



**State of Washington**  
**PUBLIC DISCLOSURE COMMISSION**

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**Memorandum**

To: Public Disclosure Commission

From: Tabitha Townsend, Compliance Coordinator

Date: July 20, 2022

Subject: Danny Walling Enforcement Hearing Memorandum: PDC Case 109727

**Allegations:**

PDC staff alleges that Danny Walling, an incumbent Fire Commissioner for Clark Fire Protection District 10, violated RCW 42.17A.700 by failing to file a Personal Financial Affairs Statement (F-1 report) for calendar year 2021 that was due no later than April 15, 2022.

**Background:**

- Danny Walling (the “Respondent”) was most recently elected Fire Commissioner for the Clark County Fire Protection District 10 in 2017. And his current term ends December 31, 2023.
- 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.
- In March and April of 2022, PDC staff sent email reminders to all elected and appointed officials regarding their missing F-1 reports for calendar year 2021.
- On May 11, 2022, PDC staff emailed the Respondent a warning notice regarding the missing F-1 report. The notice was sent to the Respondent’s email and mailing addresses-of-record.
- On July 14, 2022, PDC staff served the Respondent, by email and mail, with a hearing notice for a July 28, 2022 Enforcement Hearing before the full Public Disclosure Commission concerning his failure to file the F-1 report.
- As of July 20, 2022, the Respondent has not filed the missing F-1 report covering calendar year 2020 that was due no later than April 15, 2021.

**Prior Violations of RCW 42.17A.700 within the statute of limitations:**

The Respondent has two prior violations of RCW 42.17A.700 that occurred within the last five years:

**Prior Violation (PDC Case 22190)**

- The Respondent failed to timely file an F-1 report for calendar year 2016, which was due no later than April 17, 2017.
- On September 28, 2017, an Enforcement Hearing was held before the Commission, in which the Respondent was found in violation of RCW 42.17A.700 and assessed a \$1,000 penalty for failing to file an F-1 report that was due no later than April 17, 2017. PDC staff served the Final Order to the Respondent, by mail and email, on October 10, 2017.
- On October 4, 2017, the Respondent filed an F-1 report covering calendar year 2016 activity.
- As of July 20, 2022, the Respondent has not paid the \$1,000 civil penalty for PDC Case 22190, which has been sent to collections.

**Prior Violation (PDC Case 80285)**

- The Respondent failed to timely file an F-1 report for calendar year 2019, which was due no later than April 15, 2020.
- On November 17, 2020, a Brief Adjudicative Proceeding (Brief Enforcement Hearing) was held, in which the Respondent was found in violation of RCW 42.17A.700 and assessed a \$1,000 penalty for failing to file an F-1 report that was due no later than April 15, 2020. PDC staff served the Initial Order to the Respondent, by mail and email, on January 11, 2021.
- As of July 20, 2022, the Respondent has not filed the F-1 report for calendar year 2019 or paid the \$1,000 civil penalty for PDC Case 80285, which has been sent to collections.

**Prior Violation (PDC Case 102995)**

- The Respondent failed to timely file an F-1 report for calendar year 2020, which was due no later than April 15, 2021.
- On March 24, 2022, an Adjudicative Proceeding (Enforcement Hearing) was held, in which the Respondent was found in violation of RCW 42.17A.700 and assessed a \$2,000 penalty with \$500 suspended for failing to file an F-1 report that was due no later than April 15, 2021. PDC staff served the Initial Order to the Respondent, by mail and email, on March 31, 2022.
- As of July 20, 2022, the Respondent has not filed the F-1 report for calendar year 2020 or paid the \$2,000 civil penalty for PDC Case 102995. This penalty has not been sent to collections at this time.

**Additional Information:**

- The Respondent currently has an unpaid balance of \$4,300 outstanding for prior enforcement cases with the PDC, which were sent to collections. No payments have been made by the Respondent.
- The Respondent has prior violations for RCW 42.17A.700 outside of the statute of limitations, PDC Case 10089 for calendar year 2015 F-1. He was assessed \$1,000 with \$500 suspended penalty. \$500 was paid within 30 days, the F-1 covering CY15 has not been filed. This penalty was assessed as per WAC 390-37-160 for having three prior violations at the time. These priors are outside of the statute of limitations and are not in our current case tracking system. (However, PDC case 16-069 shows an outstanding balance owed of \$300 that was sent to collections in the penalty tracker)

**Staff Recommendations:**

- Staff recommends the Commission find that the Respondent violated RCW 42.17A.700 by failing to timely file an F-1 report for calendar year 2021, and:
- Assess the Respondent a civil penalty for a 4th occasion where the F-1 report is not filed, made payable within 30 days of the date of the Order. WAC 390-37-182, the full adjudicatory proceeding penalty schedule, does not include a base penalty for a 4th occasion so PDC staff recommends a penalty range of \$3,000 - \$10,000.
- Order the Respondent to file an F-1 report covering calendar year 2021 within 30 days of the date of the Order.