaign books of account; and the email responses from Mr. Binda to determine whether the record supports a finding of one or more violations. PDC staff found the following:

- On October 30, 2021, you contacted the Joshua Binda Campaign and requested to conduct a public inspection of the Campaign books of account on November 1, 2021, at 1:00 p.m. You stated that Mr. Binda confirmed the date and time of your request to inspect the books of account in a telephone call that occurred at 2:47 p.m. on October 30, 2021.
- You received an email from Mr. Binda “at 12:40 p.m. on November 1, 2021, requesting to reschedule” the public inspection of the 2021 Joshua Binda Campaign books of account until 4:00 p.m. on November 1, 2021. In your complaint, you also noted that the “rescheduled time was after the original 48-hrs required to view the books,” and you confirmed that you were able to review the campaign books of account at the rescheduled time of 4:00 p.m. on November 1, 2021.
- However, you noted in your complaint that you had arrived at the originally scheduled time of 1:00 p.m. to conduct the inspection of Mr. Binda’s Campaign books of accounts, but that you had received a text message from Mr. Binda after 1:00 p.m. stating that he sent an email to you rescheduling the inspection for 4:00 p.m.
- As part of your complaint, you noted that the Campaign records included a four-page copy of the 2021 Joshua Binda Campaign checking account transaction history. You stated that the information was not in any chronological order, and the records only listed “debit transactions over \$50, without a running cash on-hand or balance for each line item.”

- On May 20, 2022, Mr. Binda emailed PDC staff stating that the public inspection of his Campaign books of account as requested by Mr. Lotmore took place in-person on November 1, 2021. Mr. Binda stated that the information he made available for the public inspection included copies of the Campaign bank statements, and he also provided information from the Online Reporting of Campaign Activity (ORCA), the PDC campaign finance reporting software, that included “C-4 filing data” and expenditure information.

Pursuant to WAC 390-37-060(1)(d), the PDC is issuing a formal written warning to Joshua Binda concerning the open public inspection period of his campaign books of account. The formal written warning includes staff’s expectation that Joshua Binda will adhere to the open public inspection requirements for his Campaign books of account for all future Campaigns in a timely and transparent manner. The Commission will consider this formal written warning, in addition to the violations found at the Adjudicative Proceeding (Enforcement Hearing) held at the January 26, 2023, Commission meeting, when deciding on further Commission action, should there be future violations of PDC laws or rules.

The PDC has dismissed this matter in accordance with RCW 42.17A.755(1). If you have questions, please contact PDC Compliance Officer Kurt Young by e-mail.

Sincerely,

Endorsed by,

/s \_\_\_\_\_  
Electronically Signed Kurt Young  
Compliance Officer

/s \_\_\_\_\_  
Electronically Signed Peter Lavalley  
PDC Executive Director



cc: Joshua Binda

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

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

In Re: The Matter of Enforcement Action  
Against:

2021 JOSHUA BINDA CAMPAIGN FOR  
LYNNWOOD CITY COUNCIL,  
  
Respondent.

PDC CASE NOS. 100348 &  
100589

FINAL ORDER

This matter was heard by the Washington State Public Disclosure Commission (Commission) on January 26, 2023, by telephonic, and online streaming access. Respondent Joshua Binda was provided a Notice of Administrative Charges on January 11, 2023. The hearing was held in accordance with Chapters 34.05 and 42.17A RCW, and Chapter 390-37 WAC.

Commissioners present telephonically or online were Fred Jarrett, Commission Chair (presiding); Nancy Isserlis, Commission Vice-Chair; and Commissioners William Downing and Allen Hayward. Also present telephonically or online were Assistant Attorney General John S. Meader representing the Commission, Assistant Attorney General Susie Giles-Klein representing PDC Staff, and Kurt Young, PDC Compliance Officer. The Respondent appeared on his own behalf. The proceeding was open to the public and recorded.

