



**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](mailto:pdcc@pdcc.wa.gov) • Website: [www.pdca.wa.gov](http://www.pdca.wa.gov)

**Memorandum**

To: Public Disclosure Commission

From: Tabatha Blacksmith, Compliance Coordinator

Date: September 22, 2022

Subject: Ray Wardenaar Enforcement Hearing Memorandum: PDC Case 110550

**Allegations:**

Public Disclosure Commission (PDC) staff alleges that Ray Wardenaar, former Fire Commissioner for Grant 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:**

- Ray Wardenaar (the “Respondent”) served as Fire Commissioner for Grant Fire Protection District 10 from January 1, 2018 through December 31, 2021.
- Pursuant to RCW 42.17A.700, an elected or appointed official who held office in 2021 was required to file a Personal Financial Affairs Statement (F-1 report), disclosing personal financial information for calendar year 2021, no later than April 15, 2022.
- From March 10, 2022 through April 5, 2022, PDC staff emailed reminders to elected and appointed officials regarding their missing F-1 reports for calendar year 2021.
- On May 11, 2022, PDC staff sent the Respondent a warning notice, by email and mail, regarding the missing F-1 report for calendar year 2021. The email was sent to the Respondent’s personal & official email addresses.
- On September 12, 2022, PDC staff served the Respondent, by email and mail, with a hearing notice for a September 22, 2022 Adjudicative Proceeding (Enforcement Hearing) before the full Public Disclosure Commission concerning the Respondent’s failure to file the F-1 report. The email was sent to the Respondent’s email address-of-record.

- As of September 14, 2022, the Respondent has not filed the F-1 report for calendar year 2021 that was due April 15, 2022.

**Prior Violation:**

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

**Violation (PDC Case 94179)**

- The Respondent, who served as Fire Commissioner for Grant Fire Protection District 10 during calendar year 2020, failed to file an F-1 report for calendar year 2020, which was due no later than April 15, 2021.
- At a July 15, 2021 Brief Adjudicative Proceeding (Brief Enforcement Hearing), the Respondent was found in violation of RCW 42.17A.700 and assessed a \$250 penalty for failing to file an F-1 report for calendar year 2020 that was due no later than April 15, 2021, with \$150 suspended if the conditions of the Order were met.
- To date, the Respondent has not filed the F-1 report covering calendar year 2020 but he has paid the \$250 civil penalty for case 94179.

**Additional Information:**

- In 2018 & 2019, the voter counts for Grant County Fire Protection District 10 were below the threshold that triggers the requirement to file an F-1 report.
- 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 for failing to file an F-1 report for calendar year 2021.
- Assess the Respondent a civil penalty for a second occasion of a violation where the report was not filed before the date of the hearing per [WAC 390-37-182](#) to be made payable within 30 days of the date of the Order. The base penalty range for this fact pattern is \$1,000 - \$2,000.
- Require the Respondent to file the missing F-1 reports covering calendar years 2020 & 2021 within 30 days of the date of the Order.