



State of Washington
PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908

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Toll Free 1-877-601-2828 • E-mail: pdc@pdc.wa.gov • Website: www.pdc.wa.gov

November 2, 2018

IRIS CARIAS
1207 JUNIPER PLACE
MOUNT VERNON, WA 98273

And delivered electronically to "ic136637@gmail.com"

Subject: PDC Order, Case 38822

Dear Iris Carias,

Enclosed is a copy of the Public Disclosure Commission's Order Imposing Fine that was entered in the above-referenced case. At the October 25, 2018, Initial Order Review Hearing, the Commission assessed a total civil penalty of \$250 in accordance with WAC 390-37-143, of which \$150 is suspended. The non-suspended \$100 penalty is payable within 30 days of the date of this Order.

The \$100 penalty is payable no later than **December 3, 2018**. Please make the check or money order payable to the WA State Treasurer, and mail the payment to the following:

**Department of Enterprise Services
Small Agency Services
PO Box 41465
Olympia, WA 98504-1465**

Please do not send the payment to the PDC offices.

Thank you for your prompt attention to this matter.

If you have questions, please contact us by email at pdc@pdc.wa.gov.

Sincerely,

/s/ *Tabatha Blacksmith*

Tabatha Blacksmith
Compliance Coordinator

Enclosure: Initial Order

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

9 In re the Matter of Enforcement Action
10 Against:

PDC CASE NO. 38822

11 Iris Carias,

AMENDED FINAL ORDER

Respondent.

12 **I. INTRODUCTION**

13 This matter was heard by the Washington State Public Disclosure Commission
14 (Commission) on October 25, 2018, at the Public Disclosure Commission Office, 711 Capitol
15 Way, Room 206, Olympia, Washington 98504. The hearing was held pursuant to Chapter 34.05
16 RCW, Chapter 42.17A RCW, and Title 390-37 WAC.

17 Commissioners present were Anne Levinson, Commission Chair (presiding); David
18 Ammons, Commission Vice-Chair; and Commissioner and William Downing. Also present
19 were Assistant Attorney General John S. Meader representing the Commission; Fox Blackhorn-
20 Delph, PDC Compliance Coordinator; Tabatha Blacksmith, PDC Compliance Coordinator; and
21 Assistant Attorney General Chad Standifer on behalf of PDC Staff. Respondent Iris Carias did
22 not participate in the proceeding. The proceeding was open to the public and recorded.

23 The Commissioners had before them the following materials:

- 24 • Enforcement Hearing Memorandum prepared by PDC Compliance Coordinator Tabatha
25 Blacksmith dated October 17, 2018;
26 • Freshdesk ticket log regarding the complaint and alleged violation dated August 8, 2018.

- 1 • E-mail notice from PDC staff to Respondent regarding missing F-1 Personal Financial
2 Affairs Statement, dated August 20, 2018, including notice of Brief Enforcement Hearing on
3 September 24, 2018.
- 4 • Notice dated October 5, 2018, of the result of the Brief Adjudicative Hearing held on
5 September 24, 2018.
- 6 • Cover letter and Order Imposing Fine against Respondent Iris Carias, dated October 5, 2018.
- 7 • E-mail dated October 15, 2018, from Respondent requesting an appeal.
- 8 • E-mail notice dated October 15, 2018, of the Review Hearing to be held on October 25, 2018.
- 9 • F-1 Personal Financial Affairs Statement for the calendar year 2016, received by the PDC
10 on June 5, 2017.
- 11 • Undated written statement from the Respondent explaining why the 2018 report was not filed
12 and agreeing to pay the fine.

13
14 The hearing concerned allegations that Respondent violated RCW 42.17A.700 by failing
15 to file a Personal Financial Affairs Statement (F-1 report) for calendar year 2017, due not later
16 than April 16, 2018.

17 After reviewing the record, including the testimony by PDC Staff, the Commission
18 HEREBY ORDERS that the following Findings of Fact, Conclusions of Law, and Final Order
19 of the Commission be entered:
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21 **II. FINDINGS OF FACT**

22 1. Respondent Iris Carias is a newly elected City Council Member for the City of Mount
23 Vernon. Her term began January 1, 2018.