1  
2 The Commissioners had before them the following materials:

3 1. Notice of Administrative Charges dated January 11, 2023;

4 2. PDC Staff Witness and Exhibit List dated October 19, 2022, including Exhibits 1-5:

- 5 ○ Complaint filed on November 1, 2021, by Mario Lotmore against the
- 6 2021 Joshua Binda for Lynnwood City Council Campaign;
- 7 ○ Two complaints filed against the 2021 Joshua Binda for Lynnwood City
- 8 Council Campaign, one from T.J. Brooks. filed on October 29, 2021, and
- 9 one from Glen Morgan, filed on November 1, 2021;
- 10 ○ May 20, 2022, email from the Respondent to PDC staff with copies of the
- 11 requested campaign bank statements and responses to staff questions;
- 12 ○ July 8, 2022, email from the Respondent to AAG Susie Giles-Klein
- 13 responding to the June 30, 2022, demand letter;
- 14 ○ September 16, 2022, filing of the 2021 Post-General Election C-4 report
- 15 by the 2021 Joshua Binda for Lynnwood City Council Campaign.

16 3. Report of Investigation by Kurt Young, dated November 15, 2022.

17  
18 **I. FINDINGS OF FACT**

19 This matter involves Respondent Joshua Binda and his 2021 Campaign for Lynnwood  
20 City Council. On February 27, 2021, the Respondent filed a Candidate Registration declaring  
21 his candidacy for Lynnwood City Council, Position 3, and selected the full reporting option  
22 listing Kyle Parris as the Campaign Manager and himself as the Treasurer. Respondent is alleged  
23 to have violated RCW 42.17A.445 and WAC 390-16-238 for improper personal use of campaign  
24 funds; and RCW 42.17A.235 and .240 for failure to timely and accurately file contribution and  
25 expenditure activities on Summary Full Campaign Contributions and Expenditure reports (C-4  
26



1 Reports), including the 21-day and 7-day Pre-Election and Post-Election C-4 reports.  
2 Respondent has no prior violations.  
3

4 **A. Background**  
5

1.6 1. On November 2, 2021, Mario Lotmore filed a complaint (PDC Case No. 100589) with  
7 the Public Disclosure Commission (PDC) against the 2021 Joshua Binda Campaign alleging  
8 violations of RCW 42.17A.235(6) for failing to timely make the campaign books of account  
9 available for public inspection, and WAC 390-16-043(6) for failing to provide the “underlying  
10 source documents such as receipts, invoices, copies of contribution checks, copies of canceled  
11 checks for expenditures, notes, or other documentation concerning expenditures, orders placed,  
12 and loans.”  
13

14 2. On October 29 and November 1, 2021, T.J. Brooks and Glen Morgan filed respective  
15 complaints (PDC Case 100348) with the PDC against the Campaign alleging violations of RCW  
16 42.17A.235 and 240 by failing to timely and accurately provide the required expenditure details  
17 for Campaign related expenditures disclosed on the Campaign’s Summary Full Report of  
18 Contributions and Expenditures (C-4 reports). The complainants also alleged a violation of RCW  
19 42.17A.445, claiming that Mr. Binda made expenditures using Campaign funds for activities  
20 that were not directly related to his candidacy for Lynnwood City Council.  
21

22 3. On November 21, 2021, Mr. Binda submitted an initial response to the two complaints  
23 Requesting more time to respond and asking for assistance from PDC filer assistance.  
24  
25  
26

1 4. On December 2, 2021, Mr. Binda submitted an additional response stating: "...Anything  
2 that has been deemed as non-campaign related, I have personally reimbursed and if the PDC  
3 finds more things deemed not so I will gladly reimburse." Mr. Binda stated he was a first-time  
4 candidate and that he ran most of his campaign by himself. He acknowledged "there were some  
5 mistakes made with filing some of the C4 reports" and stated that he will continue working with  
6 PDC Staff to correct these issues.  
7

8 5. On January 20, 2022, the PDC conducted an Initial Hearing (Case Review Status) and  
9 opened a formal investigation against the 2021 Joshua Binda Campaign.  
10

11 **B. Personal use of campaign funds by making expenditures for activities not directly  
12 related to his candidacy.**

