



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.pdca.wa.gov

To: Commission Members

From: Kurt Young, Compliance Officer

Date: March 17, 2017

Re: Request for Review/Reconsideration from Peter Swant: PDC Case 10086

Agenda Item

Peter Swant is seeking a review/reconsideration by the Commission of a final order entered in a Brief Enforcement Hearing held January 20, 2017 in PDC Case 10086. The reconsideration is scheduled for the March 23, 2017, Commission meeting.

Background

- Mr. Swant is an incumbent Port Commissioner for the Port of Walla Walla, since being elected to that position in 2013.
- As an incumbent Port Commissioner, Mr. Swant was required to file a Personal Financial Affairs Statement (F-1 report) no later than April 15, 2016. Mr. Swant failed to file either an F-1 or F-1A report for calendar year 2015.
- On July 6, 2016, PDC staff sent an F-1 warning letter to Mr. Swant at the following mailing address: 218 West Main Street, Walla Walla, WA 99362. This is the mailing address that was submitted to PDC staff by the Port of Walla Walla. (Note – this is the address for Coldwell Banker First Realtors in Walla Walla, where Mr. Swant is employed).
- On December 1, 2016, PDC staff sent a Brief Enforcement Hearing Notice to Mr. Swant by US mail to 218 West Main Street, Walla Walla, WA 99362.
- Mr. Swant has two prior PDC violations in the last five years, PDC Cases 14-110 and 16-064. In both of those cases, Mr. Swant filed the missing F-1 report, completed a Statement of Understanding (SOU), and paid a \$100 penalty in lieu of having an enforcement hearing held. The details are as follows:
 1. On July 11, 2014, Mr. Swant submitted a completed SOU, paid a \$100 penalty, and electronically filed his missing F-1 report on July 7, 2014 for calendar year 2013.
 2. On August 5, 2015, Mr. Swant submitted a completed SOU, paid a \$100 penalty, and paper-filed his missing F-1 report on August 3, 2015 for calendar year 2014.

- On January 20, 2017, a Brief Enforcement Hearing was held in which the Presiding Officer found Mr. Swant in violation of RCW 42.17A.700 for failing to file an F-1 report for calendar year 2015, and assessed a \$1,000 civil penalty, payable in accordance with WAC 390-37-160 within 30 days of the date of the Order.
- The initial Order was entered February 3, 2017.

Request for Review/Reconsideration

- On February 14, 2017, Mr. Swant sent an email to the PDC through the Freshdesk Portal after receiving the Order for the January 20, 2017 Brief Enforcement hearings, requesting that the Commission review the \$1,000 penalty assessed against him.
- Mr. Swant included with his February 14, 2017, email request for review, a completed F-1 report for calendar year 2015, a marked-up signed SOU, and a marked-up copy of a December 1, 2016, Brief Enforcement hearing notice.
- Mr. Swant stated in his request for review, that the hearing notice sent out by PDC staff “must have been sent to the wrong address” since it was forwarded to him on December 19, 2016. He noted that he was at fault for not “responding promptly” to the hearing, but questioned the fairness of assessing a \$1,000 penalty that amounted to more than five percent of his \$18,000 annual salary as a Port Commissioner. He requested that the Commission “reduce my penalty to something more fair to me” and suggested a range of \$150-\$250.

Staff Comments

The mailing address used by PDC staff to send the F-1 warning letters and hearing notices to Mr. Swant for the two prior PDC violations for PDC Cases 14-110 and 16-064 was the same mailing address that staff used this year, 218 West Main Street, Walla Walla, WA 99362.

A PDC spreadsheet indicated that the December 1, 2016 hearing notice was returned or “bounced back” and that the notice was resent to Mr. Swant at an alternative address. It appears that staff forwarded the hearing notice to Mr. Swant at 707 E. Tietan, Walla Walla, WA 99362, which is the next most recent address in the PDC database. A handwritten note on the hearing notice by PDC staff member Jacob Berkey states that the hearing notice was forwarded to Mr. Swant on December 14, 2016. Mr. Swant wrote a handwritten note on the hearing notice stating that he received it on December 20, 2016.

