



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 • Website: www.pdc.wa.gov

September 21, 2021

Delivered electronically to admin@puppylandwa.com, sabrina@puppylandwa.com and jtkerr89@gmail.com

Subject: Puppyland – Final Order PDC Case 91640

Dear Puppyland:

Enclosed is a copy of the Public Disclosure Commission's Final Order on Request for Review that was entered in the above-referenced case. At the August 26, 2021 Reconsideration hearing, the Commission granted the Request for Reconsideration and modified the Initial Order. The original \$250 civil penalty assessed at the July 1, 2021 Brief Enforcement Hearing in accordance with WAC 390-37-143 is modified to a \$150 civil penalty with \$100 suspended. The \$50 non-suspended portion of the penalty is due within 30 days of the date of the Final Order.

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

Sincerely,

Electronically Signed by Jennifer Hansen
PDC Compliance Officer

Enclosure: Final Order

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

In Re: The Matter of Enforcement Action
Against:

PUPPYLAND,

Respondent.

PDC CASE NO. 91640

FINAL ORDER ON REQUEST
FOR RECONSIDERATION

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This matter was heard by the Washington State Public Disclosure Commission (Commission) on August 26, 2021, by telephonic and online streaming access. PDC Staff requested review of the Presiding Officer's Order issued on July 1, 2021, following a Brief Enforcement Hearing (Brief Adjudicative Proceeding) in this matter. The hearing was held in accordance with Chapters 34.05 and 42.17A RCW, and Chapter 390-37 WAC.

Commissioners present were Fred Jarrett, Commission Chair (presiding); Nancy Isserlis, Commission Vice-Chair; and Commissioner William Downing. Also present both telephonically and online were Assistant Attorney General Matthew Kernutt representing the Commission, Assistant Attorney General Chad Standifer, representing PDC Staff, and Jennifer Hansen, PDC Compliance Officer. The Respondent did not appear on its own behalf. The proceeding was open to the public as limited by Governor's Proclamation 20-28 *et seq.* and recorded.

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The Commissioners had before them the following materials:

1. Case memorandum dated August 18, 2021, prepared by Tabitha Townsend, PDC

1 Compliance Officer;

2 2. Warning Letter, PDC Case #91640, served April 5, 2021;

3 3. Brief Enforcement Hearing Notice, PDC Case #91640, served electronically June 2,
4 2021, and by U.S. Postal mail June 1, 2021;

5 4. Initial Order Imposing Fine, PDC Case #91640, entered July 30, 2021;

6 5. L-3 report, PDC Case #91640, covering calendar year 2020, filed June 30, 2021;

7 6. Request for Reconsideration from PDC Staff, dated August 2, 2021;

8 7. Reconsideration Hearing Notice, PDC Case #91640, served August 18, 2021.

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10 **I. FINDINGS OF FACT**

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12 This matter involves Puppyland (Respondent), a lobbyist employer that was first
13 registered with the PDC in February, 2020, and is contracted to lobby through December, 2021.
14 During a Brief Enforcement Hearing held on July 1, 2021, Respondent was found to have
15 violated RCW 42.17A.630 for failure to timely file a Lobbyist Employer Annual Expense report
16 with the PDC. The report disclosing 2020 lobbying activities was due to be filed no later than
17 March 1, 2021, respectively. At the Brief Enforcement Hearing an Order imposing a \$250
18 penalty was entered.

19 1. The L-3 report is required by RCW 42.17A.630 to be filed no later than the end
20 of February of each calendar year, disclosing lobbying activities in the previous calendar year.

21 2. The Respondent's L-3 report disclosing lobbying activity in calendar year 2020,
22 was due to be filed no later than March 1, 2021.

23 3. On March 16, 2021, PDC staff sent reminders to all lobbyist employers reminding
24 them of their past due responsibility to file an L-3 report for calendar year 2020. These reminder
25 notices were sent to the contact emails provided by filers in the electronic lobbyist filing
26 application.

1 4. On April 5, 2021, PDC Staff sent warning letters by U.S. Mail to all lobbyist
2 employers warning them to file their overdue L-3 reports no later than May 5, 2021, to avoid
3 potential enforcement action and fines. The warning letters were mailed to the addresses
4 provided by filers in the electronic lobbyist filing application.

5 5. On June 2, 2021, PDC Staff emailed a hearing notice for a July 1, 2021, Brief
6 Adjudicative Proceeding (Brief Enforcement Hearing) to Respondent at
7 admin@puppylandwa.com, sabrina@puppylandwa.com, and jtkerr89@gmail.com.