13 1. On May 20, 2022, Mr. Binda emailed PDC Staff copies of the requested Campaign bank  
14 statements and his response to staff's prior questions. Mr. Binda stated that his Campaign filed  
15 amendments to the original C-4 reports because those reports had previously been filed by a  
16 Campaign volunteer who "had incorrectly entered and filed the report made that we amended. I  
17 have never done this before as it was my first campaign, so the errors made were accurately  
18 corrected in the new report." Mr. Binda stated that after the amended C-4 reports were filed, the  
19 expenditures made and disclosed on the amended filings were all Campaign related, and that he  
20 "had reimbursed the ones that were considered not campaign related" using his own personal  
21 funds.  
22

23 2. The Campaign's expenditure information received from Mr. Binda, its bank statements,  
24 and the C-4 reports filed by the Campaign, included expenditures for a laptop computer and  
25 software, clothing and apparel, towing expenses, and office furniture.  
26

1 3. After reviewing the original and amended C-3 and C-4 reports and bank statements filed  
2 by the Campaign, PDC staff sent an email on June 9, 2022, to Mr. Binda informing him of several  
3 expenditures they had questions about. The questioned expenses included:

- 4 • A \$1,563.58 “POS Withdrawal” that appears to have been made on April 23, 2021, to  
5 “Versace, USA, Inc. in New York.”
- 6 • A \$1,000 “Withdrawal Online Banking Transfer” made on July 14, 2021.
- 7 • Two expenditures made by the Campaign that included (i) a \$968.05 expenditure  
8 made by the Campaign on October 8, 2021, described as “Withdrawal Transfer to  
9 9613”; and (ii) a \$722.71 expenditure made by the Campaign on August 9, 2021,  
10 described as “Withdrawal Transfer to 9613.”

11 PDC Staff requested that Mr. Binda respond to its inquiry by June 16, 2022. He did not do so.

4.12 4. On June 30, 2022, PDC’s Staff’s legal counsel mailed a demand letter by certified and  
13 First-class mail to Joshua Binda, giving him a final extension until July 8, 2022, to provide  
14 the information requested in the June 9, 2022, email from PDC Staff.

5.15 5. On July 8, 2022, Mr. Binda sent an email to PDC Staff’s counsel responding to the June  
16 30, 2022, demand letter. Mr. Binda stated as follows:

- 18 • The \$1,563.58 expenditure made from the Campaign account, “was part of the  
19 \$2,943.09 that I calculated I needed to reimburse back to the campaign. It should be  
20 documented in the C-4 reports and if not is an error on my volunteers doing this.”
- 21 • The \$1,000 “Withdrawal Online Banking Transfer” made on July 14, 2021, “was a  
22 transfer from the campaign checking account to savings account which is what SAV  
23 abbreviates. Because you can only spend a certain amount each donation cycle from a  
24 certain donor, I transferred any other excess donations to the savings account for the  
25 general election cycle.”
- 26 • The \$968.05 expenditure made by the Campaign on October 8, 2021, which listed the  
bank statement description as Withdrawal Transfer to 9613 “...was an invoice pay to  
my consultant.” The expenditure was “to pay for General Election Retainer and Design  
and website fees.”

1 • Mr. Binda further stated: “[t]he laptop is leftover campaign property at this time as I  
2 no longer use it. I do still have the laptop currently, but it is stored away. I have my  
3 own laptop given to me by the city of Lynnwood to use for Council duties. The status  
4 of the clothing purchased is I am not using them and haven’t since the campaign has  
5 been over. The office furniture has been put in storage for future campaigns and  
6 currently not in use.”

7 • The \$240.00 Campaign expenditure made to JT Sheffey was for “Groceries” to  
8 purchase food/beverages “to feed people during a campaign event I hosted and was not  
9 personal use.” The \$250.00 Campaign expenditure made to Christy Kioko was for  
10 “Groceries” used to purchase food/beverages to “feed volunteers who canvassed with  
11 me during my campaign and was not for personal use.” The Campaign made two  
12 expenditures to Christy Kioko that included a \$500 expenditure for a Campaign desk,  
13 and \$90 for an office chair. Both expenditures were directly campaign related and “not  
14 for personal use.”