Attachments:

- Letter from Peter Swant
- Findings of Fact, Conclusions of Law, and Order Imposing Fine (PDC Case 10086)
- July 6, 2016 Warning Letter

Reconsideration of the fine

Peter Swant

Tue 2/14/2017 1:23 PM

Inbox

To: pdc@pdc.wa.gov <pdc@pdc.wa.gov>;

Mr. Kurt Young, This is Peter Swant I'm writing in reference to PDC Order, Case 10086. Your information is not entirely correct on when I received the notice, on not receiving any thing from the Disclosure Commision . I'm enclosing a scanned copy of the very first notice I received about that subject. It was dated December 1st 2016. But as it has happened several times before, it must have been sent to the wrong address, because someone wrote on the top of the notice, FWD 12-19-2016. So those so called other notices must have also gone to some other address and this was finally corrected mid December.

I'm at fault for not responding promptly to that December 19th forwarded letter. I wrote my response to that letter the same day I received it, December 20th 2016, I have enclosed that also for you to see. you. It was around Christmas Time ! I finally took some needed time off, 10+days and put all that paper work on my desk and it just plained got covered up with other papers that came after that time. I was cleaning up my desk the week of January 16th and discovered it. I called either Tuesday the 17th or the 18th and left word for you or someone to call about this issue and what I needed to do to clear it all up. I never did recieve any calls or any messages left. As I said in my statement why were these notices not sent to the Port Office Office address?? The place that is where I conduct Port Business! That address is The Port Of Walla Walla, 310 A Street, Walla Walla Wa. 99362 Att. Peter Swant

Do you think it is really fair that you penalize me approximately over 5% of my take home pay from Port Job. I made a little over \$18,000 last year at the port. I think the last time I figured the hours I put in on a fairly normal month for the Port of Walla Walla, It came out to be Between \$5 to \$6 dollars per hour. Lets see the minimum wage for Washington State is \$11.50 an hour. Boy I must be do for a wage increase. I don't do this job for the money! I do it because I want to contribute something back to the community, for all this community has done for me and my 3rd Generation Family. Our sole purpose at the port is and I quote "Working to enhance the economic vitality of Walla Walla County through the creation and retention of family wage jobs"

So in closing I would request that you reduce my penalty to something much more Fair to me. \$150-\$250???? I'm going to scan all the documents I have for you today. I will also put them in a envelope and get it in the mail today. Please honor my requests in the future that anything that pertains to the Port be mailed to the Port. Thank you for your time and attention to this request.

Peter Swant

Realtor/Broker

Windermere Real Estate

Cell: 509-520-1120

Office: 509-525-2151

peterswant.com



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908
E-mail: pdc@pdc.wa.gov • Website: www.pdc.wa.gov

~~December 1, 2016~~ fwd 12/14/2016 jf

Subject: F-1 Brief Enforcement Hearing Notice PDC Case Number 10086

Dear: Mr./Ms. SWANT

The Public Disclosure Commission (PDC) has not received your Personal Financial Affairs Statement (F-1 report) disclosing financial activities for calendar year 2015. RCW 42.17A.700 requires every elected or appointed official to file an annual F-1 report, which was to have been filed no later than April 15, 2016. On July 6, 2016, PDC staff sent you a reminder letter to file the missing F-1 report.

DID NOT RECEIVE ANY NOTICE UNTIL DEC 2016

In accordance with RCW 42.17A.110 and RCW 42.17A.755, a Brief Adjudicative Proceeding (Brief Enforcement Hearing) has been scheduled to determine if you violated RCW 42.17A.700 by failing to file the required annual F-1 report for calendar year 2015. Under the Brief Enforcement Hearing rules, the Presiding Officer has the authority to assess civil penalties in accordance with a penalty schedule adopted by the Commission (see enclosed copy).

HEARING INFORMATION

Date and time: **Friday, January 20, 2017 at 10:30 a.m. (approximate time)**
Place: Evergreen Plaza Building, Room 206
711 Capitol Way, Olympia, WA, 98504-0908
Presiding Officer: Anne Levinson, Chair, Public Disclosure Commission

TO AVOID THE HEARING

In order to avoid the Brief Enforcement Hearing, please ensure that the following items are received by the Public Disclosure Commission by **12:00 p.m. Wednesday, January 11, 2017:**

1. A completed and signed F-1 Report (a blank F-1 form is enclosed).
2. A signed Statement of Understanding (blank copy enclosed); and
3. A check or money order for \$100, made payable to:

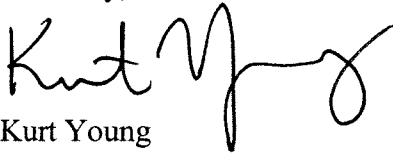
WA State Treasurer - Public Disclosure Commission
Financial Office
PO Box 41465
Olympia, WA 98504-1465

If there are circumstances you wish to have considered at the Brief Enforcement Hearing, you may attend the hearing in person, or participate by telephone. For your information, most Respondents that participate at the Brief Enforcement hearings, do so by telephone.