8 6. The hearing notice was also sent by U.S. Mail to “13103 Meridian Ave. E #104,
9 Puyallup WA 98580.” The hearing notice offered the Respondent an opportunity to sign a
10 Statement of Understanding, file the missing reports, and pay a \$100 civil penalty no later than
11 June 23, 2021, to avoid an enforcement hearing.

12 7. On June 30, 2021, the Respondent filed the missing L-3 reports for calendar year
13 2020, including disclosure of candidate contributions and lobbyist compensation.

14 8. At the Brief Enforcement Hearing held on July 1, 2021, the Respondent was
15 found in violation of RCW 42.17A.630 for failure to timely file the L-3 reports no later than
16 March 1, 2021. Respondent was assessed a \$250 penalty, consistent with WAC 390-37-143, the
17 Brief Enforcement Hearing penalty schedule adopted by the Commission.

18 9. On August 2, 2021, PDC staff served the Initial Order to
19 admin@puppylandwa.com, sabrina@puppylandwa.com, and jtkerr89@gmail.com, the contact
20 email address originally provided in the electronic lobbyist employer filing application. On July
21 30, 2021, the Order was also sent by U.S. Mail to “13103 Meridian Ave. E #104, Puyallup WA
22 98580.”

23 10. On August 2, 2021, PDC staff contacted the Respondent regarding the filing of
24 the L-3 report received June 30, 2021. Due to the report being filed the day before the hearing
25 on July 1, 2021, the record at hearing was not updated with the new filing status. As a result, a
26 penalty for \$250 (recommended for non-filed reports) was read into the record rather than the

1 appropriate penalty of \$150 (recommended for late filed reports without Respondent entering
2 into a Statement of Understanding).

3 11. On August 18, 2021, PDC staff served the Respondent with a hearing notice for
4 an August 26, 2021, Reconsideration Hearing before the Public Disclosure Commission, along
5 with instructions on how to participate in the hearing remotely.

6 7 **II. CONCLUSIONS OF LAW**

8 1. The Commission has jurisdiction over this proceeding pursuant to Chapter
9 42.17A RCW, the State campaign finance and disclosure law; Chapter 34.05 RCW, the
10 Administrative procedure Act; and Title 390 WAC.

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12 2. The Respondent violated RCW 42.17A.630 by failing to timely file L-3 reports
13 for calendar year 2020 that was due no later than March 1, 2020.

14 15 **III. ORDER**

16 The Request for Reconsideration is GRANTED. This Order on Reconsideration will be
17 the Final Order. The Findings of Fact and Conclusions of Law are AFFIRMED and the \$250
18 civil penalty assessed by the July 1, 2021, Initial Order is MODIFIED as follows:

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20 1. The Respondent shall pay a total civil penalty of \$150 with \$100 suspended on
21 the following conditions:

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23 a. Respondent is not found to have committed any further violations of
24 Chapter 42.17A RCW or Title 390 WAC, within four years of the date of
25 the Final Order in this matter. The suspended penalty shall not be
26 assessed based solely upon any remediable violation, minor violation, or

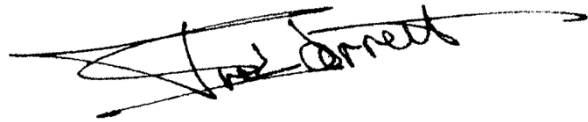
1 error classified by the Commission as appropriate to address by a
2 technical correction.

- 3 b. The Respondent is in compliance with all reporting requirements.
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- 5 c. The non-suspended portion of the penalty (\$50) is paid by the
6 Respondent within 30 days of the date of the Final Order in this matter
7 or as arranged by the PDC in regular installments. If the Respondent
8 fails to make timely payment of the non-suspended portion of the
9 penalty, the \$100 suspended portion of the \$150 total civil penalty shall
10 immediately become due without further action by the Commission.

11 SO ORDERED this __20th__ day of September, 2021.

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13 WASHINGTON STATE PUBLIC
14 DISCLOSURE COMMISSION

15 FOR THE COMMISSION:

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17
18 Fred Jarrett,
19 Chair, Public Disclosure Commission

20 *This order sent by email to:*

21 Puppyland, Respondent
22 admin@puppylandwa.com
23 sabrina@puppylandwa.com
24 jtkerr89@gmail.com

25 Jennifer Hansen,
26 PDC Compliance Officer,
Jennifer.Hansen@pdc.wa.gov

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

Jennifer Hansen
Signed

September 21, 2021
Date

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3 **NOTICE: PETITION FOR JUDICIAL REVIEW**

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