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

9 In Re: The Matter of Enforcement Action
10 Against:

11 C. WILLIAM CHAPPELL,
12 Respondent.
13

PDC CASE NO. 95337

FINAL ORDER ON REQUEST
FOR REVIEW

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15 This matter was heard remotely by the Washington State Public Disclosure Commission
16 (Commission) on October 12, 2021, by telephonic and online streaming access. Respondent C.
17 William Chappell requested review of the Presiding Officer's Order entered on September 13,
18 2021, following a Brief Enforcement Hearing (Brief Adjudicative Proceeding) on August 12,
19 2021, in this matter. The hearing was held in accordance with Chapters 34.05 and 42.17A RCW,
20 and Chapter 390-37 WAC.

21 Commissioners present both telephonically and online were Fred Jarrett, Commission
22 Chair (presiding); Nancy Isserlis, Commission Vice-Chair; and Commissioners William
23 Downing and Allen Hayward. Also present both telephonically and online were Assistant
24 Attorney General John S. Meader representing the Commission, Assistant Attorney General
25 Chad Standifer representing PDC Staff, and Jennifer Hansen, PDC Compliance Coordinator.
26 Notice was provided to the Respondent and he appeared on his own behalf. The proceeding was

1 open to the public as limited by Governor's Proclamation 20-25 *et. seq.* and recorded.

2 The Commissioners had before them the following materials:

- 3 1. Case memorandum dated October 12, 2021, prepared by Tabatha Blacksmith, PDC
4 Compliance Coordinator;
- 5 2. Brief Enforcement Hearing Notice served July 20, 2021;
- 6 3. Initial Order Imposing Fine, entered September 13, 2021;
- 7 4. Candidate Registration, filed September 14, 2021;
- 8 5. Financial Affairs Statement for EY 2021, filed September 14, 2021;
- 9 6. Respondent's written request for review, dated September 15, 2021;
- 10 7. Review of Initial Order Hearing Notice, dated October 4, 2021.
- 11

12 **I. FINDINGS OF FACT**

13 The matter involved Respondent's request that the Commission review an Initial Order
14 entered on September 13, 2021, resulting from an Initial Hearing on August 12, 2021, regarding
15 C. William Chappell, a candidate for City Council Member of the City of Duvall during election
16 year 2021. The Presiding Officer at the Brief Adjudicative Proceeding found the Respondent in
17 violation of RCW 42.17A.205 for failure to timely file a Candidate Registration (C-1 Report)
18 and RCW 42.17A.700 for failure to timely file a Personal Financial Affairs Statement (F-1
19 Report) with the Public Disclosure Commission no later than June 4, 2021. At the August 12,
20 2021, hearing, an Order was entered imposing a \$500 penalty, with \$200 suspended, which the
21 Respondent now requests the Commission review. The Respondent has no prior violations with
22 the PDC.

- 23 1. In May and June of 2021, PDC staff sent email reminders to all candidates for
24 election year 2021 regarding their missing C-1 Report, F-1 Report, or both.
- 25
- 26

2. On June 17, 2021, PDC staff emailed the Respondent a Warning Notice regarding the C-1 and F-1 Reports. The hearing notice was sent to the Respondent's email address of record.
3. On July 20, 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 hearing notice was sent to the Respondent's email address of record.
4. At the Brief Enforcement Hearing held on August 12, 2021, the Respondent was found in violation of RCW 42.17A.205 and .700 for failure to timely file the missing C-1 and F-1 Reports no later than June 4, 2021 and was assessed a \$500 penalty consistent with WAC 390-37-143, the Brief Enforcement Hearing penalty schedule adopted by the Commission. The Presiding Office suspended \$200 of the \$500 penalty conditioned upon the Respondent filing the missing C-1 and F-1 reports and paying the non-suspended \$300 penalty within 30 days of the Initial Order being entered.
5. On September 14, 2021, the Respondent was served with the Initial Order memorializing the Commission's ruling to the Respondent's email address of record.
6. The Respondent filed the C-1 and F-1 reports on September 14, 2021.
7. On September 14, 2021, the Respondent submitted written materials appealing the September 13, 2021 order stating that he did not receive the mailed hearing

