



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

August 11, 2022

Avrum (Alex) Tsimerman
PO BOX 4222
SEATTLE, WA 98104

And delivered electronically to standup@alexforamerica.com

Subject: PDC Order, Case 109529

Dear Avrum (Alex) Tsimerman,

Enclosed 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 \$1000 of which \$500 is suspended, in accordance with WAC 390-37-143. The \$500 non-suspended penalty is payable within 30 days of the date of this Order, which is September 12, 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

It is also ordered that you file the missing C-1 and F-1 and resolve any prior violations including filing all reports and pay any outstanding penalty within 30 days of this order, which is September 12, 2022.

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: 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 109529

Avrum (Alex) Tsimmerman,
Respondent.

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

Pursuant to the brief enforcement hearing (brief adjudicative proceeding) notice sent to Avrum (Alex) Tsimmerman dated 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.205 by failing to file or timely file a Candidate Registration (C-1 report) and RCW 42.17A.700 by failing to file or timely file a Personal Financial Affairs Statement (F-1 report), disclosing personal financial information for the preceding twelve months, which were both due to be filed within two weeks of candidacy or no later than June 3, 2022.

The hearing was held in accordance with Chapters 34.05 RCW, 42.17A RCW and Chapter 390-37 WAC. Commission Chair Fred Jarrett was the Presiding Officer and Commissioner Nancy Isserlis attended. 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 material.

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

FINDINGS OF FACT

1. The Respondent is or was a candidate for State Senator, Leg District 46.
2. As a candidate, the Respondent was required to file C-1 and F-1 reports by June 3, 2022.
3. The Respondent did not file the C-1 report by the date of the enforcement hearing.
4. The Respondent did not file the F-1 report by the date of the enforcement hearing.
5. The Respondent has one prior violation.

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 file the C-1 report by June 3, 2022.
3. The Respondent violated RCW 42.17A.700 by failing to file the F-1 report by June 3, 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 **\$1000, in accordance with the candidate C-1 & F-1 penalty schedule set forth in WAC 390-37-143, of which \$500 is suspended based on the conditions described below.**
2. **It is further ordered that the Respondent:**
 - a. **File the missing C-1 report within 30 days of the date of this Order.**
 - b. **File the missing F-1 report within 30 days of the date of this Order.**
 - c. **Pay the \$500 non-suspended portion of the civil penalty within 30 days of the date of this Order. If the Respondent fails to pay the \$500 within 30 days, PDC staff is directed to refer the matter to collections.**
3. **It is further ordered that \$500 of the \$1000 civil penalty is suspended upon 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 missing report(s) and all outstanding reports for PDC Case 95308 are filed within 30 days of the date of this Order. If the Respondent fails to file the report(s) within 30 days, the suspended portion of the penalty shall immediately become due without further action by the Commission and PDC is directed to refer the matter to collections.**
 - c. **The non-suspended portion of the penalty (\$500) and the outstanding penalty amount from PDC Case 95308 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 \$500 and/or the outstanding penalty for PDC Case 95308 within 30 days, the full penalty amount (\$1000) 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 11th day of August, 2022.

Public Disclosure Commission

Electronically signed by Peter Frey Lavallee

Peter Frey Lavallee

Executive Director

I, Jordan Campbell, certify that I mailed and emailed a copy of this order to the Respondent at their respective address postage pre-paid, and by email on the date stated herein.

Electronically Signed by Jordan Campbell

August 11, 2022

Signed

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.