



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.pdcc.wa.gov

August 4, 2022

Delivered electronically to Krystal Marx at “krystalamarx@gmail.com”

Subject: PDC Order, Case 108574

Dear Kystal Marx,

Attached is a copy of the Public Disclosure Commission’s Order Imposing Fine that was entered in the above-referenced case.

At the July 21, 2022, Brief Enforcement hearing, the Presiding Officer assessed a total civil penalty of \$600, of which \$300 is suspended, in accordance with WAC 390-37-143 with the following conditions: (1) the \$300 non-suspended portion of the current penalty is paid within 30 days of the date of this Order; (2) the outstanding penalty assessed in PDC Case #38795 currently at collections is cured within 30 of the date of this Order; and (3) you have no violations of RCW 42.17A or 390 WAC for four years.

The 30-day due date for the conditions described above, including payment of the \$300 non-suspended portion of the penalty, is no later than September 3, 2022.

Please make the check or money order payable to the WA State Treasurer, and mail the payment to the following:

Public Disclosure Commission
PO Box 40908
Olympia, WA 98504-0908

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 Jennifer Hansen
Compliance Officer
Public Disclosure Commission

Attachment: 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 108574

KRYSTAL MARX,

Respondent.

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

Pursuant to the brief enforcement hearing (brief adjudicative proceeding) notice sent to Krystal Marx on June 22, 2022, a brief adjudicative proceeding was held on July 21, 2022, remotely from Olympia, WA by live audio and online transmission, to consider whether the Respondent violated RCW 42.17A.700 by failing to timely file a Personal Financial Affairs Statement (F-1 report) for calendar year 2021, which was due to be filed no later than April 15, 2022.

The hearing was held in accordance with Chapters 34.05 RCW, 42.17A RCW and Title 390-37 WAC. Commissioner Fred Jarrett was the Presiding Officer and Commissioner Nancy Isserlis attended. The Commission staff was represented by Compliance Coordinators Tabatha Blacksmith and Jordan Campbell, and Compliance Officers Jennifer Hansen and Alice Fiman. 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 was an elected official for City Council of the City of Burien and left office December 31, 2021.
2. As an elected official during calendar year 2021 the Respondent was required to file a final F-1 report by no later than April 15, 2022.
3. The Respondent filed the F-1 report on July 20, 2022, after the hearing notice, but before the enforcement hearing.
4. The Respondent has two prior violations: (1) PDC Case #38795; and (2) PDC Case #58190.

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.700 by failing to file the F-1 report by April 15, 2022.

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 \$600, with \$300 of the total amount suspended based on the conditions described below, in accordance with the Annual F-1 penalty schedule set forth in WAC 390-37-143.
 - a. It is further ordered that the Respondent pay the \$300 non-suspended portion of the civil penalty within 30 days of the date of this Order. If the Respondent fails to pay the \$300 non-suspended amount within 30 days, PDC staff is directed to refer the matter to collections; and
 - b. That the Respondent also pay the outstanding penalty assessed in PDC Case #38795 within 30 days of the date of this Order.
2. It is further ordered that the \$300 suspended amount of the \$600 total 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 (\$300) is paid by the Respondent within 30 days of the date of this Order and the outstanding penalty assessed in PDC Case #38795 is paid within 30 days of the date of this Order. If the Respondent fails to pay the non-suspended penalty of \$300 and pay the outstanding penalty owed in PDC Case #38795 within 30 days, the suspended portion of the penalty 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 4th of August, 2022.

Public Disclosure Commission

Electronically signed by Peter Lavallee

Peter Lavallee
Executive Director

I, Jennifer Hansen, certify that I e-mailed a copy of this order to the Respondent at their respective electronic address, on the date stated herein.

Electronically Signed Jennifer Hansen
Signed

8/4/2022
Date

APPEALS OF INITIAL ORDER

REVIEW OF INITIAL ORDER - BY THE COMMISSION

You may request that the full Commission review this initial order. To seek review, you must:

- Make the request by email, stating the reason for review, and identifying what alleged errors are contained in the initial order. *See* WAC 390-37-144(1).
- All requests for review must be submitted electronically to pdcc@pdcc.wa.gov **REQUESTS FOR REVIEW MUST BE RECEIVED BY THE COMMISSION WITHIN TWENTY-ONE (21) CALENDAR DAYS AFTER THE THIS INITIAL ORDER WAS ELECTRONICALLY DISTRIBUTED TO YOU.**

If review of this initial order is timely requested, the full Commission will hear the matter. If the Commission is unable to schedule a meeting to consider the request within twenty (20) calendar days, this initial order becomes a final order, and any request for review will automatically be considered a request for reconsideration of a final order. *See* WAC 390-37-144(4). The matter would then be scheduled for consideration and disposition at the next Commission meeting at which it is practicable to do so.

A Respondent does not need to pay a penalty until after the Commission rules on a request for review of an initial order.

FURTHER APPEAL RIGHTS – SUPERIOR COURT

If the Commission does not receive a request for review of this initial order within twenty-one (21) calendar days, the initial order shall be the FINAL ORDER. *See* WAC 390-37-142(7).

YOU HAVE THE RIGHT TO APPEAL A FINAL ORDER TO SUPERIOR COURT, PURSUANT TO THE PETITION FOR JUDICIAL REVIEW PROVISIONS OF RCW 34.05.542.