



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: pdc@pdc.wa.gov • Website: www.pdc.wa.gov

September 7, 2023

Adam Smith
13405 E Sprague
Spokane Valley WA 99206

And delivered electronically to Professor@smashbjjspokane.com

Subject: PDC Order, Case 138708

Dear Adam Smith,

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

At the August 24, 2023 Full Enforcement hearing, the Commission assessed a total civil penalty of \$4,000, of which \$2,000 is suspended, in accordance with WAC 390-37-182. The \$2,000 non-suspended penalty is payable within 30 days of the date of this Order, which is **October 7, 2023**.

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 C-1 & F-1 reports from 2023 election cycle within 30 days of this order, which is **October 7, 2023**

Please contact the collection agency PMT Solutions directly at (425) 882-4800 to pay the outstanding penalty from your prior violation (PDC Case 95320).

Thank you for your prompt attention to this matter. If you have questions, please contact us by email at pdc@pdc.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:

PDC CASE NO. 138708

FINAL ORDER

11 ADAM SMITH,
12 Respondent.
13 _____

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16 This matter was heard by the Washington State Public Disclosure Commission
17 (Commission) on August 24, 2023, by in-person, telephonic, and online streaming access. The
18 hearing was held in accordance with Chapters 34.05 and 42.17A RCW, and Chapter 390-37
19 WAC.

20 Commissioners present in-person were Nancy Isserlis, Commission Chair (presiding);
21 Allen Hayward, Commission Vice-Chair; and Commissioners Fred Jarrett and J. Robert Leach.
22 Also present both in-person and online were Assistant Attorney General John S. Meader
23 representing the Commission, Assistant Attorney General Susie Giles-Klein representing PDC
24 Staff, and Tabitha Townsend, PDC Compliance Coordinator. Notice was provided to the
25 Respondent and he did not appear on his own behalf. The proceeding was open to the public
26 and recorded.

1
2 The Commissioners had before them the following materials:

- 3 • Notice of Administrative Charges and Report of Investigation dated August 16, 2023,
4 prepared by Jordan Campbell, PDC Compliance Coordinator;
5 • Amended Hearing Notice for PDC Case 138708 dated August 11, 2023;
6 • Initial Order for PDC Case 95320 dated September 13, 2021.
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9 **I. FINDINGS OF FACT**

10 This matter involves allegations the Respondent violated RCW 42.17A.205 and RCW
11 42.17A.700(2) by failing to file the required Candidate Registration (C-1 Report) and Personal
12 Financial Affairs Statement (F-1 Report) within two weeks of declaring his candidacy for public
13 office in the 2023 election year, as required by law. The Respondent has one prior violation with
14 the PDC.

- 15 1. On May 19, 2023, the Respondent became a candidate for City Council
16 Member for the City of Spokane Valley.
17
18 2. From May 18, 2023, through June 1, 2023, PDC staff sent email reminders to
19 all candidates regarding their missing C-1 and F-1 reports that are due within
20 two weeks of becoming a candidate or no later than June 2, 2023.
21
22 3. On August 3, 2023, and August 11, 2023, PDC staff mailed and emailed the
23 Respondent a Hearing Notice for an August 24, 2023, Commission hearing
24 regarding the missing C-1 and F-1 reports.
25
26

1 4. As of the August 24, 2023, Commission hearing the Respondent has not filed
2 either the C-1 or F-1 reports for election year 2023.
3

4 5. Respondent has one prior enforcement matter:
5

6 a. PDC Case 95320. Respondent was a candidate for City Council
7 Member for the City of Spokane Valley and failed to file a C-1 report
8 for election year 2021 and an F-1 report covering the 12 months prior to
9 becoming a candidate. The reports were due within two weeks of
10 becoming a candidate or no later than June 4, 2021. At an August 12,
11 2021, Brief Adjudicative Proceeding (Brief Enforcement Hearing), the
12 Respondent was found in violation of RCW 42.17A.205 and .700 and
13 assessed a \$500 penalty with \$200 suspended under the condition that
14 the reports were filed and the non-suspended portion of the penalty was
15 paid within 30 days of the date of the Initial Order. The outstanding
16 civil penalty has not been paid and both the C-1 and F-1 reports have not
17 been filed.
18

19 II. CONCLUSIONS OF LAW

20 1. The Commission has jurisdiction over this proceeding pursuant to Chapter
21 42.17A. RCW, the State campaign finance and disclosure law; Chapter 34.05
22 RCW, the Administrative Procedure Act; and Title 390 WAC.
23

24 2. Pursuant to RCW 42.17A.205, a candidate for an election year must file a
25 Candidate Registration (C-1 Report) within two weeks of organization or within
26

1 two weeks after the date the committee has the first expectation of receiving
2 contributions, whichever is earlier.
3

- 4 3. Pursuant to RCW 42.17A.700(2) a candidate for an election year must file a
5 Financial Affairs Statement (F-1 Report) within two weeks of declaring his
6 candidacy for public office.
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9 **III. ORDER**

10 This Order will be the Final Order. After consideration of the mitigating and
11 aggravating factors, the Findings of Fact, and the Conclusions of Law, the Respondent is
12 assessed a civil penalty of \$4,000 with \$2,000 suspended on the following conditions:

- 13 1. a. The non-suspended portion (\$2,000) of the \$4,000 civil penalty
14 for failure to file the F-1 and C-1 reports within two weeks of becoming
15 a candidate for the 2023 election year in violation of RCW 42.17A.205
16 and RCW 42.17A.700 is paid by the Respondent within 30 days of the
17 date of this Final Order.
18
19 b. The missing C-1 and F-1 Reports due within two weeks of
20 becoming a candidate or no later than June 2, 2023, are filed within 30
21 days of the date of this Final Order.
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23 c. The missing C-1 and F-1 reports for election year 2021, are filed
24 within 30 days of the date of this Final Order and the unpaid \$500 civil
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1 penalty, plus any collection costs, is paid within 30 days of the date of
2 this Final Order.
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4 d. The Respondent remains in full compliance with all PDC
5 reporting requirements and is not found to have committed any further
6 violations of Chapter 42.17A RCW or Title 390 WAC within four years
7 of the date of this Final Order. The suspended penalty shall not be
8 assessed based solely upon any remediable violation, minor violation, or
9 error classified by the Commission as appropriate to address by a
10 technical correction.
11

- 12 2. If the Respondent fails to meet the conditions in Section III(1) of this order within
13 30 days of the date of this order, the suspended portion of the penalty for calendar
14 year 2023 shall immediately become due and the matter may be sent to collection
15 or brought to Superior Court as allowed by law without further action by the
16 Commission.
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SO ORDERED this 7th day of September 2023.

WASHINGTON STATE PUBLIC
DISCLOSURE COMMISSION

FOR THE COMMISSION:


Nancy Isserlis (Sep 5, 2023 14:51 PDT)

Nancy Isserlis,
Chair, Public Disclosure Commission

This order sent by email to:

Adam Smith, Respondent
professor@smashbjispokane.com

Hard copies to:
13405 E. Sprague
Spokane Valley, WA 99206

Tabitha Townsend,
PDC Compliance Coordinator,
cdc@cdc.wa.gov

///

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

Tabitha Townsend

Signed

September 7, 2023
Date

1 **NOTICE: RECONSIDERATION**

2 Pursuant to the provisions of RCW 34.05.470 and WAC 390-37-150, you may file a Petition for
3 Reconsideration with the PDC within ten (10) days from the date this Final Order is served upon
4 you. Any Request for reconsideration must state the specific grounds for the relief requested.
5 Petitions must be delivered or mailed to the Washington State Public Disclosure Commission,
6 711 Capitol Way, Room 206, Box 40908, Olympia WA 98504-0908.

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8 **NOTICE: PETITION FOR JUDICIAL REVIEW**

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