1 notice due to an address change. He further stated he did not realize the reports
2 were required for a campaign that is not raising or spending money, and that he
3 had immediately contacted the PDC and filed the missing reports.
4

- 5 8. On October 4, 2021, PDC staff served the Respondent, by email, with a hearing
6 notice for a October 12, 2021 Review Hearing along with instructions on how to
7 participate in the hearing remotely.
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10 **II. CONCLUSIONS OF LAW**

- 11 1. The Commission has jurisdiction over this proceeding pursuant to Chapter
12 42.17A. RCW, the State campaign finance and disclosure law; Chapter 34.05
13 RCW, the Administrative Procedure Act; and Title 390 WAC.
14
- 15 2. Pursuant to RCW 42.17A.205, a candidate for election year 2021 was required to
16 file a C-1 Report within two weeks of candidacy or no later than June 4, 2021.
17
- 18 3. Pursuant to RCW 42.17A.700, a candidate for election year 2021 was required
19 to file an F-1 Report, disclosing financial information for the prior twelve
20 months, within two weeks of candidacy or no later than June 4, 2021.
21

22 **III. ORDER**

23 This Order on Review will be the Final Order. After consideration of the mitigating
24 and aggravating factors, the Findings of Fact, and the Conclusions of Law, the Initial Hearing
25 Order assessing a \$500 civil penalty, with \$200 suspended, is MODIFIED as follows:
26

1 1. Respondent C. William Chappell is assessed a total civil penalty of \$500, with
2 \$400 suspended, on the following conditions:

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4 a. The \$100 non-suspended portion of the civil penalties due for violation
5 of RCW 42.17A.205 and .700 is paid by the Respondent within 30 days
6 of the date of this Final Order.

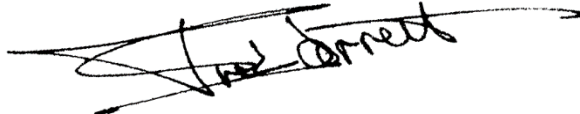
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8 b. The Respondent remains in full compliance with all PDC reporting
9 requirements and is not found to have committed any further violations of
10 Chapter 42.17A RCW or Title 390 WAC within four years of the date of
11 this Final Order. The suspended penalty shall not be assessed based solely
12 upon any remediable violation, minor violation, or error classified by the
13 Commission as appropriate to address by a technical correction.

14 2. If the Respondent fails to make timely payment of the non-suspended portion
15 (\$100) of the 2020 calendar year civil penalties in full within 30 days of this order,
16 the suspended civil penalty (\$400) shall be immediately become due without
17 further action by the Commission.

18
19 SO ORDERED this 8th day of November 2021.

20 WASHINGTON STATE PUBLIC
21 DISCLOSURE COMMISSION

22 FOR THE COMMISSION:

23 

24 _____
25 Fred Jarrett,
26 Chair, Public Disclosure Commission

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3 *This order sent by email to:*

4 C. William Chappell, Respondent
5 chapcl@yahoo.com

6 Jennifer Hansen,
7 PDC Compliance Officer,
8 Jennifer.Hansen@pdc.wa.gov
9

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

e-signed Tabatha Blacksmith
Signed

November 9, 2021
Date

10 **NOTICE: RECONSIDERATION**

11 Pursuant to the provisions of RCW 34.05.470 and WAC 390-37-150, you may file a Petition for
12 Reconsideration with the PDC within ten (10) days from the date this Final Order is served upon
13 you. Any Request for reconsideration must state the specific grounds for the relief requested.
14 Petitions must be delivered or mailed to the Washington State Public Disclosure Commission,
15 711 Capitols Way, Room 206, Box 40908, Olympia WA 98504-0908.

16 **NOTICE: PETITION FOR JUDICIAL REVIEW**

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