6.11 6. Mr. Binda personally contributed \$2,943.09 of his personal funds to reimburse the  
12 Campaign for expenditures that were determined to have not been directly related to his  
13 candidacy. The personal funds deposited by Mr. Binda into the Campaign account  
14 included the following:

- 15 • \$185 in personal funds contributed on September 15, 2021.
- 16 • \$782.59 in personal funds contributed on September 21, 2021.
- 17 • \$1,975.50 in personal funds contributed on October 31, 2021.

18 7. Mr. Binda’s email response of July 8, 2022, admitted there were non-campaign expenses  
19 that were initially paid for by campaign funds and later reimbursed from his personal funds.  
20 Reimbursement occurred prior to the election. Those non-campaign expenses as listed totaled  
21 \$2,742.49 and were for: Versace - \$1,563.58; Dental - \$326.90; Necklace - \$88.00; Haircut -  
22 \$163.00; Tickets - \$91.25; Airfare - \$260.60; Haircut - \$65.00; and Vivid seats - \$184.16.

23  
24 **C. Failure to Timely File the 2021 Post-General Election C-4 Report.**  
25  
26

3. 1. Mr. Binda, as a candidate under the Full Reporting option appearing on the 2021 general election ballot, and his Campaign were required to file a Post-General Election C-4 report no later than December 10, 2021, covering the period October 26 through November 30, 2021.

2. On September 16, 2022, the Campaign filed a combined C-4 report that included contribution and expenditure activities from October 26, through December 31, 2021. The Post-General Election C-4 report was filed 280 days late.

## II. 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 Procedure Act; and Title 390 WAC.

2. RCW 42.17A.445, Personal use of contributions. Contributions received and reported in accordance with RCW 42.17A.220 through 42.17A.240 and 42.17A.425 may only be paid to a candidate, or a treasurer or other individual or expended for such individual's personal use: to cover lost earnings incurred as a result of campaigning; to reimburse direct out-of-pocket election campaign and postelection campaign related expenses; and repayment of loans made by the individual to political committees. The Respondent violated RCW 42.17A.445 by using contributions to his campaign for personal expenses not allowed under the statute.

3. WAC 390-16-238, Personal use of contributions. Except as specifically allowed by Chapter 42.17A RCW, any expenditure of a candidate's campaign funds that

1 is not directly related to the candidate's election campaign is a personal use of  
2 campaign funds prohibited under RCW 42.17A.445. The Respondent violated  
3 WAC 390-16-238 by using contributions to his campaign for personal expenses  
4 not allowed by statute and rule.  
5

- 6 4. RCW 42.17A.235 and .240 require all 2021 candidate campaigns under the Full  
7 Reporting option to timely file and accurately disclose contribution and  
8 expenditure activities by filing a Summary Full Campaign Contributions and  
9 Expenditure report (C-4 report), including the 21-Day and 7-Day Pre-Election  
10 and Post-Election C-4 reports. The Respondent violated the statute by filing his  
11 reports 280 days after the December 10, 2021, deadline.  
12  
13

### 14 **III. ORDER**

15  
16 This Order will be the Final Order. After consideration of the mitigating and  
17 aggravating factors, the Findings of Fact, and the Conclusions of Law, the Commission  
18 assesses a civil penalty of \$1,000 with \$500 suspended on the following conditions:  
19

- 20 1. a. The non-suspended portion (\$500) of the \$1,000 civil penalty for  
21 improper personal use of campaign funds and the failure to timely file  
22 the C-4 report for 2021 in violation of RCW 42.17A.445 and RCW  
23 42.17A.235 and .240, respectively, is paid by the Respondent within 30  
24 days of the date of this Final Order.  
25  
26

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

9 2. If the Respondent fails to meet the conditions in Section III(1) of this order within  
10 30 days of the date of this order, the suspended portion of the penalty shall  
11 immediately become due and the matter may be sent to collection or brought to  
12 Superior Court as allowed by law without further action by the Commission.  
13

14 SO ORDERED this \_\_17th\_\_ day of February 2023.

15 WASHINGTON STATE PUBLIC  
16 DISCLOSURE COMMISSION

17 FOR THE COMMISSION:

18 

19 Fred Jarrett,  
20 Chair, Public Disclosure Commission

21 *This order sent by email to:*

22 Joshua Binda, Respondent,  
23 [joshuabinda@gmail.com](mailto:joshuabinda@gmail.com)  
[jbinda@lynnwoodwa.gov](mailto:jbinda@lynnwoodwa.gov)

