



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 • Website: www.pdcc.wa.gov

May 30, 2024

Dan DeLano
2214 Road 10.4 NW
Ephrata, WA 98823
delivered electronically to danielpdelano@gmail.com

Subject: PDC Order, Case 146381

Dan DeLano,

Enclosed is a copy of the Public Disclosure Commission's Order Imposing Fine that was entered in the above-referenced case. At the May 2, 2024, Brief Enforcement hearing, the Presiding Officer assessed a total civil penalty of \$450, of which \$300 is suspended, in accordance with WAC 390-37-143. The \$150 non-suspended penalty is payable within 30 days of the date of this Order, which is **July 1, 2024**.

Online Payment Option:

To make an online payment email payments@pdcc.wa.gov.

A payment link will be sent to you, in which you will need to provide the following information: (1) Case Number; and (2) Respondent Name.

Processing fees may apply.

USPS Mail Option

To mail a check or money order, make it payable to the "Washington State Treasurer" and be sure to include the PDC Case Number 146381 in the memorandum field.

For Regular Mail:

Public Disclosure Commission
PO Box 40908
Olympia, WA 98504-0908

For Overnight Mail or In-Person

Public Disclosure Commission
711 Capitol Way S, STE 206
Olympia, WA 98501-1267

It is also ordered that you file the missing Summary Full Campaign Contribution and Expenditure (C-4) reports within 30 days of this order, which is **July 1, 2024**. 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 Alice Fiman

PDC Staff

Enclosure: Initial Order



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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

In Re: Compliance with RCW 42.17A	PDC Case 146381
DeLano, Dan	Findings of Fact, Conclusions of Law, and
Respondent.	Order Imposing Fine

Pursuant to the notice of brief enforcement hearing (brief adjudicative proceeding) sent to Dan DeLano on March 29, 2024, a brief adjudicative proceeding was held on May 2, 2024 remotely from Olympia, WA. The purpose of the hearing was to consider whether Dan DeLano violated RCW 42.17A.235 and .240 for failure to timely and accurately file Monetary Contribution (C-3) reports and Summary Full Campaign Contribution and Expenditure (C-4) reports, disclosing contributions and expenditures undertaken by the Campaign as required by campaigns registered under the “Full Reporting” option.

The hearing was held in accordance with Chapters 34.05 RCW, 42.17A RCW and Chapter 390-37 WAC. Commissioner Nancy Isserlis was the Presiding Officer, and Commissioner Allen Hayward attended. The Commission staff was represented by Compliance Coordinators Jordan Campbell and Colin Peebles and Compliance Officers Alice Fiman, Jennifer Hansen and Kurt Young. The Respondent participated in the hearing and submitted written materials.

Having considered the evidence, the Presiding Officer finds as follows:

FINDINGS OF FACT

1. Dan DeLano was a first-time candidate for office in 2022, running for Grant County Commissioner Pos. 3 in the 2022 Primary Election. DeLano did not advance to the General Election.
2. On Dec. 15, 2023, PDC staff received a complaint filed by Andreas Koeppen, alleging Dan DeLano violated RCW 42.17A.235 and .240 by failing to timely and accurately file

Monetary Contribution (C-3) reports and Summary Full Campaign Contribution and Expenditure (C-4) reports, disclosing contributions and expenditures undertaken by the Campaign as required by campaigns registered under the “Full Reporting” option.

3. DeLano filed two C-3 reports after the complaint was filed and indicated to PDC staff he would complete all the required PDC filings prior to the enforcement hearing.
4. DeLano did not file any additional reports before the enforcement hearing and, to date, has not filed any additional PDC reports.

CONCLUSIONS OF LAW

Based on the above facts, as a matter of law, the Presiding Officer concludes as follows:

1. This matter was duly and properly convened, and all jurisdictional, substantive, and procedural requirements have been satisfied.
2. Dan DeLano violated RCW 42.17A.235 and RCW 42.17A.240 by failing to file all C-3 and C-4 reports disclosing contributions and expenditures undertaken by the Campaign as required under the “Full Reporting” option.

ORDER

ON the basis of the foregoing Findings of Fact and Conclusions of Law,

1. **IT IS HEREBY ORDERED that the Respondent shall file missing C-3 and C-4 reports and is assessed a total civil penalty of \$450, in accordance with the Brief Enforcement penalty schedule set forth in WAC 390-37-143.**
2. **It is further ordered that \$300 of the \$450 penalty is suspended on the following conditions:**
 - a. **The Respondent does not commit any further violations of Chapter 42.17A RCW or Title 390 WAC within four years of the date of this 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.**
 - b. **The Respondent pays the \$150 non-suspended civil penalty within 30 days of the date of this Order.**
 - c. **The Respondent files all missing reports (C-3 and C-4) within 30 days of the date of this Order.**
3. **It is further ordered that, if the Respondent fails to comply with any of the above conditions:**

- a. **The full \$450 penalty shall immediately become due without further action by the Commission and PDC Staff is directed to refer the matter to collections and/or commence other legal proceedings as authorized by RCW 42.17A and 390 WAC.**
- b. **The missing reports shall be due immediately.**

This is an **Initial Order** of the Public Disclosure Commission.

Entered this 30th day of May, 2024.

Public Disclosure Commission

Electronically signed by Peter Frey Lavallee

Peter Frey Lavallee

Executive Director

I, Alice Fiman, certify that I emailed a copy of this order to the Respondent at their respective email address of record. I certify that I also mailed a copy of this order to the Respondent at their physical address of record.

Electronically Signed Alice Fiman

May 30, 2024

APPEALS OF INITIAL ORDER

REVIEW OF INITIAL ORDER - BY THE COMMISSION

You may request that the full Commission review this initial order. To seek review, you must:

- Make the request by email, stating the reason for review, and identifying what alleged errors are contained in the initial order. *See* WAC 390-37-144(1).
- All requests for review must be submitted electronically to pdcc@pdcc.wa.gov **REQUESTS FOR REVIEW MUST BE RECEIVED BY THE COMMISSION WITHIN TWENTY-ONE (21) CALENDAR DAYS AFTER THE THIS INITIAL ORDER WAS ELECTRONICALLY DISTRIBUTED TO YOU.**

If review of this initial order is timely requested, the full Commission will hear the matter. If the Commission is unable to schedule a meeting to consider the request within twenty (20) calendar days, this initial order becomes a final order, and any request for review will automatically be considered a request for reconsideration of a final order. *See* WAC 390-37-144(4). The matter would then be scheduled for consideration and disposition at the next Commission meeting at which it is practicable to do so.

A Respondent does not need to pay a penalty until after the Commission rules on a request for review of an initial order.

FURTHER APPEAL RIGHTS – SUPERIOR COURT

If the Commission does not receive a request for review of this initial order within twenty-one (21) calendar days, the initial order shall be the FINAL ORDER. *See* WAC 390-37-142(7).

YOU HAVE THE RIGHT TO APPEAL A FINAL ORDER TO SUPERIOR COURT, PURSUANT TO THE PETITION FOR JUDICIAL REVIEW PROVISIONS OF RCW 34.05.542.