If you cannot participate at the Brief Enforcement Hearing, you may provide a written response describing your circumstances to the Presiding Officer for her to consider. Please submit your written response **by 12:00 p.m. Wednesday, January 11, 2017.**

If you plan on participating at the Brief Enforcement hearing or have questions about the hearing process, please contact Kurt Young by email at pdcc@pdcc.wa.gov – be sure to reference your case number 10086 in the subject line of the email.

Sincerely,



Kurt Young
Compliance Officer

Enclosures:

- Statement of Understanding
- F-1 Penalty Schedule
- Blank F-1 form



Public Disclosure Commission
Shining Light on Washington Politics Since 1972

PDC Statement of Understanding

2015 F-1 Report

I hereby acknowledge that I, PETER SWANT, did not
(Printed Name of Respondent)

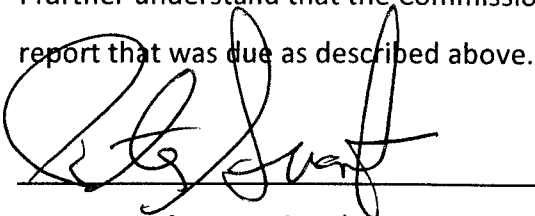
timely file the required Personal Financial Affairs Statement (F-1 Report) that was due within two weeks of April 15, 2016, 2016, thereby violating 42.17A.700.

I want to avoid the time and expense resulting from a brief enforcement hearing before the Commission. Therefore, I am filing the F-1 report, completing the Statement of Understanding, and enclosing a check or money order in the amount of \$150 for the missing report, in lieu of a hearing being held.

I understand that this will resolve all issues regarding my failure to timely file the F-1 report, provided that a check or money order for \$150, the completed missing report(s), and this signed Statement of Understanding are all received by Wednesday, January 11, 2017.

~~I WAS NOT PAYING A LATE FEE BECAUSE~~
I JUST RECEIVED THIS NOTICE

I further understand that the Commission will not hold a Hearing regarding my obligation to timely file the F-1 report that was due as described above.



Signature of Respondent/Candidate

I RECEIVED THIS NOTICE ON DEC. 16TH 2016
FOR THE FIRST TIME. I HAVE NOT
12-20-16

Date Signed

RECEIVED ANY OTHER
CORRESPONDENCE TO THIS
DATE I THOUGHT THIS WAS

Be sure to include your F-1 report, and make your check or money order payable to "Washington State Treasurer." Mail or deliver this Statement of Understanding, your completed F-1 report, and your payment to:

WA State Treasurer - Public Disclosure Commission

Financial Office

PO Box 41465

Olympia, WA 98504-1465

DONE (THE F-1 REPORT)
EVERY TWO YEARS!

WHY WAS IT NOT SENT TO
THE PORT OF WALLA WALLA OFFICE
ADDRESS. THIS IS WHERE
THE PART TIME JOB COMES
FROM! 310 A STREET
WALLA WALLA WA
99362

