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

In Re: The Matter of Enforcement Action  
Against:

HARVEY PELLEBOER,  
  
Respondent.

PDC CASE NO. 139612  
  
FINAL ORDER ON  
RECONSIDERATION

This matter was heard by the Washington State Public Disclosure Commission (Commission) on October 26, 2023, by in-person, telephonic, and online streaming access. Respondent Harvey Pelleboer requested reconsideration of the Presiding Officer’s order entered on September 14, 2023, following a Brief Enforcement Hearing (Brief Adjudicative Proceeding) on August 17, 2023, in this matter. The hearing was held in accordance with Chapters 34.05 and 42.17A RCW, and Chapter 390-37 WAC.

Commissioners present both in-person and online were Nancy Isserlis, Commission Chair (presiding); Allen Hayward, Commission Vice-Chair; and Commissioners Fred Jarrett and J. Robert Leach. Also present both in-person and online were Assistant Attorney General John S. Meader representing the Commission, Assistant Attorney General Chad Standifer representing PDC Staff, and Tabitha Townsend, PDC Compliance Coordinator. Notice was provided to the Respondent and he did appear on his own behalf.

1 The Commissioners had before them the following materials:

- 2 • Case memorandum dated October 18, 2023, prepared by Jordan Campbell, PDC
- 3 Compliance Coordinator;
- 4 • Brief Enforcement Hearing Notice, served July 13, 2023;
- 5 • Initial Order Imposing Fine, entered September 14, 2023;
- 6 • Respondent’s C-1 report filed August 21, 2023;
- 7 • Respondent’s request for reconsideration, dated September 22, 2023;
- 8 • Reconsideration Hearing Notice, served October 4, 2023.

9  
10 **I. FINDINGS OF FACT**

11 Respondent requested that the Commission reconsider an Initial Order entered on  
12 September 14, 2023, resulting from an Initial Hearing on August 17, 2023. The matter involves  
13 Harvey Pelleboer, a candidate for Parks and Recreation Commissioner for Lynden Regional  
14 Parks and Recreation District 3, who failed to timely file a Candidate Registration (C-1 report),  
15 which was due to be filed within two weeks of candidacy or no later than June 2, 2023. The  
16 Respondent declared his candidacy on May 19, 2023. The Respondent has no prior violations  
17 with the PDC.

18  
19 1. On July 13, 2023, PDC staff mailed and emailed the Respondent a hearing  
20 notice for a Brief Adjudicative Proceeding (Brief Enforcement Hearing) to be  
21 held on August 17, 2023. The hearing notice was sent to the Respondent’s  
22 mailing and email address of record.

23  
24 2. At the Brief Enforcement Hearing held on August 17, 2023, the Respondent  
25 was found in violation of RCW 42.17A.205 for failure to timely file the missing  
26

1 Candidate Registration (C-1 Report) within two weeks of candidacy or no later  
2 than June 2, 2022, and was assessed a \$250 penalty, with \$100 suspended,  
3 consistent with WAC 390-37-143, the Brief Enforcement Hearing penalty  
4 schedule adopted by the Commission. The suspension of a portion of the  
5 penalty was conditioned upon the Respondent filing the missing C-1 report and  
6 paying the non-suspended \$150 penalty within 30 days of the Initial Order  
7 being entered.  
8

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10 3. On September 14, 2023, the Respondent was served with the August 17, 2023,  
11 Initial Order memorializing the Commission’s ruling to the Respondent’s mail  
12 and email addresses of record.

13  
14 4. Respondent filed the missing C-1 Report on August 21, 2023.

15  
16 5. On September 22, 2023, the Respondent emailed the PDC requesting  
17 reconsideration because his position was voluntary and he thought he had filed  
18 all the required reports. Respondent also wrote he had a recent job loss, the  
19 PDC website was down when he checked it for “maintenance or something,”  
20 and that he later forgot about it until he received another letter.

21  
22 6. On October 4, 2023, PDC staff served the Respondent by mail and email with a  
23 hearing notice for an October 26, 2023, Reconsideration Hearing before the  
24 Public Disclosure Commission, along with instructions on how to participate in  
25 the hearing remotely.  
26

1 **II. CONCLUSIONS OF LAW**

2 1. The Commission has jurisdiction over this proceeding pursuant to Chapter  
3 42.17A. RCW, the State campaign finance and disclosure law; Chapter 34.05  
4 RCW, the Administrative Procedure Act; and Title 390 WAC.

5  
6 2. Pursuant to RCW 42.17A.205, a candidate for an election year must file a  
7 Candidate Registration (C-1 Report) within two weeks of candidacy or no later  
8 than June 2, 2023.

9 **III. ORDER**

10 This Order on Reconsideration will be the Final Order. After consideration of the  
11 mitigating and aggravating factors, the Findings of Fact, and the Conclusions of Law, the  
12 Respondent’s request for Reconsideration is DENIED and the Initial Order served on  
13 September 14, 2023, is affirmed.

14  
15 SO ORDERED this 1st day of November, 2023.

16 WASHINGTON STATE PUBLIC  
17 DISCLOSURE COMMISSION

18 FOR THE COMMISSION:

19   
20 Nancy Isserlis (Nov 1, 2023 12:32 PDT)  
21 Nancy Isserlis,  
22 Chair, Public Disclosure Commission

23 *This order sent by email to:*

24 Harvey Pelleboer, Respondent  
25 harvpelleboer@gmail.com

26 Jordan Campbell,  
PDC Compliance Coordinator,  
pdc@pdc.wa.gov

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

Electronically signed by Tabitha Townsend November 1, 2023

Signed \_\_\_\_\_ Date \_\_\_\_\_

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**NOTICE: PETITION FOR JUDICIAL REVIEW**

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