24 Susie Giles-Klein, Asst. Attorney General,  
25 [susie.giles-klein@atg.wa.gov](mailto:susie.giles-klein@atg.wa.gov)

26 Kurt Young, PDC Compliance Officer,  
[kurt.young@pdc.wa.gov](mailto:kurt.young@pdc.wa.gov)

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

|                 |           |
|-----------------|-----------|
| Jennifer Hansen | 2/17/2023 |
| Signed          | Date      |

1  
2 **NOTICE: RECONSIDERATION**

3 Pursuant to the provisions of RCW 34.05.470 and WAC 390-37-150, you may file a Petition for  
4 Reconsideration with the PDC within ten (10) days from the date this Final Order is served upon  
5 you. Any Request for reconsideration must state the specific grounds for the relief requested.  
6 Petitions must be delivered or mailed to the Washington State Public Disclosure Commission,  
7 711 Capitol Way, Room 206, Box 40908, Olympia WA 98504-0908.

8 **NOTICE: PETITION FOR JUDICIAL REVIEW**

9 You have the right to appeal this Final Order to Superior Court, pursuant to the Petition for  
10 Judicial Review provisions of RCW 34.05.542. Any Petition for Judicial Review of this Final  
11 Order must be filed with the court and also served upon both the Commission and the Office of  
12 the Attorney general within thirty (30) days after the date this Final Order is served upon you.  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26





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.pdcc.wa.gov](http://www.pdcc.wa.gov)**

September 29, 2022

Joshua Binda  
20409 68th Ave W Apt H302  
Lynnwood WA 98036

And delivered electronically to [jbinda@lynnwoodwa.gov](mailto:jbinda@lynnwoodwa.gov) [info@joshbinda.com](mailto:info@joshbinda.com)

Subject: PDC Order, Case 110503

Dear Joshua Binda,

Enclosed is a copy of the Public Disclosure Commission's Order Imposing Fine that was entered in the above-referenced case.

At the September 1, 2022 Brief Enforcement hearing, the Presiding Officer assessed a total civil penalty of \$250, of which \$125 is suspended in accordance with WAC 390-37-143. The \$125 non-suspended penalty is payable within 30 days of the date of this Order.

The \$125 non-suspended penalty is payable no later than October 31, 2022.

Please make the check or money order payable to "WA State Treasurer" and mail the payment to the following address:

Public Disclosure Commission  
PO Box 40908  
Olympia, WA 98504-0908

It is also ordered that you file the missing Personal Financial Affairs Statement (F-1 report) within 30 days of this order. If you have already filed your report, please contact our office to make sure your case is noted.

Thank you for your prompt attention to this matter. If you have questions, please contact us by email at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov)

Sincerely,

*Electronically Signed by Tabitha Townsend*  
PDC Staff

Enclosure: Initial Order



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](mailto:pdc@pdc.wa.gov) • Website: [www.pdc.wa.gov](http://www.pdc.wa.gov)

BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON

|                                   |  |
|-----------------------------------|--|
| In Re: Compliance with RCW 42.17A | PDC Case 110503  |
| Joshua Binda<br>Respondent.       | Findings of Fact,<br>Conclusions of Law, and<br><b>Order Imposing Fine</b> |

Pursuant to the notice of brief enforcement hearing (brief adjudicative proceeding) sent to Joshua Binda on July 22, 2022, a brief adjudicative proceeding was held on September 1, 2022, remotely from Olympia, WA by live audio and online transmission. The purpose of the hearing was to consider whether the Respondent violated RCW 42.17A.700 by failing to timely file a Personal Financial Affairs Statement (F-1 report) for calendar year 2021, which was due to be filed no later than April 15, 2022.

The hearing was held in accordance with Chapters 34.05 RCW, 42.17A RCW and Chapter 390-37 WAC. Commissioner Fred Jarrett was the Presiding Officer. The Compliance Coordinators Tabatha Blacksmith, Tabitha Townsend and Jordan Campbell represented PDC Staff. The Respondent did not participate in the hearing or submit any written materials.

