



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 11, 2022

Danny Walling
34817 NE 119th Ave
La Center WA 98629

And delivered electronically to daannywalling@gmail.com

Subject: PDC Order, Case 109727

Dear Danny Walling,

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

At the July 28, 2022 Enforcement hearing, the Commission assessed a total civil penalty of \$10,000 of which \$2,500 is suspended in accordance with WAC 390-37-182. The \$7,500 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 "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 reports within 30 days of this order, which is **September 12, 2022**.

It is also ordered that you pay the outstanding balance for PDC Case 102995 of \$2,000 within 30 days of the date of this order, which is **September 12, 2022**.

Please contact the collection agency PMT Solutions directly at (425) 882-4800 to pay the outstanding penalties from your prior violations (PDC Cases 22190 & 80285).

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 Tabitha Townsend
PDC Staff

Enclosure: Final Order

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

9 In Re: The Matter of Enforcement Action
10 Against:

PDC CASE NO. 109727

FINAL ORDER

11 DANNY WALLING,
12 Respondent.
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15 This matter was heard remotely by the Washington State Public Disclosure Commission
16 (Commission) on July 28, 2022, by telephonic and online streaming access. Respondent Danny
17 Walling was provided notice on July 14, 2022, of the hearing date. The hearing was held in
18 accordance with Chapters 34.05 and 42.17A RCW, and Chapter 390-37 WAC.

19 Commissioners present both telephonically and online were Fred Jarrett, Commission
20 Chair (presiding); Nancy Isserlis, Commission Vice-Chair; and Commissioners William
21 Downing, Allen Hayward, and Jocelyn Cooney. Also present both telephonically and online
22 were Assistant Attorney General John S. Meader representing the Commission, Assistant
23 Attorney General Chad Standifer representing PDC Staff, and Tabatha Blacksmith, PDC
24 Compliance Coordinator. Notice was provided to the Respondent and he did not appear on his
25 own behalf. The proceeding was open to the public as limited by Governor's Proclamation 20-
26 25 *et seq.* and recorded.

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2 The Commissioners had before them the following materials:

- 3 1. Case memorandum dated July 20, 2022, prepared by Tabitha Townsend, PDC
4 Compliance Coordinator;
5 2. Hearing Notice, PDC Case 109727, mailed and dated July 14, 2022;
6 3. Final Order for prior violation, PDC Case 22190, entered October 10, 2017;
7 4. Initial Order for prior violation, PDC Case 80285, entered January 11, 2021.
8 5. Final Order for prior violation, PDC Case 102995, entered March 31, 2022.
9 6. Respondent's F-1 balance owing history printout as of July 20, 2022.
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11 **I. FINDINGS OF FACT**

12 The matter involves Respondent Danny Walling, a Fire Commissioner for Clark County
13 Fire Protection District #10. Respondent is alleged to have violated RCW 42.17A.700 for failure
14 to timely file a Personal Financial Affairs Statement (F-1 Report) with the Public Disclosure
15 Commission no later than April 15, 2022, disclosing financial information for the calendar year
16 2021. The Respondent has an outstanding penalty balance from his prior violations with the
17 PDC of \$4,300.
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- 19 1. In March and April of 2022, PDC staff sent email reminders to all elected and
20 appointed officials regarding their missing F-1 reports for calendar year 2021.
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22 2. On May 11, 2021, PDC staff emailed the Respondent a warning notice regarding
23 the missing F-1 report. The notice was sent to the Respondent's email address of
24 record.
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- 1 3. On July 14, 2022, PDC Staff served the Respondent by email and mail, with a
2 hearing notice for a July 28, 2022 Enforcement Hearing along with instructions
3 on how to participate in the hearing remotely before the full Public Disclosure
4 Commission concerning his failure to file the F-1 report.
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6 4. As of the date of the hearing the Respondent has not filed the missing F-1 report
7 covering calendar year 2021 that was due no later than April 15, 2022.
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9 5. The past due F-1 reports for calendar years 2019 and 2020 have not been filed as
10 of the date of this hearing.
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12 6. There are three prior cases for violations of RCW 42.17A.700 within the statute
13 of limitations:
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15 • PDC Case 22190. At a September 28, 2017 Enforcement Hearing,
16 Respondent was found in violation of RCW 42.17A.700 for failing
17 to file an F-1 report for calendar year 2016, which was due not
18 later than April 17, 2017. A total civil penalty of \$1,000 was
19 assessed in accordance with the penalty schedule adopted by the
20 Commission that was in effect at that time. On October 4, 2017,
21 the Respondent filed the F-1 report covering calendar year 2016
22 activity. The Respondent has not paid the civil penalty and the
23 penalty has been sent for collection.
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- PDC Case 80285. At a November 10, 2020 Brief Enforcement Hearing, Respondent was found in violation of RCW 42.17A.700 by failing to file an F-1 report for calendar year 2019, that was due not later than April 15, 2020. A civil penalty of \$1,000 was assessed in accordance with the penalty schedule adopted by the Commission that was in effect at that time. As of July 28, 2022, the Respondent has not filed the required F-1 report or paid the civil penalty and the penalty has been sent for collection.
- PDC Case 102995. At a March 24, 2022 Enforcement Hearing, Respondent was found in violation of RCW 42.17A.700 for failing to file an F-1 report for calendar year 2020, which was due not later than April 15, 2021. A total civil penalty of \$2,000, with \$500 suspended, was assessed in accordance with the penalty schedule adopted by the Commission that was in effect at that time. The Respondent has not filed the F-1 report for calendar year 2020 or paid the \$2,000 civil penalty as of the date of the July 28, 2022 hearing.

