

## 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: <a href="mailto:pdc@pdc.wa.gov">pdc.wa.gov</a> • Website: <a href="www.pdc.wa.gov">www.pdc.wa.gov</a> November 17, 2022

Joshua Coleman 7509 Maxwelton Rd Clinton WA 98236

And delivered electronically to colemanjoshua39@yahoo.com

Subject: PDC Order, Case 110504

Dear Joshua Coleman,

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

At the October 27, 2022 Enforcement hearing, the Commission assessed a total civil penalty of \$1,000, of which \$500 is suspended in accordance with WAC 390-37-182. The \$500 non-suspended penalty is payable within 30 days of the date of this Order, which is **December 19**, **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 covering calendar years 2019 & 2021 within 30 days of this order.

Please contact the collection agency PMT Solutions directly at (425) 882-4800 to pay the outstanding penalty from your prior violation (PDC Case 80185).

Thank you for your prompt attention to this matter. If you have questions, please contact us by email at <a href="mailto:pdc.wa.gov">pdc.wa.gov</a>

Sincerely,

Electronically Signed by Tabitha Townsend
PDC Staff

Enclosure: Final Order

1 2 3 4 5 6 7 BEFORE THE PUBLIC DISCLOSURE COMMISSION 8 OF THE STATE OF WASHINGTON 9 In Re: The Matter of Enforcement Action PDC CASE NO. 110504 Against: 10 FINAL ORDER 11 JOSHUA COLEMAN, 12 Respondent. 13 14 This matter was heard in person by the Washington State Public Disclosure Commission 15 (Commission) on October 27, 2022, by in-person, telephonic, and online streaming access. 16 Respondent Joshua Coleman was provided notice on October 13, 2022, of the hearing date. The 17 hearing was held in accordance with Chapters 34.05 and 42.17A RCW, and Chapter 390-37 18 WAC. 19 Commissioners present in-person or online were Fred Jarrett, Commission Chair 20 (presiding); Nancy Isserlis, Commission Vice-Chair; and Commissioners William Downing, and 21 Allen Hayward. Also present in-person, telephonically, or online were Assistant Attorney 22 General John S. Meader representing the Commission, Assistant Attorney General Chad 23 Standifer representing PDC Staff, and Tabitha Townsend, PDC Compliance Coordinator. Notice 24 was provided to the Respondent, and he did not appear on his own behalf. The proceeding was 25

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open to the public as limited by Governor's Proclamation 20-25 et seq. and recorded.

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The Commissioners had before them the following materials:

- Case memorandum dated October 19, 2022, prepared by Tabitha Townsend, PDC Compliance Coordinator;
- 2. Hearing Notice, mailed and dated October 13, 2022;
- 3. Respondent F-1 filing history as of October 17, 2022;
- 4. Final Order for prior violation, PDC Case 80185, served January 11, 2021;
- 5. Respondent penalty printout.

## I. FINDINGS OF FACT

The matter involves Respondent Joshua Coleman, a current Park and Recreation Commissioner for South Whidbey Park and Recreation District. The Respondent is alleged to have violated RCW 42.17A.700 for failure to timely file a Personal Financial Affairs Statement (F-1 Report) with the Public Disclosure Commission no later than April 15, 2022, disclosing financial information for the calendar year 2021.

- 1. 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.
- 2. On May 11, 2022, PDC staff emailed the Respondent a warning notice regarding the missing F-1 reports.
- 3. On July 25, 2022, PDC Staff served the Respondent by email and mail with a hearing notice for a September 1, 2022, Brief Enforcement Hearing, along with instructions on how to participate in the hearing remotely. At the brief

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enforcement hearing the Presiding Officer referred the case to a full hearing before the Commission per WAC 390-37-143(5) concerning his failure to file the F-1 report.

- 4. On October 13, 2022, PDC staff served the Respondent, by mail and email, with a hearing notice for an October 27, 2022, enforcement Hearing before the full Public Disclosure Commission.
- 5. As of the date of the hearing the Respondent has not filed the missing F-1 report covering calendar year 2021 that was due no later than April 15, 2022.
- 6. There is one prior case for violation of RCW 42.17A.700:
  - PDC Case 80185. At a December 20, 2020, Brief Enforcement Hearing, Respondent was found in violation of RCW 42.17A.700 for failing to file the F-1 report for calendar year 2019, which was due not later than April 15, 2020. A total civil penalty of \$250 was assessed in accordance with the penalty schedule adopted by the Commission in effect at that time. The penalty has been paid but the Respondent has not filed the required F-1 report.

## II. CONCLUSIONS OF LAW

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.

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2. 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 \$1,000 for the late filed calendar year 2021 F-1 Report with \$500 suspended on the following conditions:

- a. The non-suspended portion (\$500) of the \$1,000 civil penalty for failure to 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 missing F-1 reports for calendar years 2019 and 2021 are filed within 30 days of the date of this Final Order.
  - c. The Respondent remains in full compliance with all PDC reporting requirements and 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 Final Order. The suspended penalty shall not be assessed based solely upon any remediable violation, minor violation, or

1	error classifie	d by the Commission as appropriate to address by a		
2	technical correction.			
3	technical correction.			
4	2. If the Respondent fails to meet the conditions in Section III(1) of this order within			
5	30 days of the date of this order, the suspended portion of the penalty for calendar			
6	year 2021 shall immediately become due and the matter may be sent to collection			
7	or brought to Superior Court as allowed by law without further action by the			
8	Commission.			
9				
10	SO ORDERED this <u>17th</u> day of November 2022.			
11		WASHINGTON STATE PUBLIC		
12	DISCLOSURE COMMISSION			
13	FOR THE COMMISSION:			
14	and and			
15		Fred Jarrett, Chair, Public Disclosure Commission		
16		Chair, Fublic Disclosure Commission		
17	This order sent by email to:			
18	Joshua Coleman, Respondent	I, <u>Tabitha Townsend</u> , certify that I emailed a copy of this order to the		
19	colemanjoshua39@yahoo.com	Respondent at his respective email address.		
20	Tabitha Townsend,	Electronically Signed by Tabitha Townsend November 17, 2022 Signed Date		
21	PDC Compliance Coordinator,			
22	pdc@pdc.wa.gov			
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**NOTICE: RECONSIDERATION** Pursuant to the provisions of RCW 34.05.470 and WAC 390-37-150, you may file a Petition for Reconsideration with the PDC within ten (10) days from the date this Final Order is served upon you. Any Request for reconsideration must state the specific grounds for the relief requested. Petitions must be delivered or mailed to the Washington State Public Disclosure Commission, 711 Capitol Way, Room 206, Box 40908, Olympia WA 98504-0908. **NOTICE:** PETITION FOR JUDICIAL REVIEW You have the right to appeal this Final Order to Superior Court, pursuant to the Petition for Judicial Review provisions of RCW 34.05.542. Any Petition for Judicial Review of this Final Order must be filed with the court and also served upon both the Commission and the Office of the Attorney general within thirty (30) days after the date this Final Order is served upon you.