



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

July 12, 2022

Warren Small
5329 RD 12.2 SE
OTHELLO, WA 99344

And delivered electronically to wmsmall1968@gmail.com

Subject: PDC Order, Case 108753

Dear Warren Small,

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

At the June 23, 2022 Enforcement hearing, the Commission assessed a total civil penalty of \$2000 with \$500 suspended in accordance with WAC 390-37-182. The penalty of \$1500 is payable within 30 days of the date of this Order, which is **August 11, 2022**.

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

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

It is also ordered that you file the missing F-1 report for calendar year 2021 and pay any outstanding penalties currently in collections within 30 days of this order.

Please contact the collection agency PMT Solutions directly at (425) 882-4800 to pay the outstanding penalty from your prior violation (PDC Case 94207).

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 Jordan Campbell
PDC Staff

Enclosure: Final Order

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

9 In re the Matter of Enforcement Action
10 Against:

PDC CASE NO. 108753

11 WARREN M. SMALL,

FINAL ORDER

12 Respondent.
13

14 **I. INTRODUCTION**

15 This matter was heard in-person and remotely by the Washington State Public Disclosure
16 Commission (Commission) on June 23, 2022, by telephonic and online streaming access. The
17 hearing was held pursuant to Chapter 34.05 RCW, Chapter 42.17A RCW, and Chapter 390-37
18 WAC.

19 Commissioners present in-person and online were Fred Jarrett, Commission Chair
20 (presiding); Nancy Isserlis, Commission Vice-Chair; and Commissioners Allen Hayward and
21 Jocelyn Cooney. Also present were Assistant Attorney General Matthew Kernutt representing
22 the Commission, Assistant Attorney General Chad Standifer representing Commission staff, and
23 Jordan Campbell, Compliance Coordinator, on behalf of PDC Staff. Respondent Warren Small
24 did not appear on his own behalf. The proceeding was open to the public as limited by
25 Governor's Proclamation 20-28 *et seq.* and recorded.

26 The hearing concerned allegations that Warren Small (Respondent) violated RCW

1 42.17A.700 by failing to timely file a Personal Financial Affairs Statement (F-1 report)
2 disclosing personal financial information for calendar year 2021, that was due no later than April
3 15, 2022.

4 The Commissioners had before them the following materials:

- 5 ○ Case Memorandum for PDC Case No. 108753 prepared by Jordan Campbell and dated
6 June 15, 2022;
- 7 ○ Full Enforcement Hearing Notice for PDC Case No. 108753, dated June 13, 2021;
- 8 ○ PDC Case No. 38965, Final Order, entered November 1, 2018.
- 9 ○ PDC Case No. 94207, Final Order, entered February 15, 2022.

10 11 **II. FINDINGS OF FACT**

12 1. Warren Small has served as School Director for Royal School District 160 since
13 approximately 2014. His term ended on December 31, 2021.

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15 2. From March 10, 2022, through April 28, 2022, PDC staff sent all elected and
16 appointed officials email reminders regarding their missing F-1 reports for calendar year 2021.

17
18 3. On June 13, 2022, PDC staff served the Respondent by electronic mail with a
19 hearing notice for a June 23, 2022, hearing. The notice was sent to Respondent's mail and email
20 address of record.

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22 4. As of the date of the hearing, Respondent has not filed his F-1 report covering
23 calendar year 2021.

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25 5. Prior violations of RCW 42.17A.700:

26 a) First Violation, PDC Case No. 38965:

- The Respondent failed to timely file an F-1 report for calendar year 2017, which was due no later than April 16, 2018.
- On October 25, 2018, an Order imposing Fine was entered for violation of RCW 42.17A.700 and a civil penalty was assessed for \$1,500.
- The Respondent filed the F-1 report for calendar year 2017 on October 25, 2018, and paid the \$1,500 civil fine on December 13, 2018.

b) Second Violation, PDC Case No. 94207:

- The Respondent failed to timely file an F-1 report for calendar year 2020, which was due not later than April 15, 2021.
- On January 27, 2022, an Enforcement Hearing was held before the full Commission, at which the Respondent was found to be in violation of RCW 42.17A.700 and assessed a \$1,500 penalty for failing to timely file an F-1 report that was due no later than April 15, 2021.
- The Respondent filed the F-1 report on January 27, 2022, but has not paid the \$1,500 civil penalty.

6. Staff recommended at the June 23, 2022, hearing a civil penalty of between \$2,000 and \$3,000 pursuant to the penalty schedule in WAC 390-37-182.

III. 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.

2. Pursuant to RCW 42.17A.700, an elected or appointed official is required to file a Personal Financial Affairs Statement (F-1 report) disclosing financial activities for calendar year 2021, no later than April 15, 2022.

IV. ORDER

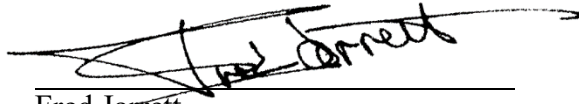
Based upon the Findings of Fact and Conclusions of Law, the Commission orders that:

1. Respondent Warren Small is assessed a total civil penalty of \$2,000, with \$500 suspended on the following conditions:
 - a. The \$1,500 non-suspended portion of the civil penalties due for violation of RCW 42.17A.700 is paid by the Respondent within 30 days of the date of this Final Order.
 - b. The \$1,500 past due penalty for PDC Case No. 94207 is paid by Respondent within 30 days of the date of this Final Order.
 - c. The missing F-1 report for PDC Case 108753 for calendar year 2021 is filed with the PDC within 30 days of the date of this Final Order.
 - d. The Respondent remains in full compliance with all PDC reporting requirements and 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 Final 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.
2. If the Respondent fails to meet the conditions in Section III(1) of this order within 30 days of the date of this order, the suspended portion of the penalty for calendar year 2021 shall immediately become due without further action of the commission. PDC staff may also send all amounts due for collection or to Superior Court for enforcement without further action by the Commission.

1 So ORDERED this 12th day of July, 2022.

2 WASHINGTON STATE PUBLIC
3 DISCLOSURE COMMISSION

4 FOR THE COMMISSION:

5 

6 Fred Jarrett
7 Chair, Public Disclosure Commission

8 *Copy of this Order mailed and/or emailed to:*

9 Warren M. Small, Respondent
10 wmsmall1968@gmail.com;

11 Jordan Campbell, Compliance Coordinator, PDC Staff
12 pdc@pdc.wa.gov;

13 I, Jordan Campbell certify that I mailed and emailed a copy of this order to the Respondent at
14 his respective mailing and emailing address postage pre-paid on the date stated herein.

15 Electronically Signed By Jordan Campbell July 12, 2022
16 Signed Date

NOTICE: RECONSIDERATION

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

NOTICE: PETITION FOR JUDICIAL REVIEW

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