



**State of Washington**

**PUBLIC DISCLOSURE COMMISSION**

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**Memorandum**

To: Public Disclosure Commission

From: Tabitha Townsend, Compliance Coordinator

Date: August 17, 2022

Subject: Andrew Towle Enforcement Hearing Memorandum: PDC Case 109826

**Allegations:**

PDC staff alleges that Andrew Towle, a former Park & Recreation Commissioner for Columbia Valley Parks & Recreation, 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:**

- Andrew Towle (the “Respondent”) was a Park & Recreation Commissioner for Columbia Valley Parks & Recreation since 2020. He was elected to the position in the 2019 Election and started January 1, 2020. He left the position as of June 1, 2021.
- Pursuant to RCW 42.17A.700, an elected or appointed official who held office at any time in 2021 was required to file an F-1 report, disclosing personal financial information for the portion of the year 2021 in office, 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 officials warning notices regarding missing F-1 reports. The notice was sent to the email addresses-of-record.
- On August 11, 2022, PDC staff served the Respondent, by email and mail, with a hearing notice for a August 25, 2022 Enforcement Hearing before the full Public Disclosure Commission concerning his failure to file the F-1 report.
- As of August 17, 2022, the Respondent has not filed the missing F-1 report covering calendar year 2021 that was due no later than April 15, 2022.

**Prior Violations of RCW 42.17A.700:**

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

**Prior Violation (PDC Case 93933)**

- The Respondent failed to timely file an F-1 report for calendar year 2020, which was due no later than April 15, 2021.
- On July 15, 2021, 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 \$250 penalty 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 August 17, 2021.
- As of August 17, 2022, the Respondent has not filed the F-1 report for calendar year 2020 or paid the \$250 civil penalty for PDC Case 93933.

**Additional Information:**

- The Respondent currently has an unpaid balance of \$250 outstanding for prior enforcement case 93933 with the PDC, which was sent to collections. No payments have been made by the Respondent.
- Per WAC 390-37-143(5), cases “will automatically be scheduled before the full commission for an enforcement action when the respondent:  
“(a) Was found in violation during a previous reporting period;  
“(b) The violation remains in effect following any appeals; and  
“(c) The person has not file the disclosure forms that were the subject of the prior violation at the time the current hearing notice is being sent.”

**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, per WAC 390-37-182, the full adjudicatory proceeding penalty schedule, made payable within 30 days of the date of the Order. The base penalty range for a 2<sup>nd</sup> occasion for violation of RCW 42.17A.700 and 1<sup>st</sup> occasion at Full Adjudicative Proceeding where the F-1 report is not filed is \$1,000-\$2,000; and
- Order the Respondent to file an F-1 report covering calendar year 2021 within 30 days of the date of the Order.