



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

November 20, 2018

Tracy Russell
14232 57th Ave S
Tukwila, WA 98168

And delivered electronically to "tracyrussell@gmail.com"

Subject: PDC Order, Case 38985

Dear Tracy Russell,

Enclosed is a copy of the Public Disclosure Commission's Order that was entered in the above-referenced case. At the October 25, 2018, brief adjudicative proceeding, the Presiding Officer vacated the Initial Order entered October 4, 2018, waiving the penalty assessed against you.

Thank you for your prompt attention to this matter.

If you have questions, please contact us by email at pdc@pdc.wa.gov.

Sincerely,

/s _____
Fox Blackhorn
Compliance Coordinator

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 38985

TRACY RUSSELL,

Respondent.

Findings of Fact,
Conclusions of Law, and
Order

Pursuant to the brief enforcement hearing (brief adjudicative proceeding) notice sent to TRACY RUSSELL on August 16, 2018, A brief adjudicative proceeding was held on September 24, 2018, in Room 206, Evergreen Plaza Building, 711 Capitol Way, Olympia, Washington, to consider whether the Respondent violated RCW 42.17A.700 by failing to file a Personal Financial Affairs Statement (F-1 report) as an incumbent official, which was due to be filed not later than April 16, 2018, disclosing financial activities for calendar year 2017.

The hearing was held in accordance with Chapters 34.05 RCW and 42.17A RCW and Chapter 390-37 WAC. Commission Chair Anne Levinson was the Presiding Officer. The Commission staff was represented by Fox Blackhorn-Delph, Compliance Coordinator. At that hearing, TRACY RUSSELL was found in violation of RCW 42.17A.700 and assessed a penalty of \$250, which Commission staff requested be reconsidered by the Commission Chair, due to new information not available at the time of the original hearing.

The Respondent did not participate in the hearing or submit any written materials.

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

FINDINGS OF FACT

1. The Respondent is an incumbent SCHOOL DIRECTOR of TUKWILA SD 406.
2. As an incumbent official, the Respondent was required to file an F-1 report by April 16, 2018.
3. The Respondent filed the missing F-1 report on September 17, 2018, and returned a signed Statement of Understanding and \$100 payment.
4. The Respondent has no prior violations.

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. The Respondent violated RCW 42.17A.700 by failing to file the F-1 report by April 16, 2018.

ORDER

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

IT IS HEREBY ORDERED that Initial Order entered October 4, 2018 is VACATED.

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

Entered this 20th day of November, 2018.

Public Disclosure Commission


Peter Lavalley
Executive Director

I, Fox Blackhorn-Delph, certify that I mailed and emailed a copy of this order to the Respondent at their respective address postage pre-paid on the date stated herein.

Signed

November 20, 2018

Date

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 orally or in writing, stating the reason for review, and identifying what alleged errors are contained in the initial order. *See* WAC 390-37-144(1). Staff may ask for written confirmation of oral requests for review.
- **REQUESTS FOR REVIEW MUST BE RECEIVED AT THE COMMISSION OFFICE WITHIN TWENTY-ONE (21) CALENDAR DAYS AFTER THE POSTMARK DATE OF THIS INITIAL ORDER.** Written requests for review should be delivered or mailed to the Washington State Public Disclosure Commission, 711 Capitol Way, Room 206, Box 40908, Olympia, WA 98504-0908.

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(5).

YOU HAVE THE RIGHT TO APPEAL A FINAL ORDER TO SUPERIOR COURT, PURSUANT TO THE PETITION FOR JUDICIAL REVIEW PROVISIONS OF RCW 34.05.552.