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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 DENNIS CARPENTER,
12 Respondent.
13 _____

PDC CASE NO. 95341

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
17 Dennis Carpenter 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 Tabitha Townsend, PDC Compliance Coordinator.
26 Notice was provided to the Respondent and he did not appear on his own behalf. The proceeding

1 was 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 7, 2021, prepared by Tabitha Townsend, PDC
- 4 Compliance Coordinator;
- 5 2. Brief Enforcement Hearing Notice served July 20, 2021;
- 6 3. Initial Order Imposing Fine, served September 13, 2021;
- 7 4. Respondent's photograph of the request for termination from candidacy dated July
- 8 19, 2021;
- 9 5. Hard copy termination document received by PDC staff on August 19, 2021.

10 11 **I. FINDINGS OF FACT**

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

- 22
23 1. On July 20, 2021, PDC staff emailed the Respondent a hearing notice for a Brief
24 Adjudicative Proceeding (Brief Enforcement Hearing) to be held on August 12,
25 2021. The hearing notice was sent to the Respondent's email address of record.
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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 Officer 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 July 19, 2021, the Respondent contacted PDC staff to request termination of his campaign and emailed a photograph of his termination form to the PDC.
 6. On September 13, 2021, the Respondent was served with the Initial Order memorializing the Commission's ruling, by email, to the Respondent's email address of record.
 7. On September 22, 2021, the Respondent requested review of the Initial Order by phone because he had terminated his campaign prior to being issued a hearing notice for the Brief Enforcement Hearing.

II. CONCLUSIONS OF LAW

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

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2. Pursuant to RCW 42.17A.205, a candidate for election year 2021 was required to file a C-1 Report within two weeks of candidacy or no later than June 4, 2021.
 3. 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.

III. ORDER

This Order on Review will be the Final Order. After consideration of the mitigating and aggravating factors, the Findings of Fact, and the Conclusions of Law, the Initial Hearing Order assessing a \$500 civil penalty, with \$200 suspended, is VACATED.

SO ORDERED this 8th day of November, 2021.

WASHINGTON STATE PUBLIC
DISCLOSURE COMMISSION

FOR THE COMMISSION:



Fred Jarrett,
Chair, Public Disclosure Commission

This order sent by email to:

Dennis Carpenter, Respondent
Mikeyoung202@hotmail.com

Tabitha Townsend,
PDC Compliance Coordinator,
pdc@pdc.wa.gov

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

Electronically Signed Tabitha Townsend
Signed

11/9/2021
Date

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3 **NOTICE: RECONSIDERATION**

4 Pursuant to the provisions of RCW 34.05.470 and WAC 390-37-150, you may file a Petition for
5 Reconsideration with the PDC within ten (10) days from the date this Final Order is served upon
6 you. Any Request for reconsideration must state the specific grounds for the relief requested.
7 Petitions must be delivered or mailed to the Washington State Public Disclosure Commission,
8 711 Capitols Way, Room 206, Box 40908, Olympia WA 98504-0908.

9 **NOTICE: PETITION FOR JUDICIAL REVIEW**

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