



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: Edgar Ooms; PDC Case 95251; Reconsideration Hearing

Matter for Reconsideration:

During a Brief Enforcement Hearing held on August 12, 2021, Edgar Ooms 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 June 4, 2021. At the August 12, 2021 Brief Enforcement Hearing, an Order imposing a \$250 penalty, with \$125 suspended, was entered, which Edgar Ooms now requests the Commission reconsider.

Background:

- Edgar Ooms (the “Respondent”) is a candidate for School Director of Rainier SD (School District) 307 during election year 2021. He is a first-time candidate.
- The Respondent has no prior violations with the PDC.
- Pursuant to RCW 42.17A.700, a candidate for election year 2021 was required to file an F-1 report, disclosing financial information for the prior twelve months, within two weeks of candidacy or no later than June 4, 2021.
- In May and June of 2021, PDC staff sent email reminders to all candidates for election year 2021 regarding their missing F-1 reports.
- On June 16, 2021, PDC staff emailed the Respondent a warning notice regarding the missing F-1 report. The notice was sent to the Respondent’s email address-of-record.

- On July 22, 2021, PDC staff emailed the Respondent a hearing notice for a Brief Adjudicative Proceeding (Brief Enforcement Hearing) to be held on August 12, 2021. The notice was sent to the Respondent's email addresses-of-record.
- On July 22, 2021, PDC staff responded to two emails from the Respondent wherein he stated his belief that he is not required to file an F-1 report because the jurisdiction where he seeks office has less than 2,000 voters. PDC staff informed the Respondent that Rainier SD 307 had 4,120 registered voters in the 2020 election and, based on this information, the F-1 report is required.
- At the Brief Enforcement Hearing held on August 12, 2021, the Respondent was found in violation of RCW 42.17A.700 for failure to file the F-1 report no later than June 4, 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 \$125 of the \$250 penalty conditioned upon the Respondent filing the missing F-1 report and paying the non-suspended \$125 penalty within 30 days of the Initial Order being entered.
- Between August 12, 2021 and October 13, 2021, the Respondent sent a series of emails to PDC staff, disputing the F-1 reporting requirement for the elected office he seeks (School Director), which is determined by the number of registered voters in the jurisdiction (Rainier School District 307). The Respondent's October 5, 2021 email contains a request for an appeal.
- PDC staff and legal counsel responded, by email, to the Respondent's concerns on September 9, 2021, September 14, 2021, September 22, 2021, and October 7, 2021 respectively, and provided information regarding the term "jurisdiction," political subdivisions, and the election districts within those subdivisions.
- Rainier SD 307 had 4,120 registered voters in 2020, according to information provided by the Washington Secretary of State's Elections Division. Within Rainier SD 307, there are five districts/positions. The Respondent is a candidate for district/position #4.
- On September 15, 2021, PDC staff served the September 13, 2021 Initial Order memorializing the Commission's ruling, by email, to the Respondent's email addresses-of-record.
- As of October 20, 2021, the Respondent has not filed the required F-1 report covering the prior twelve months.

Request for Reconsideration:

- The Respondent's October 5, 2021 email requests an appeal of the September 13, 2021 Initial Order based upon his belief that he is not required to file an F-1 report because the district within the jurisdiction for which he seeks office has less than 2,000 voters.
- On October 18, 2021, PDC staff served the Respondent, by email, with a hearing notice

for an October 28, 2021 Reconsideration Hearing before the Public Disclosure Commission, along with instructions on how to participate in the hearing remotely. The notice was sent to the Respondent's email addresses-of-record.