PUBLIC DISCLOSURE COMMISSION 711 CAPITOL WAY RM 206 PO BOX 40908 OLYMPIA WA 98504-0908 (360) 753-1111 TOLL FREE 1-877-601-2828		PDC FORM F-1 (1/15)		PERSONAL FINANCIAL AFFAIRS STATEMENT		P M O A S R T K PDC OFFICE USE													
Refer to instruction manual for detailed assistance and examples. Deadlines: Incumbent elected and appointed officials – by April 15. Candidates and others – within two weeks of becoming a candidate or being newly appointed to a position.				<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">DOLLAR CODE</th> <th style="text-align: left;">AMOUNT</th> </tr> <tr> <td>A</td> <td>\$1 to \$4,499</td> </tr> <tr> <td>B</td> <td>\$4,500 to \$23,999</td> </tr> <tr> <td>C</td> <td>\$24,000 to \$47,999</td> </tr> <tr> <td>D</td> <td>\$48,000 to \$119,999</td> </tr> <tr> <td>E</td> <td>\$120,000 or more</td> </tr> </table>		DOLLAR CODE	AMOUNT	A	\$1 to \$4,499	B	\$4,500 to \$23,999	C	\$24,000 to \$47,999	D	\$48,000 to \$119,999	E	\$120,000 or more	RECEIVED	
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D	\$48,000 to \$119,999																		
E	\$120,000 or more																		
SEND REPORT TO PUBLIC DISCLOSURE COMMISSION																			
Last Name First Middle Initial <div style="font-size: 2em; font-family: cursive;">SWANT PETER P.</div>				Names of immediate family members, including registered domestic partner. If there is no reportable information to disclose for dependent children, or other dependents living in your household, do not identify them. Do identify your spouse or registered domestic partner. See F-1 manual for details.															
Mailing Address (Use PO Box or Work Address) * <div style="font-size: 1.5em; font-family: cursive;">707 EAST TILMAN 310 A STREET</div>																			
City County Zip + 4 <div style="font-size: 1.5em; font-family: cursive;">WALLA WALLA WASH. 99362</div>																			
Filing Status (Check only one box.) <input checked="" type="checkbox"/> An elected or state appointed official filing annual report <input type="checkbox"/> Final report as an elected official. Term expired: _____ <input type="checkbox"/> Candidate running in an election: month _____ year _____ <input type="checkbox"/> Newly appointed to an elective office <input type="checkbox"/> Newly appointed to a state appointive office <input type="checkbox"/> Professional staff of the Governor's Office and the Legislature				Office Held or Sought Office title: <div style="font-size: 1.5em; font-family: cursive;">PORT COMMISSIONER</div> County, city, district or agency of the office, name and number: <div style="font-size: 1.5em; font-family: cursive;">WALLA WALLA</div> Position number: <div style="font-size: 1.5em; font-family: cursive;">DIST. 1</div> Term begins: <div style="font-size: 1.5em; font-family: cursive;">2014 JAN 1st</div> ends: <div style="font-size: 1.5em; font-family: cursive;">2019 DEC 31st</div>															
<div style="display: flex; justify-content: space-between;"> <div style="width: 10%;"> 1 <small>Show Self (S) Spouse (SP/DP) Dependent (D)</small> </div> <div style="width: 90%;"> INCOME List each employer, or other source of income (pension, social security, legal judgment, etc.) from which you or a family member, including registered domestic partner, received \$2,400 or more during the period. Include stock options received during the reporting period that had a value of \$2,400 or more. (Report interest and dividends in Item 3.) </div> </div>																			
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Name and Address of Employer or Source of Compensation</th> <th style="width: 20%;">Occupation or How Compensation Was Earned</th> <th style="width: 30%;">Amount: (Use Code)</th> </tr> </thead> <tbody> <tr> <td>PETER SWANT WINDERMERE BROKER 202 SOUTH FIRST ST. WALLA WALLA WA</td> <td>REACTION/BROKER</td> <td>E</td> </tr> <tr> <td>PETER SWANT PORT OF WALLA WALLA</td> <td>COMMISSIONER</td> <td>B</td> </tr> <tr> <td>ANNE SWANT WALLA WALLA PUBLIC SCHOOLS 364 S. PARK ST. WALLA WALLA WA</td> <td>TEACHER</td> <td>D</td> </tr> </tbody> </table>								Name and Address of Employer or Source of Compensation	Occupation or How Compensation Was Earned	Amount: (Use Code)	PETER SWANT WINDERMERE BROKER 202 SOUTH FIRST ST. WALLA WALLA WA	REACTION/BROKER	E	PETER SWANT PORT OF WALLA WALLA	COMMISSIONER	B	ANNE SWANT WALLA WALLA PUBLIC SCHOOLS 364 S. PARK ST. WALLA WALLA WA	TEACHER	D
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Check Here <input type="checkbox"/> if continued on attached sheet																			
<div style="display: flex; justify-content: space-between;"> <div style="width: 10%;"> 2 </div> <div style="width: 90%;"> REAL ESTATE List street address, assessor's parcel number, or legal description AND county for each parcel of Washington real estate with value of over \$12,000 in which you or a family member, including registered domestic partner, held a personal financial interest during the reporting period. (Show partnership, company, etc. real estate on F-1 supplement.) </div> </div>																			
Property Sold or Interest Divested <div style="font-size: 1.5em; font-family: cursive;">NOTHING PURCHASED</div>		Assessed Value (Use Code)	Name and Address of Purchaser		Nature and Amount (Use Code) of Payment or Consideration Received														
Property Purchased or Interest Acquired <div style="font-size: 1.5em; font-family: cursive;">NONE</div>			Creditor's Name/Address <div style="font-size: 2em; font-family: cursive;">(SEE ATTACHED SHEET)</div>		Payment Terms	Security Given	Mortgage Amount - (Use Code) Original Current												
All Other Property Entirely or Partially Owned																			
Check here <input type="checkbox"/> if continued on attached sheet																			

CONTINUE ON NEXT PAGE

3

ASSETS / INVESTMENTS - INTEREST / DIVIDENDS

List bank and savings accounts, insurance policies, stock, bonds and other intangible property (including but not limited to stock options) held during the reporting period.

A. Name and address of each bank or financial institution in which you, a family member, including registered domestic partner, had an account over \$24,000 any time during the report period.	Type of Account or Description of Asset	Asset Value (Use Code)	Income Amount (Use Code)
	N/A		
B. Name and address of each insurance company where you, a family member, including registered domestic partner, had a policy with a cash or loan value over \$24,000 during the period.	N/A		
C. Name and address of each company, association, government agency, etc. in which you, a family member, including registered domestic partner, owned or had a financial interest worth over \$2,400. Include stocks, bonds, ownership, retirement plan, IRA, notes, stock options, and other intangible property. If you, your spouse, registered domestic partner and/or dependents had decision making authority regarding individual assets/investments list each asset or investment, the value and any income amount. EXAMPLE: If you self-directed an investment account identify each stock or other asset in that account.	(ANNE MY WIFE) W.S. TEACHERS RETIREMENT PLAN TRRS TRS 3 RETIREMENT ACCOUNT	E A	E
(2) EDWARD JONES RETIREMENT			

Check here ☐ if continued on attached sheet.

4

CREDITORS

List each creditor you or a family member, including registered domestic partner, owed \$2,400 or more any time during the period. Don't include retail charge accounts, credit cards, or mortgages or real estate reported in Item 2.

AMOUNT
(USE CODE)

Creditor's Name and Address	Terms of Payment	Security Given	Original	Present
SOLARBY CREDIT UNION 9A16MA TOYOTA FINANCIAL (MAY 2018)	5-9 YEAR COMPAG 5-9 YEAR LEASE	CASH QW TRADED IN 2006 LEXUS	15,000 LEASE	7,036

Check here ☐ if continued on attached sheet.

5

All filers answer questions A thru D below. If the answer is YES to any of these questions, the F-1 Supplement must also be completed as part of this report. If all answers are NO and you are a candidate for state or local office, an appointee to a vacant elective office, or a state executive officer filing your initial report, no F-1 Supplement is required.

Incumbent elected officials and state executive officers filing an annual financial affairs report also must answer question E. An F-1 Supplement is required of these officeholders unless all answers to questions A thru E are NO.

- A. At any time during the reporting period were you, your spouse, registered domestic partner or dependents (1) an officer, director, general partner or trustee of any corporation, company, union, association, joint venture or other entity or (2) a partner or member of any limited partnership, limited liability partnership, limited liability company or similar entity including but not limited to a professional limited liability company? NO If yes, complete Supplement, Part A.
- B. Did you, your spouse, registered domestic partner or dependents have an ownership of 10% or more in any company, corporation, partnership, joint venture or other business at any time during the reporting period? NO If yes, complete Supplement, Part A.
- C. Did you, your spouse, registered domestic partner or dependents own a business at any time during the reporting period? NO If yes, complete Supplement, Part A.
- D. Did you, your spouse, registered domestic partner or dependents prepare, promote or oppose state legislation, rules, rates or standards for compensation or deferred compensation (other than pay for a currently-held public office) at any time during the reporting period? NO If yes, complete Supplement, Part B.
- E. **Only for Persons Filing Annual Report.** Regarding the receipt of items not provided or paid for by your governmental agency during the previous calendar year: 1) Did you, your spouse, registered domestic partner or dependents (or any combination thereof) accept a gift of food or beverages costing over \$50 per occasion? NO or 2) Did any source other than your governmental agency provide or pay in whole or in part for you, your spouse, registered domestic partner and/or dependents to travel or to attend a seminar or other training? NO If yes to either or both questions, complete Supplement, Part C.

ALL FILERS EXCEPT CANDIDATES. Check the appropriate box.

- ☐ I hold a state elected office, am an executive state officer or professional staff. I have read and am familiar with RCW 42.52.180 regarding the use of public resources in campaigns.
- ☒ I hold a local elected office. I have read and am familiar with RCW 42.17A.555 regarding the use of public facilities in campaigns.

*CANDIDATES: Do not use public agency addresses or telephone numbers for contact information.

CERTIFICATION: I certify under penalty of perjury that the information contained in this report is true and correct to the best of my knowledge.

Signature: [Signature] Date: _____
 Contact Telephone: (509) 520-1126
 Email: PETERSWANT@WINDERMERE.COM (work)
 Email: _____ (Home) Optional

REPORT NOT ACCEPTABLE WITHOUT FILER'S SIGNATURE



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

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February 3, 2017

Peter Swant
707 East Tietan
Walla Walla WA 99362

Subject: PDC Order, Case 10086

Dear Mr. Swant:

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

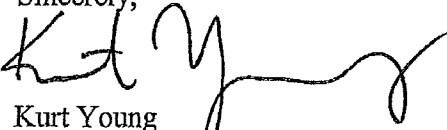
At the January 20, 2017, Brief Enforcement hearing, the Presiding Officer assessed a total civil penalty of \$1,000 in accordance with WAC 390-37-160, that is payable within 30 days of the date of this Order.

The \$1,000 penalty is payable no later than March 4, 2017. Please make the check or money order payable to the WA State Treasurer, and mail the payment to the following:

WA State Treasurer - Public Disclosure Commission
Financial Office
PO Box 41465
Olympia, WA 98504-1465

Thank you for your prompt attention to this matter, and please file the missing F-1 report for CY 2015. If you have questions, please contact me by email at kurt.young@pdc.wa.gov.

Sincerely,


Kurt Young
Compliance Officer

Enclosure



STATE OF WASHINGTON

PUBLIC DISCLOSURE COMMISSION

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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

Peter Swant
707 East Tietan
Walla Walla WA 99362

In Re Compliance with RCW 42.17A

Peter Swant

Respondent.

PDC Case 10086

Findings of Fact,
Conclusions of Law, and
Order Imposing Fine

A brief enforcement hearing (brief adjudicative proceeding) was held on January 20, 2017, 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 15, 2016, disclosing financial activities for calendar year 2015.

The hearing was held in accordance with Chapters 34.05 and 42.17A RCW and Chapter 390-37 WAC. A brief enforcement hearing notice was sent to Peter Swant on December 1, 2016. Commission Chair Anne Levinson was the Presiding Officer. The Commission staff was represented by Kurt Young, Compliance Officer. 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 Port Commissioner for the Port of Walla Walla, since being elected to that position in 2013.
2. As an incumbent Port Commissioner, the Respondent was required to file an F-1 report no later than April 15, 2016.
3. The Respondent did not file the missing F-1 report by the date of the hearing.
4. The Respondent has two prior PDC violations in the last five years, PDC Case 14-110 and 16-064.

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 15, 2016.

ORDER

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

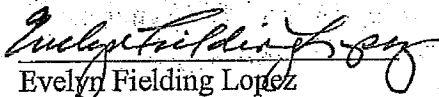
IT IS HEREBY ORDERED that the Respondent is assessed a civil penalty of **\$1,000**, in accordance with the F-1 penalty schedule set forth in WAC 390-37-160, for a filer with two prior PDC violation in the last five years, payable within 30 days of the date of the Order.

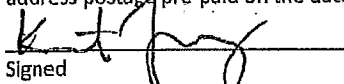
In the event the Respondent fails to pay the \$1,000 penalty within 30 days of the date of the Order, PDC staff is directed to refer the matter to DES for collection of the amount owed.

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

Entered this 3rd day of February, 2017.

Public Disclosure Commission


Evelyn Fielding Lopez
Executive Director

I, Kurt Young, certify that I mailed a copy of this order to the Respondent/Applicant at his/her respective address postage pre-paid on the date stated herein.
 2/3/2017
Signed Date

Respondent's Appeal Rights

REVIEW OF INITIAL ORDER - BY THE COMMISSION

The presiding officer will issue an initial order following a brief enforcement hearing. Any party may request the Commission **review** an initial order. Parties seeking the review must:

- Make the request orally or in writing, stating the reason for review (*WAC 390-37-144*).
- Deliver the request so it is received at the Commission office within **TWENTY-ONE (21) BUSINESS DAYS** after the postmark date of the initial order.

A Respondent does not need to pay a penalty until after the Commission rules on the request. If the Commission is unable to schedule a meeting to consider the request within twenty (20) business days, the initial order becomes a **final order** and the request will automatically be treated as a **request for reconsideration** of a final order (unless the party advises the Commission otherwise, such as by withdrawing the request). See more information on reconsideration below.

If the request for review was an oral request, it must now be confirmed in writing. The matter will be scheduled before the full Commission as soon as practicable. If the Commission does not receive a request for review within twenty-one (21) business days, the initial order will automatically become a **final order**. At that point, the Respondent is legally obligated to pay the penalty unless reconsideration has been sought or the matter has been timely appealed to Superior Court. *RCW 42.17A.755; RCW 34.05.470; RCW 34.05.570*.

RECONSIDERATION OF FINAL ORDER – BY THE COMMISSION

Any party may ask the Commission to **reconsider** a final order. Parties seeking reconsideration must:

- Make the request in writing;
- Include the specific grounds or reasons for the request; and
- Deliver the request to the PDC office so it is received within **TWENTY-ONE (21) BUSINESS DAYS** of the date that the Commission serves this order upon the party. *WAC 390-37-150*.
- Note: the date of service by the Commission on a party is considered the date of mailing by U.S. mail if the order is mailed, the date the Order is emailed if agreed to by the Respondent, or the date received if the order is personally served. *RCW 34.05.010(19)*. (The Commission orders are generally mailed via U.S. mail or emailed.)

Finding, Conclusions & Order

Peter Swant

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Within twenty (20) business days after the petition for reconsideration is filed, the Commission may either act on the petition or notify the parties in writing of the date by which it will act. If neither of these events happens within twenty business days, the Commission is deemed to have denied the petition for reconsideration. WAC 390-37-150.

A Respondent is not required to ask the Commission to reconsider a final order before seeking judicial review by a superior court. RCW 34.05.470(5).

FURTHER APPEAL RIGHTS - SUPERIOR COURT

A **final order** issued by the Public Disclosure Commission is subject to **judicial review** under the Administrative Procedure Act (APA), chapter 34.05 RCW. *RCW 42.17A.755*. The procedures are provided in the APA at RCW 34.05.510 - .574.

ENFORCEMENT OF FINAL ORDERS

If **enforcement** of a final order is required, the Commission may seek to enforce a final order in superior court under RCW 42.17A.755 - .760, and recover legal costs and attorney's fees if a penalty remains unpaid and no petition for judicial review has been filed. This action will be taken without further order by the Commission.



STATE OF WASHINGTON

PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908
E-mail: pdcc@pdcc.wa.gov • Website: www.pdcc.wa.gov

If you have questions or need assistance, PLEASE DO NOT CALL our office. Instead, PLEASE EMAIL US at pdcc@pdcc.wa.gov and indicate "Annual F1 WARNING" in the subject line of the email so that we can more quickly assist you

July 6, 2016

PETER SWANT
218 W. MAIN ST.
WALLA WALLA WA 99362

This letter is important. If you fail to file your required Annual F1 report, you may face an enforcement action and monetary penalties.

Warning Letter: Missing Annual Personal Financial Affairs Statement (F1) Report

Dear PETER SWANT:

The Public Disclosure Commission (PDC) has not received your Personal Financial Affairs Statement (F1) report for 2016. Every elected or appointed official is required to file the annual F1 report covering the previous 12 months (2015). You should have filed this report within two weeks of Tax Day, April 15, 2016.

Please submit your missing F1 report as soon as possible.

If you believe you are receiving this letter in error, please contact our office as soon as possible using the email listed below.

F1 reports are required by RCW 42.17A.700.

Please contact our office by email at pdcc@pdcc.wa.gov if you have any questions.

PLEASE EMAIL US at pdcc@pdcc.wa.gov
and indicate "Annual F1 WARNING" in the subject line of the email
so that we can more quickly assist you