Having considered the evidence, the Presiding Officer finds as follows:

FINDINGS OF FACT

1. The Respondent is an elected or appointed official for CITY COUNCIL MEMBER of CITY OF LYNNWOOD.
2. As an elected or appointed official, RCW 42.17A.700 required the Respondent to file an F-1 report by April 15, 2022.
3. The Respondent did not file the F-1 report by the date of the enforcement hearing.
4. The Respondent has no prior violations.

///

## CONCLUSIONS OF LAW

Based on the above facts, as a matter of law, the Presiding Officer concludes as follows:

1. This matter was duly and properly convened, and all jurisdictional, substantive, and procedural requirements have been satisfied.
2. The Respondent violated RCW 42.17A.700 by failing to file the F-1 report by April 15, 2022.

## ORDER

ON the basis of the foregoing Findings of Fact and Conclusions of Law,

1. **IT IS HEREBY ORDERED that the Respondent shall file the missing F-1 report and is assessed a total civil penalty of \$250, in accordance with the Annual F-1 penalty schedule set forth in WAC 390-37-143.**
2. **It is further ordered that \$125 of the \$250 penalty is suspended on the following conditions:**
  - a. **The Respondent does not commit any further violations of Chapter 42.17A RCW or Title 390 WAC within four years of the date of this Order. The suspended penalty shall not be assessed based solely upon any remediable violation, minor violation, or error classified by the Commission as appropriate to address by a technical correction.**
  - b. **The Respondent pays the \$125 non-suspended civil penalty within 30 days of the date of this Order.**
  - c. **The Respondent files the missing F-1 report within 30 days of the date of this Order.**
3. **It is further ordered that, if the Respondent fails to comply with any of the above conditions:**
  - a. **The full \$250 penalty shall immediately become due without further action by the Commission and PDC Staff is directed to refer the matter to collections and/or commence other legal proceedings as authorized by RCW 42.17A and 390 WAC.**
  - b. **The missing F-1 report shall be due immediately.**

This is an **Initial Order** of the Public Disclosure Commission.

Entered this 29<sup>th</sup> day of September, 2022.

Public Disclosure Commission

*Electronically signed by Peter Lavallee*

Peter Lavallee

Executive Director

I, Tabitha Townsend, certify that I mailed a copy of this order to the Respondent at their respective address postage pre-paid, on the date stated herein. I certify that I also emailed a copy of this order to the Respondent at their email address of record.

Electronically Signed by Tabitha Townsend    September 29, 2022

Signed

Date

# APPEALS OF INITIAL ORDER

## REVIEW OF INITIAL ORDER - BY THE COMMISSION

You may request that the full Commission review this initial order. To seek review, you must:

- Make the request by email, stating the reason for review, and identifying what alleged errors are contained in the initial order. *See* WAC 390-37-144(1).
- All requests for review must be submitted electronically to [pdcc@pdc.wa.gov](mailto:pdcc@pdc.wa.gov) **REQUESTS FOR REVIEW MUST BE RECEIVED BY THE COMMISSION WITHIN TWENTY-ONE (21) CALENDAR DAYS AFTER THE THIS INITIAL ORDER WAS ELECTRONICALLY DISTRIBUTED TO YOU.**

If review of this initial order is timely requested, the full Commission will hear the matter. If the Commission is unable to schedule a meeting to consider the request within twenty (20) calendar days, this initial order becomes a final order, and any request for review will automatically be considered a request for reconsideration of a final order. *See* WAC 390-37-144(4). The matter would then be scheduled for consideration and disposition at the next Commission meeting at which it is practicable to do so.

A Respondent does not need to pay a penalty until after the Commission rules on a request for review of an initial order.

---

## FURTHER APPEAL RIGHTS – SUPERIOR COURT

If the Commission does not receive a request for review of this initial order within twenty-one (21) calendar days, the initial order shall be the FINAL ORDER. *See* WAC 390-37-142(7).

**YOU HAVE THE RIGHT TO APPEAL A FINAL ORDER TO SUPERIOR COURT, PURSUANT TO THE PETITION FOR JUDICIAL REVIEW PROVISIONS OF RCW 34.05.542.**