7. The Respondent has an outstanding balance of \$300 from PDC Case 16-069. The case is outside the five-year statute of limitations for consideration when setting the penalty for the current violation but the unpaid civil penalty remains due.

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II. 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.
3. 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 financial information for calendar year 2021 no later than April 15, 2022.

III. ORDER

This Order will be the Final Order. After consideration of the mitigating and aggravating factors, the Findings of Fact, and the Conclusions of Law, the Commission assesses a civil penalty of \$10,000 for the outstanding F-1 Report for calendar year 2021 with \$2,500 suspended on the following conditions:

1. (a). The \$7,500 non-suspended portion of the civil penalty due for failure to timely file the F-1 report for calendar year 2021 in violation of RCW 42.17A.700 is paid by the Respondent within 30 days of the date of this Final Order.
- (b). The past due civil penalties for failure to timely file the F-1 reports for calendar years 2015, 2016, 2019, and 2020, in violation of RCW 42.17A.700, totaling \$4,300 plus costs are paid by the Respondent within 30 days of the date of this Final Order.

1 (c). The missing F-1 reports for calendar years 2019, 2020 and 2021
2 are filed within 30 days of the date of this Final Order.
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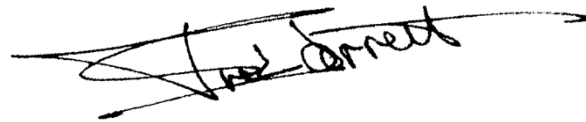
4 (d). The Respondent remains in full compliance with all PDC
5 reporting requirements and is not found to have committed any further
6 violations of Chapter 42.17A RCW or Title 390 WAC within four years
7 of the date of this Final Order. The suspended penalty shall not be
8 assessed based solely upon any remediable violation, minor violation, or
9 error classified by the Commission as appropriate to address by a
10 technical correction.
11

- 12 2. If the Respondent fails to meet the conditions in Section III(1) of this order within
13 30 days of the date of this order, the suspended portion of the penalty for calendar
14 year 2021 shall immediately become due and the matter may be sent to collections
15 or brought to Superior Court as allowed by law without further action by the
16 Commission.

17 SO ORDERED this 11th day of August 2022.
18

19 WASHINGTON STATE PUBLIC
20 DISCLOSURE COMMISSION

21 FOR THE COMMISSION:

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23 Fred Jarrett,
24 Chair, Public Disclosure Commission
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2 *This order sent by email to:*

3 Danny Walling, Respondent
4 daannywalling@gmail.com

5 Tabitha Townsend,
6 PDC Compliance Coordinator
7 pdc@pdc.wa.gov
8

I, Tabitha Townsend, certify that I mailed and emailed a copy of this order to the Respondent at his respective mailing and email addresses.

Electronically signed Tabitha Townsend Aug. 11, 2022
Signed Date

9 **NOTICE: RECONSIDERATION**

10 Pursuant to the provisions of RCW 34.05.470 and WAC 390-37-150, you may file a Petition for
11 Reconsideration with the PDC within ten (10) days from the date this Final Order is served upon
12 you. Any Request for reconsideration must state the specific grounds for the relief requested.
13 Petitions must be delivered or mailed to the Washington State Public Disclosure Commission,
14 711 Capitol Way, Room 206, Box 40908, Olympia WA 98504-0908.

15 **NOTICE: PETITION FOR JUDICIAL REVIEW**

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