



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

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December 21, 2022

Melissa Vanderwerf
804 S Puget Sound Ave
Tacoma WA 98405-2247

And delivered electronically to melissa.sylvia.vanderwerf@gmail.com

Subject: PDC Order, Case 110532

Dear Melissa Vanderwerf,

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

At the December 8, 2022 Full Enforcement hearing, the Commission reviewed the penalty assessed at the September 1, 2022 Brief Enforcement Hearing.

The result of this review is that the violation of RCW 42.17A.700 is ***Affirmed***, however the Commission has ***Vacated*** the penalty in this case.

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:

11 MELISSA VANDERWERF,
12 Respondent.
13

PDC CASE NO. 110532

FINAL ORDER ON
RECONSIDERATION

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15 This matter was heard remotely by the Washington State Public Disclosure Commission
16 (Commission) on December 8, 2022, by telephonic and online streaming access. Respondent
17 Melissa Vanderwerf requested reconsideration of the Presiding Officer's Order entered on
18 September 29, 2022, following a Brief Enforcement Hearing (Brief Adjudicative Proceeding) on
19 September 1, 2022, in this matter. The hearing was held in accordance with Chapters 34.05 and
20 42.17A RCW, and Chapter 390-37 WAC.

21 Commissioners present both telephonically and online were Nancy Isserlis, Commission
22 Vice-Chair (presiding); and Commissioners William Downing, Allen Haywood, and Jocelyn
23 Cooney. Also present both telephonically and online were Assistant Attorney General John S.
24 Meader representing the Commission, Senior Assistant Attorney General Chad Standifer and
25 Assistant Attorney General Susie Giles-Klein, representing PDC Staff, and Tabitha Townsend,
26 PDC Compliance Coordinator. Notice was provided to the Respondent and she did not appear

1 on her own behalf. The proceeding was open to the public and recorded.
2

3 The Commissioners had before them the following materials:

- 4 • Case memorandum dated November 30, 2022, prepared by Tabitha Townsend, PDC
5 Compliance Coordinator;
 - 6 • Brief Enforcement Hearing Notice, served between July 22-25, 2022;
 - 7 • Initial Order Imposing Fine, entered September 29, 2022;
 - 8 • Respondent's F-1 report filed November 22, 2022;
 - 9 • Respondent's written request for reconsideration, received October 20, 2022;
 - 10 • Reconsideration Hearing Notice, served November 23, 2022.
- 11

12 **I. FINDINGS OF FACT**

13 This matter involves Respondent's request that the Commission reconsider an Initial
14 Order entered on September 29, 2022, resulting from an Initial Hearing on September 1, 2022,
15 regarding Melissa Vanderwerf, a former Professional Staff member with the House of
16 Representatives whose term of temporary employment was from August, 2021, to December
17 2021. The Presiding Officer at the Brief Adjudicative Proceeding found the Respondent in
18 violation of RCW 42.17A.700 for failure to timely file a Personal Financial Affairs Statement
19 (F-1 Report) with the Public Disclosure Commission no later than April 15, 2022. At the
20 September 1, 2022, hearing, an Order was entered imposing a \$250 penalty, with \$125
21 suspended, which the Respondent now requests the Commission reconsider. The Respondent
22 has no prior violations with the PDC.

23

- 24 1. In March and April of 2022, PDC staff sent email reminders to all elected and
25 appointed officials regarding their missing F-1 reports for calendar year 2021.
26

2. Between July 22-25, 2022, PDC staff mailed and emailed the Respondent a hearing notice for a Brief Adjudicative Proceeding (Brief Enforcement Hearing) to be held on September 1, 2022. The hearing notice was sent to the Respondent's official mail and email address of record for House staff.
3. At the Brief Enforcement Hearing held on September 1, 2022, the Respondent was found in violation of RCW 42.17A.700 for failure to timely file the missing F-1 Report no later than April 15, 2022, and was assessed a \$250 penalty consistent with WAC 390-37-143, the Brief Enforcement Hearing penalty schedule adopted by the Commission. The Presiding Officer suspended \$125 of the \$250 penalty conditioned upon the Respondent filing the missing F-1 report and paying the non-suspended \$125 penalty within 30 days of the Initial Order being entered.
4. On September 29, 2022, the Respondent was served with the September 1, 2022, Initial Order memorializing the Commission's ruling to the Respondent's mailing and email address of record which were the official addresses for House staff.
5. Respondent filed the missing F-1 report for calendar year 2021 on November 22, 2022.
6. On October 20, 2022, Respondent contacted PDC staff by email to appeal the penalty assessed in the Initial Order. She requested reconsideration on the

1 grounds she no longer had access to her official House email account, she could
2 no longer sign into SAW, she did not receive the notice and was not aware of
3 what an F-1 report was, and that she was a temporary GIS/data analyst for the
4 Democratic Caucus.

- 5
- 6 7. On November 23, 2022, PDC staff served the Respondent by mail and email
7 with a hearing notice for a December 8, 2022, Reconsideration Hearing before
8 the Public Disclosure Commission, along with instructions on how to
9 participate in the hearing remotely.
- 10

11 **II. CONCLUSIONS OF LAW**

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- 13 1. The Commission has jurisdiction over this proceeding pursuant to Chapter
14 42.17A. RCW, the State campaign finance and disclosure law; Chapter 34.05
15 RCW, the Administrative Procedure Act; and Title 390 WAC.
- 16
- 17 2. Pursuant to RCW 42.17A.700, an elected or appointed official who held office
18 in 2021, or took office in 2021, was required to file an F-1 Report, disclosing
19 financial information for the calendar year 2021, no later than April 15, 2022.
- 20

21 **III. ORDER**

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23 This Order on Reconsideration will be the Final Order. After consideration of the
24 mitigating and aggravating factors, the Findings of Fact, and the Conclusions of Law, the
25 Initial Hearing Order imposing a \$250 civil penalty, with \$125 suspended, is MODIFIED as
26 follows:

