



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

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August 3, 2023

Charles Mister, Jr.
705 47th St SE Apt 91,
Everett WA 98203

Also delivered electronically to charlesmister1954@gmail.com

Subject: F-1 Enforcement Hearing Notice; PDC Case Number 139594

Dear Charles Mister, Jr.:

Public Disclosure Commission (PDC) records indicate that you are or were a candidate for public office in 2023, and we have not received a Candidate Registration (C-1 report) disclosing your campaign information for the 2023 election cycle. RCW 42.17A.205 requires candidates to file a C-1 report within two weeks of declaring their candidacy, which was to have been filed no later than June 2, 2023.

In accordance with RCW 42.17A.110 and RCW 42.17A.755, an Adjudicative Proceeding (Enforcement Hearing) has been scheduled to determine if you violated RCW 42.17A.205 by failing to file the required C-1 report for the 2023 election cycle. Under the Enforcement Hearing rules, the Commission has the authority to assess a civil penalty in accordance with WAC 390-37-182, the Enforcement Hearing penalty schedule adopted by the Commission (see enclosed copy).

HEARING INFORMATION

| | |
|--------------------|---|
| Date and time: | Thursday August 24, 2023 at TBD |
| Place: | Remotely from Olympia Live Audio and Online Transmission |
| Presiding Officer: | Public Disclosure Commission |
| Authority: | RCW 42.17A and WAC 390 |

PARTICIPATING VIA MICROSOFT TEAMS

The Enforcement Hearing will be audio and video recorded. The Commissioners and PDC staff will join the meeting in-person or remotely via Microsoft Teams videoconferencing platform.

Anyone wishing to participate in the hearing remotely must follow the instructions below and join the meeting on a computer or mobile app **promptly at TBD on August 24, 2023**. Please remain in the meeting until the Presiding Officer calls your name and case number. After your case has been heard, you may leave or stay in the meeting.

Please note that you must stay muted at all times except while your case is being heard.

Join on your computer or mobile app:

<https://tinyurl.com/2f8bxx8v>

If you are unable to use Teams or experience technical difficulties, please call the PDC's main number 1-360-753-1111 to obtain information regarding alternate participation by telephone.

INTERPRETER

If a party or witness to this proceeding speaks limited English or is hearing-impaired, and needs an interpreter, a qualified interpreter will be appointed at no cost to you. Please inform us at least five business days before the hearing or no later than **Thursday, August 17, 2023** if you require an interpreter for this proceeding and/or translation of its written materials in a language other than English. Please contact us by email at pdc@pdc.wa.gov or call us at (360) 753-1111 or 1-877-601-2828 to request an interpreter.

SUBMITTING WRITTEN MATERIALS

In advance of the Enforcement Hearing, you may provide a written response describing the facts of your case for consideration by the Commission, including any circumstances or mitigating factors you would like considered. Please submit your written response so it is received by no later than **Thursday, August 17, 2023**.

SUBMITTING C-1 REPORT

You are strongly encouraged to complete and submit the required report online prior to the Enforcement Hearing so it is received by the PDC no later than Thursday, August 23, 2023.

The report must be submitted electronically. Instructions for filing the C-1 can be found here. <https://www.pdc.wa.gov/registration-reporting/candidates-committees/registration-reporting-basics>

If you have any questions about the hearing process prior to the hearing date, please contact PDC Staff by email at pdc@pdc.wa.gov – and be sure to reference your case number in the subject line of the email.

Sincerely,

PDC Staff

Compliance and Enforcement Division



Enclosures

- C-1 Report Instructions
- PDC Penalty Schedule

How to Register Your Candidacy with the PDC

Candidates for most state and local offices in Washington are required to register with the Public Disclosure Commission. Registration is done electronically* through the PDC's website.

To begin, you must have a Secure Access Washington (SAW) account. SAW allows you to securely file data with many Washington state agencies. If you already have a SAW account, use that one for your PDC filing — you don't have to make a new account for us.

If you don't have a SAW account, it's a quick and easy process to get one. You can create a SAW account [on this web page](#). We have a video that shows you how [here](#).

Once you've created a SAW account, visit <https://apollo.pdc.wa.gov> and click on the "Manage Campaigns" button to access the campaign registration system.

The PDC's campaign registration system will lead you through the steps required to register your candidacy. The first step is to choose "Register a new candidate or committee" on the first screen of the registration system. From there, the system will ask a series of questions designed to collect the required information about your candidacy. [This video](#) shows you how it works.

The registration system helps filers get it right by calling their attention to missing information and not allowing registrations to be submitted until that information is provided. Filling in a required field with n/a, "none" or some other filler language will likely result in the PDC returning your registration to you.

Filers often ask whether they must report the name of a bank if they don't expect to raise money and don't have a campaign account. The answer is yes. [State law](#) requires candidates to report the name and address of their depositories. If you do not have a bank account for your campaign, report the name of the bank where you would likely open an account if your campaign later decides to have one. If at some point you do open a bank account, and it's at a different institution than what you originally reported, you can amend your registration to reflect that change.

Once you submit your candidacy information to the PDC, we will verify that you have supplied the required information and process your registration. You will receive an email once that process is complete.

*State law requires use of electronic filing when a system is available. Filers can request a hardship exemption to electronic filing based on lack of technological ability. Hardship exemption requests can be emailed to pdc@pdc.wa.gov

Source URL: <https://www.pdc.wa.gov/registration-reporting/candidates-committees/registration-reporting-basics>

Who Must File – Candidates who seek:

- state office (legislative or statewide executive);
- a state supreme court or state court of appeals position;
- local office in jurisdictions having 5,000 or more registered voters as of the last general election or in jurisdictions covering an entire county; or
- local office in jurisdictions of any size if the candidate receives or expects to receive \$5,000 or more in contributions

When to File – Within 2 weeks of becoming a candidate. A person becomes a candidate for PDC purposes when he or she **first** does any of the following:

- receives contributions, makes expenditures, or reserves space or facilities with intent to promote his or her candidacy;
- purchases commercial advertising space or broadcast time to promote his or her candidacy;
- authorizes another person to take one of these above actions on his or her behalf;
- announces publicly that he or she is seeking office; or
- files a declaration of candidacy with the appropriate elections official

Where to File – Online at <https://apollo.pdc.wa.gov/campaigns/committees> Reports are considered filed as of the date they are electronically filed with the PDC. Candidates for city offices are advised to contact their City Clerk to learn if local filing is required by local ordinance. Keep a copy for the campaign's records.

When to Amend – Within 10 days of a material change to information provided on previously filed C-1.

“Officer” of a Candidate’s Committee – Officer of a candidate’s committee includes the following persons:

- any person designated as an officer on the C-1 registration statement; and
- any person who alone or in conjunction with other persons makes, directs, or authorizes contribution, expenditure, strategic or policy decisions on behalf of the committee
[[WAC 390-05-245](#)]

Overview of registration requirements & reporting options for candidates and their committees:
<https://www.pdc.wa.gov/registration-reporting/candidates-committees/registration-reporting-basics>

Penalty Schedule [[WAC 390-37-182](#)]:

Penalty factors (full adjudicatory proceedings).

(1) In assessing a penalty after a full adjudicatory proceeding, the commission considers the purposes of chapter [42.17A](#) RCW, including the public's right to know of the financing of political campaigns, lobbying and the financial affairs of elected officials and candidates as declared in the policy of RCW [42.17A.001](#); and, promoting compliance with the law. The commission also considers and applies RCW [42.17A.755](#) and may consider any of the additional factors described in subsection (3) of this section.

