



**State of Washington**

**PUBLIC DISCLOSURE COMMISSION**

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**Memorandum**

To: Public Disclosure Commission

From: Jordan Campbell, Compliance Coordinator

Date: June 15, 2022

Subject: Warren Small Enforcement Hearing Memorandum: PDC Case 108753

**Allegations:**

PDC staff alleges that Warren Small an former School Board Director for Royal School District 160 violated RCW 42.17A.700 by failing to file a Personal Financial Affairs Statement (F-1 report) for calendar year 2021, due not later than April 15, 2022.

**Background and Prior Violations:**

- Warren M. Small (the “Respondent”) served as School Director for Royal School District 160 since approximately 2014. His term ended on December 31, 2021.
- Pursuant to RCW 42.17A.700, an elected or appointed official who held office in 2021 was required to file an F-1 report, disclosing personal financial information for calendar year 2021, no later than April 15, 2022.
- Between March 10<sup>th</sup> and April 28<sup>th</sup> 2022, PDC staff sent email reminders to all elected and appointed officials regarding their missing F-1 report for calendar year 2021.
- On June 13, 2022 PDC staff mailed and emailed the respondent a Hearing notice regarding the missing reports for calendar year 2021. This hearing notice was sent to the respondent’s email and address of record. **(Exhibit 1)**
- At the time of this memo, The Respondent has not yet filed a report covering calendar year 2021.
- At this time, the respondent has a total of \$1750 outstanding in collections \$1500 from PDC Case 94207 and \$250 from PDC case 10083 which is outside of the statute of limitations.

**First Violation (PDC Case 38965) (Exhibit 2)**

- 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 Enforcement Hearing was held before the full Commission, in which the Respondent was found in violation of RCW 42.17A.700 and assessed a \$1,500 penalty for failing to file an F-1 report that was due no later than April 16, 2018.
- The Respondent filed the F-1 report for calendar year 2017 on October 25, 2018 and paid the \$1,500 civil penalty for PDC Case 38965 on December 13, 2018.

**Second Violation (PDC Case 94207) (Exhibit 3)**

- The Respondent failed to timely file an F-1 report for calendar year 2020, which was due no later than April 15, 2021.
- On January 27, 2022, an Enforcement Hearing was held before the full Commission, in which the Respondent was found in violation of RCW 42.17A.700 and assessed a \$1,500 penalty for failing to file an F-1 report that was due no later than April 15, 2021.
- The Respondent filed the F-1 report for calendar year 2020 on January 27, 2022 but has not paid the \$1,500 civil penalty for PDC Case 94207 .

**Staff Recommendation:**

Staff recommends the Commission find that Warren Small violated 42.17A.700 by failing to timely file an F-1 report for calendar year 2021, and:

1. Assess Warren Small a civil penalty between \$2000 and \$3000 for the outstanding 2021 F-1 report as laid out in WAC 390-37-182 the penalty schedule for a respondent on their third violation who did not file the report in question before the hearing, which is payable within 30 days of the date of the Order.
2. Require Warren Small to file the missing F-1 report for calendar year 2021 within 30 days of the date of the Order.

**Attachments:**

- Exhibit 1 Hearing Notice PDC Case 108753
- Exhibit 2 Final Order PDC Case 38965
- Exhibit 3 Final Order PDC Case 94207