



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

December 22, 2021

Don Tracy
PO Box 68
Orting, WA 98360

And delivered electronically to drtracy@centurytel.net

Subject: PDC Order, Case 95347

Dear Don Tracy,

Enclosed is a copy of the Public Disclosure Commission's Order, which amends the original order, dated September 13, 2021, that was entered in the above-referenced case.

At the August 12, 2021 Brief Enforcement hearing, the Presiding Officer assessed a total civil penalty of \$400, of which \$150 was suspended, in accordance with WAC 390-37-143. However, we later learned that the base penalty amount for your C-1 report was incorrect because you filed your C-1 report on August 11, 2021.

The attached Order dated December 22, 2021 amends and supersedes the Order issued on September 13, 2021.

The \$200 non-suspended penalty is payable within 30 days of the date of this Order, which is January 21, 2022. Please make check or money order payable to "WA State Treasurer" and mail it to the following address: PDC PO Box 40908 Olympia, WA 98504.

Thank you for your prompt attention to this matter. If you have questions, please contact us by email at pdcc@pdcc.wa.gov

Sincerely,

Electronically Signed by Tabatha Blacksmith
PDC Staff

Enclosure: Amended Initial Order



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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

In Re: Compliance with RCW 42.17A

PDC Case 95347

Don Tracy,

Respondent.

Findings of Fact,
Conclusions of Law, and
Order Imposing Fine

Pursuant to the brief enforcement hearing (brief adjudicative proceeding) notice sent to Don Tracy dated July 14, 2021, a brief adjudicative proceeding was held on August 12, 2021, remotely from Olympia, WA by live audio and online transmission, to consider whether the Respondent violated RCW 42.17A.205 and .700 by failing to timely file a Candidate Registration (C-1 report) and a Personal Financial Affairs Statement (F-1 report) disclosing personal financial information for the preceding twelve months, which were due to be filed within two weeks of candidacy or no later than June 4, 2021.

The hearing was held in accordance with Chapters 34.05 RCW, 42.17A RCW and Chapter 390-37 WAC. Commissioners Fred Jarrett and Nancy Isserlis were the Presiding Officers. Commission staff were represented by Compliance Coordinators Tabitha Townsend and Tabatha Blacksmith and Jennifer Hansen, Political Finance Officer. The Respondent did not participate in the hearing or submit any written materials.

Having considered the evidence, the Presiding Officer finds as follows:

FINDINGS OF FACT

1. The Respondent is or was a candidate for CITY COUNCIL MEMBER of CITY OF PORTLAND.
2. As a candidate, the Respondent was required to file C-1 and F-1 reports by June 4, 2021.
3. The Respondent filed the F-1 report on August 2, 2021 and C-1 report on August 11, 2021, after the hearing notice but before the enforcement hearing.
4. The Respondent has no prior violations.

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CONCLUSIONS OF LAW

Based on the above facts, as a matter of law, the Presiding Officer concludes as follows:

1. This matter was duly and properly convened, and all jurisdictional, substantive, and procedural requirements have been satisfied.
2. The Respondent violated RCW 42.17A.205 by failing to timely file the C-1 report by June 4, 2021.
3. The Respondent violated RCW 42.17A.700 by failing to timely file the F-1 report by June 4, 2021.

ORDER

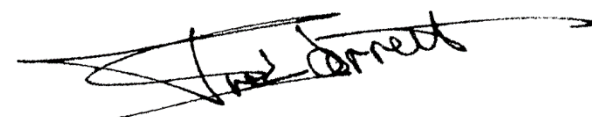
ON the basis of the foregoing Findings of Fact and Conclusions of Law,

1. **IT IS HEREBY ORDERED** that the Respondent is assessed a total civil penalty of \$300, of which \$100 is suspended, in accordance with the candidate C-1 and F-1 penalty schedule set forth in WAC 390-37-143.
2. **It is further ordered that the Respondent:**
 - a. **Pay the \$200 civil penalty within 30 days of the date of this Order. If the Respondent fails to pay the \$200 within 30 days, PDC staff is directed to refer the matter to collections.**
3. **It is further ordered that \$100 of the \$300 penalty is suspended on the following conditions:**
 - a. **The Respondent is not found to have committed any further violations of Chapter 42.17A RCW or Title 390 WAC within four years of the date of this Order. The suspended penalty shall not be assessed based solely upon any remediable violation, minor violation, or error classified by the Commission as appropriate to address by a technical correction.**
 - b. **The non-suspended portion of the penalty (\$200) is paid by the Respondent within 30 days of the date of this Order. If the Respondent fails to pay the non-suspended penalty of \$200 within 30 days, the full penalty amount (\$300) shall immediately become due without further action by the Commission and PDC staff is directed to refer the matter to collections.**

This is an **Initial Order** of the Public Disclosure Commission.

Entered this 22nd day of December 2021.

Public Disclosure Commission



Fred Jarrett
Chair, Public Disclosure Commission

I, Tabatha Blacksmith, certify that I emailed a copy of this order to the Respondent at their respective email address on the date stated herein.

Electronically Signed by Tabatha Blacksmith December 22, 2021

Signed

Date