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**BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON**

In Re: The Matter of Enforcement Action
Against:

PDC CASE NO. 160022

FINAL ORDER

NICHOLAS HENDERSON,

Respondent.

This matter was heard in person by the Washington State Public Disclosure Commission (Commission) on October 24, 2024, by telephonic, in person, and online streaming access. Respondent Nicholas Henderson was provided notice on October 3, 2024, of the hearing date. The hearing was held in accordance with Chapters 34.05 and 42.17A RCW, and Chapter 390-37 WAC.

Commissioners present in person were Allen Hayward, Commission Chair (presiding); J. Robert Leach, Commission Vice-Chair; and Commissioners Nancy Isserlis, Douglass North, and James Oswald. Also present were Assistant Attorney General John S. Meader representing the Commission, Senior Assistant Attorney General Chad Standifer representing PDC Staff, and Colin Peeples, PDC Compliance Coordinator. Notice was provided to the Respondent and he did not appear on his own behalf. The proceeding was open to the public and recorded.

1 The Commissioners had before them the following materials:

- 2
- 3 1. Case memorandum dated October 16, 2024, prepared by Colin Peeples, PDC
- 4 Compliance Coordinator;
- 5 2. Hearing Notice, dated October 2, 2024 and mailed October 3, 2024;
- 6 3. Final Order for prior violation: PDC Case 141896, served November 9, 2023.
- 7

8 **I. FINDINGS OF FACT**

9

10 The matter involves Respondent Nicholas Henderson, a County Coroner in Kittitas

11 County. Respondent is alleged to have violated RCW 42.17A.700 for failure to file a Personal

12 Financial Affairs Statement (F-1 Report) with the Public Disclosure Commission no later than

13 April 15, 2024, disclosing financial information for the calendar year 2023.

- 14 1. Between March 12th and April 23rd of 2024, PDC staff sent seven email reminders
- 15 to all elected and appointed officials regarding their missing F-1 reports for
- 16 calendar year 2023.
- 17
- 18 2. On October 3, 2024, PDC Staff served the Respondent by email and mail with a
- 19 hearing notice for an October 24, 2024, Enforcement Hearing before the full
- 20 Public Disclosure Commission concerning his failure to file the F-1 report. The
- 21 notice was sent to the Respondent's email and mailing address of record.
- 22
- 23 3. As of the date of the hearing the Respondent has not filed the missing F-1 report
- 24 covering calendar year 2023 that was due no later than April 15, 2024.
- 25
- 26

1 4. There is one prior case for violation of RCW 42.17A.700:

- 2
- 3
- 4 • PDC Case 110560. At an October 11, 2023, Brief Enforcement
- 5 Hearing, Respondent was found in violation of RCW 42.17A.700
- 6 for failing to file the F-1 report for calendar year 2022, which was
- 7 due not later than April 17, 2023. A total civil penalty of \$250,
- 8 with \$100 suspended, was assessed in accordance with the penalty
- 9 schedule adopted by the Commission in effect at that time. As of
- 10 October 24, 2024, the Respondent has paid the civil penalty but
- 11 has not filed the required F-1 report.
- 12
- 13

14 **II. CONCLUSIONS OF LAW**

- 15 1. The Commission has jurisdiction over this proceeding pursuant to Chapter
- 16 42.17A. RCW, the State campaign finance and disclosure law; Chapter 34.05
- 17 RCW, the Administrative Procedure Act; and Title 390 WAC.
- 18
- 19 2. Pursuant to RCW 42.17A.700, an elected or appointed official who held office
- 20 in 2023 was required to file an F-1 Report, disclosing financial information for
- 21 calendar year 2023 no later than April 15, 2024.
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III. ORDER

This Order will be the Final Order. After consideration of the mitigating and aggravating factors, the Findings of Fact, and the Conclusions of Law, the Commission assesses a civil penalty of \$1,000 for the late filed F-1 Report, with \$500 suspended, on the following conditions:

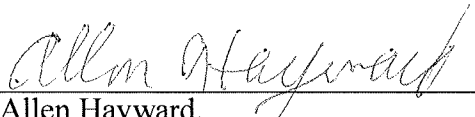
1. a. The \$500 non-suspended portion of the civil penalty due for failure to timely file the F-1 report for calendar year 2023 in violation of RCW 42.17A.700 is paid by the Respondent within 30 days of the date of this Final Order.
 - b. The missing F-1 reports for calendar years 2022 and 2023, are filed within 30 days of the date of this Final Order.
 - c. 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 2023 shall immediately become due and the matter may be sent to collection

1 or brought to Superior Court as allowed by law without further action by the
2 Commission.
3

4 SO ORDERED this 6th day of November 2024.

5 WASHINGTON STATE PUBLIC
6 DISCLOSURE COMMISSION

7 FOR THE COMMISSION:

8 
9 Allen Hayward,
Chair, Public Disclosure Commission

10
11 *This order sent by email and mail to:*

12 Nicholas Henderson, Respondent
13 807 Cleveland Ave.
14 Cle Elum, WA 98943
15 nick.henderson@q.com

16 Colin Peeples,
17 PDC Compliance Coordinator,
18 pdc@@pdc.wa.gov

I, Colin Peeples, certify that I emailed and mailed copy of
this order to the Respondent at his respective email and
mailing address.

Colin Peeples _____ November 6, 2024 _____
Signed Date

19 **NOTICE: RECONSIDERATION**

20 Pursuant to the provisions of RCW 34.05.470 and WAC 390-37-150, you may file a Petition for
21 Reconsideration with the PDC within ten (10) days from the date this Final Order is served upon
22 you. Any Request for reconsideration must state the specific grounds for the relief requested.
23 Petitions must be delivered or mailed to the Washington State Public Disclosure Commission,
24 711 Capitol Way, Room 206, Box 40908, Olympia WA 98504-0908.

25 **NOTICE: PETITION FOR JUDICIAL REVIEW**

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