24 2. Per RCW 42.17A.700(1), Ms. Carias was required to file a Personal Financial Affairs
25 Statement (F-1 report) no later than April 16, 2018, disclosing personal financial information
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1 for calendar year 2017. As of the date of the Review Hearing, Ms. Carias had not filed the F-1
2 report for calendar year 2017.

3 3. From April to June 2018, PDC staff sent seven e-mail reminders to Ms. Carias
4 concerning the F-1 filing requirement.

5 4. On July 16, 2018, PDC staff sent a warning letter, by U.S. Mail, concerning Ms.
6 Carias's failure to file the F-1 report.

7 5. On August 16, 2018, PDC staff served Iris Carias by U.S. Mail and e-mail, with a
8 hearing notice for a Brief Adjudicative Proceeding to be held on September 24, 2018, concerning
9 the failure to file the F-1 report.

10 6. On September 24, 2018, a Brief Adjudicative Proceeding was held in which the
11 Presiding Officer found Iris Carias in violation of RCW 42.17A.700 for failing to file an F-1
12 report for calendar year 2017. Ms. Carias was assessed a \$250 penalty in accordance with WAC
13 390-37-143, the penalty schedule adopted by the Commission, which was payable within 30
14 days of the date of the Order.

15 7. The Initial Order was entered October 5, 2018.

16 8. On October 10, the Respondent's election campaign treasurer called the PDC to
17 explain that the campaign e-mail address was no longer in use and provided updated information.

18 9. On October 15, 2018, the Respondent sent an e-mail to PDC staff requesting a review
19 of the Initial Order.

20 10. The Respondent has no prior violations.

21 **III. CONCLUSIONS OF LAW**

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

25 2. RCW 42.17A.700 states in part: "After January 1st and before April 15th of each year,
26

1 every elected official and every executive state officer shall file with the commission a statement
2 of financial affairs for the preceding calendar year.”

3 3. WAC 390-24-025 states in part: “Any person holding elected public office, except as
4 exempted by the terms of RCW 42.17A.700, ... is required to file the statement of financial
5 affairs if such person holds such public office between January 1 and April 15 of any year. Such
6 report shall be for the preceding calendar year.”

7 4. Respondent Iris Carias violated RCW 42.17A.700 by failing to timely file a Personal
8 Financial Affairs Statement (F-1 report) for calendar year 2017.

9 IV. ORDER

10 Based upon the Findings and Conclusions, the Commission orders that:

11 1. The Initial Order is AMENDED and \$150 of Respondent Iris Carias’s total civil penalty
12 of \$250 is suspended on the condition that she file her F-1 report by November 2, 2018, and pay
13 the remaining \$100 fine within 30 days of the date of this Amended Final Order. If by November
14 2, 2018, the F-1 report is not filed, or within 30 days of this Amended Final Order the non-
15 suspended \$100 fine is not paid, the total civil penalty of \$250 is due and payable within 30 days
16 of the date of this Amended Final Order without further action by the Commission.

17 2. Iris Carias shall timely file future F-1 reports as required by Chapter 42.17A RCW.

18 The Executive Director is authorized to enter this Amended Order on behalf of the
19 Commission.

20 So ORDERED this 2nd, day of November, 2018.

21 WASHINGTON STATE PUBLIC
22 DISCLOSURE COMMISSION

23 FOR THE COMMISSION:

24 
25 Peter Lavalley
26 Executive Director

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2 *A copy of this Order mailed and/or emailed to:*

3 Sheryl Miller, Respondent

4 P.O. Box 687

5 Newport, WA 99156

6 rautermysticwolf@gmail.com

7 Phil Stutzman, PDC Staff (phil.stutzman@pdc.wa.gov)

8 Chad Standifer, Assistant Attorney General (ChadS@atg.wa.gov)

9
10 I, Taketa Blacksmith, certify that I mailed and
11 emailed a copy of this order to the Respondent/ Applicant at
12 his/her respective address postage pre-paid on the date stated
13 herein.

14
15 Taketa Blacksmith 11/2/18
16 Signed Date

1 **NOTICE: RECONSIDERATION**

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