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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 FAALUAINA PRITCHARD,
12 Respondent.
13

PDC CASE NO. 112528

FINAL ORDER ON
RECONSIDERATION

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15 This matter was heard by the Washington State Public Disclosure Commission
16 (Commission) on February 23, 2023, by in-person, telephonic and online streaming access.
17 Respondent Faaluaina Pritchard was provided notice on February 14, 2023, of the hearing date.
18 The hearing was held in accordance with Chapters 34.05 and 42.17A RCW, and Chapter 390-37
19 WAC.

20 Commissioners present in-person or online were Fred Jarrett, Commission Chair
21 (presiding); Nancy Isserlis, Commission Vice-Chair; and Commissioners William Downing, and
22 Allen Hayward. Also present in-person, telephonically, or online were Assistant Attorney
23 General John S. Meader representing the Commission, Assistant Attorneys General Chad
24 Standifer and Susie Giles-Klein representing PDC Staff, and Tabitha Townsend, PDC
25 Compliance Coordinator. Notice was provided to the Respondent and she did appear on her own
26 behalf.

1 The Commissioners had before them the following materials:

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- 3 1. Case memorandum dated February 15, 2023, prepared by Tabitha Townsend, PDC
- 4 Compliance Coordinator;
- 5 2. Hearing Notice, mailed and dated October 13, 2022;
- 6 3. Final Order imposing fine, dated November 17, 2022;
- 7 4. Respondent F-1 filing history as of February 14, 2023;
- 8 5. Written request for reconsideration email received January 19, 2023;
- 9 6. Reconsideration Hearing Notice, served February 14, 2023;
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12 **I. FINDINGS OF FACT**

13 The matter involves Respondent Faaluaina Pritchard, a former Regent/Trustee for Clover

14 Park Technical College. The Respondent was found in a Final Order dated November 17, 2022,

15 to have violated RCW 42.17A.700 for failure to timely file a Personal Financial Affairs

16 Statement (F-1 Report) with the Public Disclosure Commission no later than April 15, 2022,

17 disclosing financial information for the calendar year 2021.

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- 19 1. In March and April of 2022, PDC staff sent email reminders to all elected and
- 20 appointed officials regarding their missing F-1 reports for calendar year 2021.
- 21
- 22 2. On May 11, 2022, PDC staff emailed the Respondent a warning notice regarding
- 23 the missing F-1 reports.
- 24
- 25 3. On October 13, 2022, PDC Staff served the Respondent, by email and mail, with
- 26

1 a hearing notice for an October 27, 2022, Enforcement Hearing, before the full
2 Commission concerning her failure to file the F-1 report.
3

4 4. There is one prior case for violation of RCW 42.17A.700:
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- 6 • PDC Case 94177. At a July 15, 2021, Brief Enforcement Hearing,
7 Respondent was found in violation of RCW 42.17A.700 for failing
8 to file the F-1 report for calendar year 2020, which was due not
9 later than April 15, 2021. A total civil penalty of \$250 was
10 assessed in accordance with the penalty schedule adopted by the
11 Commission in effect at that time. The Initial Order was served
12 by mail and email on August 17, 2021. The penalty has not been
13 paid and the Respondent has not filed the required F-1 report.
14

15 5. The full Commission at its regular meeting on October 27, 2022, found the
16 Respondent violated RCW 42.17.700 for failing to file the missing F-1 report
17 covering the calendar year 2021 that was due no later than April 15, 2021. The
18 Respondent was served on November 17, 2022, with a Final Order assessing a
19 \$1,000 civil fine with \$500 suspended on the condition the non-suspended
20 portion of the fine was paid within 30 days and there were no further violations
21 of Chapter 42.17A RCW or Title 390 WAC. Respondent did not timely pay the
22 non-suspended portion of the fine and the entire amount became due on
23 December 17, 2022.
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III. ORDER

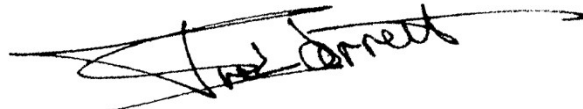
This Order on reconsideration will be the Final Order. The Commission has reconsidered its civil fine, the new evidence brought forth by the Respondent, the mitigating and aggravating factors, the Findings of Fact, and the Conclusions of Law. The Commission's Final Order is MODIFIED and the civil penalty is reduced to \$500 for the late filed calendar year 2021 F-1 Report with \$400 suspended on the following conditions:

1.
 - a. The non-suspended portion (\$100) of the \$500 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 on Reconsideration.
 - b. 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 error classified by the Commission as appropriate to address by a technical correction.
2. If the Respondent fails to meet the conditions in Section III(1) of this order within 30 days of the date of this order, the suspended portion of the penalty for calendar year 2021 shall immediately become due and the matter may be sent to collection or brought to Superior Court as allowed by law without further action by the Commission.

1
2 SO ORDERED this 2nd day of March 2023.

3 WASHINGTON STATE PUBLIC
4 DISCLOSURE COMMISSION

5 FOR THE COMMISSION:

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7 Fred Jarrett,
8 Chair, Public Disclosure Commission

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10 *This order sent by email to:*

11 Faaluaina Pritchard, Respondent
12 faaluaina@asiapacificculturalcenter.org

13 Tabitha Townsend,
14 PDC Compliance Coordinator,
15 pdc@pdc.wa.gov

I, Tabitha Townsend, certify that I emailed a copy of this order to
the Respondent at her respective email address.

Electronically Signed by Tabitha Townsend March 2, 2023

Signed

Date

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18 **NOTICE: PETITION FOR JUDICIAL REVIEW**

19 You have the right to appeal this Final Order to Superior Court, pursuant to the Petition for
20 Judicial Review provisions of RCW 34.05.542. Any Petition for Judicial Review of this Final
21 Order must be filed with the court and also served upon both the Commission and the Office of
22 the Attorney general within thirty (30) days after the date this Final Order is served upon you.
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