



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 • Website: www.pdca.wa.gov

Memorandum

To: Public Disclosure Commission

From: Tabitha Townsend, Compliance Coordinator 2

Date: October 5, 2021

Subject: David Haviland; PDC Case 93992; Reconsideration Hearing

Matter for Reconsideration:

At the Brief Enforcement Hearing held on July 15, 2021, the Respondent was found in violation of RCW 42.17A.700 for failure to file the F-1 report no later than April 15, 2021, and was assessed a \$250 penalty, consistent with WAC 390-37-143, the Brief Enforcement Hearing penalty schedule adopted by the Commission. The Presiding Officer suspended \$150 of the \$250 penalty conditioned upon the Respondent filing the missing F-1 report and paying the non-suspended \$100 penalty within 30 days of the Initial Order being served.

Background:

- David Haviland (the “Respondent”) served as City Council Member for the City of Aberdeen during calendar year 2020. His current term started June 10, 2020 and is current, per the jurisdiction entries in the PDC system. The Respondent states he left office in January 2021.
- The Respondent has no prior violations of RCW 42.17A.700 with the PDC.
- 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 financial information for calendar year 2020, no later than April 15, 2021.
- Between February and May 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 11, 2021, PDC staff emailed warning letters to elected and appointed official regarding their missing F-1 reports for calendar year 2020.

David Haviland

PDC Case No. 93992

Reconsideration Hearing Memorandum

Page – 2 –

- On June 28, 2021, PDC staff emailed the Respondent a hearing notice for a Brief Adjudicative Proceeding (Brief Enforcement Hearing) to be held on July 15, 2021. The hearing notice was sent to the Respondent's email address-of-record, dhaviland@aberdeenwa.gov.
- On August 17, 2021, PDC staff served the Initial Order memorializing the Commission's ruling, by email, to the contact email address-of-record, dhaviland@aberdeenwa.gov.
- The Respondent has not filed the F-1 report covering calendar year 2020 as of the date of this memo, October 5, 2021.
- PDC Staff emailed the Respondent the Reconsideration Hearing Notice on October 4, 2021.

Request for Reconsideration:

- On September 16, 2021, the Respondent verbally spoke to PDC staff to appeal the August 16, 2021 Order, due to his resignation being prior to the hearing, in February 2021, and he did not have access to his official email account dhaviland@aberdeenwa.gov.
- The Respondent submitted written information for his request for reconsideration on September 28, 2021. In the written submission, he clarifies that he was asked by his employer to resign his City Council position due to a work conflict of interest and for personal family medical matters.