



State of Washington
PUBLIC DISCLOSURE COMMISSION

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Memorandum

To: Public Disclosure Commission

From: Tabatha Blacksmith, Compliance Coordinator

Date: October 28, 2021

Subject: William Mirand; PDC Case 94257; Reconsideration Hearing

Matter for Reconsideration:

During a Brief Enforcement Hearing held on July 15, 2021, William Mirand was found to have violated RCW 42.17A.700 for failure to timely file a Personal Financial Affairs Statement (F-1 report) with the Public Disclosure Commission (PDC) no later than April 15, 2021. At the July 15, 2021 Brief Enforcement Hearing, an Order imposing a \$250 penalty, with \$150 suspended, was entered, which William Mirand now requests the Commission reconsider.

Background:

- William Mirand (the “Respondent”) served as Regent/Trustee of Bellingham Technical College during calendar year 2020. His term ended October 5, 2021.
- The Respondent has no prior violations 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.
- In March and April 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 12, 2021, PDC staff emailed the Respondent a warning notice regarding the missing F-1 report for calendar year 2020. The notice was sent to the Respondent’s email address-of-record.

- On June 26, 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 addresses-of-record, which appeared to be personal emails.
- 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.
- On August 17, 2021, PDC staff served the August 12, 2021 Initial Order memorializing the Commission's ruling, by email, to the Respondent's email addresses-of-record, which appeared to be personal emails.
- On October 6, 2021, the Respondent filed an F-1 report covering activity for January 1, 2021 through October 5, 2021, instead of calendar year 2020. PDC staff subsequently learned that the Respondent used 2020 tax information to complete the report and worked with the Respondent to file a report covering calendar year 2020.
- The Respondent filed the F-1 report covering calendar year 2020 activity on October 20, 2021.

Request for Reconsideration:

- On October 5, 2021, Ronda Laughlin with Bellingham Technical College submitted written materials on behalf of the Respondent, appealing the August 12, 2021 Order. The Respondent emailed PDC staff the same day, requesting an appeal. The appeal requests are based upon the facts that the Respondent 1) was unaware of the filing requirement; 2) did not receive the emails from PDC staff regarding the F-1 report and July 15, 2021 hearing.
- On October 18, 2021, PDC staff served the Respondent, by email, with a hearing notice for an October 12, 2021 Reconsideration Hearing before the Public Disclosure Commission, along with instructions on how to participate in the hearing remotely. This notice was sent to a personal email address obtained from the Respondent.
- On October 18, 2021, the Respondent provided supplemental information regarding his appeal request.