(2) Under RCW [42.17A.755](#), the commission:

- (a) May waive a penalty for a first-time violation;
- (b) Must assess a penalty for a second violation by the same person or individual, regardless if the person or individual committed the violation for a different political committee;
- (c) Must assess successively increased penalties for succeeding violations pursuant to the following schedule:

| Violations: | | | |
|---|---------------|-------------------|-------------------|
| Respondent failed to file or timely file an accurate or complete: (1) Statement of Financial Affairs (F-1 Report) / (2) Candidate Registration / (C-1 Report) / (3) Lobbyist Monthly Expense Report (L-2 Report) / (4) Lobbyist Employer Annual Report (L-3 Report) and (5) Local Treasurer's Annual Report (T-1 Report). | | | |
| | 1st Occasion | 2nd Occasion | 3rd Occasion |
| Filed missing report after being notified about the complaint and provided written explanation with mitigating circumstances. | \$0 - \$500 | \$500 - \$1,500 | \$1,500 - \$2,500 |
| Report is filed late and is incomplete or inaccurate. | \$0 - \$1,000 | \$1,000 - \$2,000 | \$2,000 - \$3,000 |

[Excerpt above]

(3) In addition to the requirements of RCW [42.17A.755](#), the commission may consider the nature of the violation and any relevant circumstances, including the following factors:

- (a) The respondent's compliance history, including whether the noncompliance was isolated or limited in nature, indicative of systematic or ongoing problems, or part of a pattern of violations by the respondent, or in the case of a political committee or other entity, part of a pattern of violations by the respondent's officers, staff, principal decision makers, consultants, or sponsoring organization;
- (b) The impact on the public, including whether the noncompliance deprived the public of timely or accurate information during a time-sensitive period, or otherwise had a significant or material impact on the public;
- (c) Sophistication of respondent or the financing, staffing, or size of the respondent's campaign or organization;
- (d) Amount of financial activity by the respondent during the statement period or election cycle;
- (e) Whether the noncompliance resulted from a knowing or intentional effort to conceal, deceive or mislead, or violate the law or rule, or from collusive behavior;
- (f) Whether the late or unreported activity was significant in amount or duration under the circumstances, including in proportion to the total amount of expenditures by the respondent in the campaign or statement period;
- (g) Whether the respondent or any person, including an entity or organization, benefited politically or economically from the noncompliance;
- (h) Personal emergency or illness of the respondent or member of his or her immediate family;
- (i) Other emergencies such as fire, flood, or utility failure preventing filing;

(j) PDC staff or equipment error, including technical problems at the PDC preventing or delaying electronic filing;

(k) The respondent's demonstrated good-faith uncertainty concerning staff guidance or instructions;

(l) Corrective action or other remedial measures initiated by respondent prior to enforcement action, or promptly taken when noncompliance brought to respondent's attention (e.g., filing missing reports, amending incomplete or inaccurate reports, returning prohibited or overlimit contributions);

(m) Whether the respondent is a first-time filer;

(n) Good faith efforts to comply, including consultation with PDC staff prior to initiation of enforcement action and cooperation with PDC staff during enforcement action, and a demonstrated wish to acknowledge and take responsibility for the violation;

(o) Penalties imposed in factually similar cases; and

(p) Other factors relevant to a particular case.

(4) The commission may consider the factors in subsections (1) through (3) of this section in determining whether to suspend a portion or all of a penalty upon identified conditions, and whether to accept, reject, or modify a stipulated penalty amount recommended by the parties.

(5) Notwithstanding the above schedule, the commission may assess a penalty of up to ten thousand dollars per violation, or a greater amount if agreed to by the parties, pursuant to RCW [42.17A.755](#), based on the aggravating factors set forth in subsections (1) through (3) of this section.

(6) The penalty schedule for brief enforcement proceedings is provided under WAC [390-37-143](#).

[Statutory Authority: RCW [42.17A.110](#)(1), 2019 c 428, and 2019 c 261. WSR 20-02-062, § 390-37-182, filed 12/24/19, effective 1/24/20. Statutory Authority: RCW [42.17A.110](#)(1) and 2018 c 304. WSR 18-24-074, § 390-37-182, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW [42.17A.110](#)(1). WSR 16-01-015, § 390-37-182, filed 12/4/15, effective 1/4/16. Statutory Authority: RCW [42.17A.110](#), [42.17A.755](#). WSR 13-05-014, § 390-37-182, filed 2/7/13, effective 3/10/13.]