



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

March 24, 2016

Mikael (Chris) Monson
12015 SE 200TH Street
Kent WA 98031

Subject: PDC Case No. 1862

Dear Dr. Monson:

Enclosed is a copy of the Public Disclosure Commission's Order Imposing Fine that was entered in the above-referenced case. The Presiding Officer assessed a \$400 civil penalty against you, of which \$350 of the penalty is suspended on the following conditions: (1) You commit no further violations of RCW 42.17A for six years from the date of the Order; and (2) The \$50 non-suspended portion of the penalty is paid within 30 days from the date of the Order.

Please pay the \$50 non-suspended portion of the penalty by April 22, 2016, and make the check or money order payable to the "WA STATE TREASURER." Be sure to reference PDC Case No. 1862 in the memo line of the check or money order, and mail the penalty to:

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

Thank you for your participation in the Brief Enforcement hearing. If you have any questions, please contact me at (360) 664-8854; or by email at kurt.young@pdc.wa.gov.

Sincerely,

Kurt Young
PDC Compliance Officer

Enclosures: Final Order in Case No. 1862
Information about Appeals and Enforcement of Final Orders



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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

Mikael (Chris) Monson
12015 SE 200TH Street
Kent WA 98031

In Re Compliance with RCW 42.17A

Mikael (Chris) Monson

Respondent.

PDC Case No. 1862

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

A brief enforcement hearing (brief adjudicative proceeding) was held March 15, 2016, in Room 206, Evergreen Plaza Building, 711 Capitol Way, Olympia, Washington to consider whether Mikael (Chris) Monson violated RCW 42.17A.205 by failing to timely file a Candidate Registration (C-1 report), and RCW 42.17A.700 by failing to timely file a Personal Financial Affairs Statement (F-1 report) both due within two weeks of his declaring his candidacy for office, or no later than May 29, 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 Mikael Monson on March 1, 2016. Commission Chair Katrina Asay was the Presiding Officer. The Commission staff was represented by Kurt Young, Compliance Officer. The Respondent participated by telephone and provided testimony to the Presiding Officer.

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

FINDINGS OF FACT

1. On May 15, 2015, the Respondent filed a Washington State Declaration of Candidacy with King County Elections, declaring his candidacy for Hospital Commissioner for King County Public Hospital District 1, Position No. 2 in the 2015 General Election.
2. As a 2015 candidate for public office, the Respondent was required to file with the Public Disclosure Commission (PDC) an F-1 report, and a C-1 report, both due within two weeks of his declaring for office, or no later than May 29, 2015.

3. On June 24, 2015 after being contacted by PDC staff, the Respondent sent a letter to the PDC indicating that due to extenuating circumstances, he was withdrawing his candidacy with PDC and terminating his campaign for the Hospital Commissioner position. The Respondent stated that he did not intend to campaign for the Hospital Commissioner position, and that he would not accept the office if he was formally elected.
4. After staff received the Respondent's letter, staff pulled his name from the 2015 candidate list for failing to file his F-1 report or C-1 report, and he was not included in the 2015 candidate Group Enforcement process.
5. The Respondent won the 2015 general election and accepted the position as Hospital Commissioner for King County Public Hospital District 1, Position No. 2, and was sworn into office on January 4, 2016. After taking office, the Respondent filed an F-1 report on December 29, 2015, and he filed a C-1 report on January 6, 2016, along with an additional F-1 report.
6. On January 12, 2016, PDC Executive Director Evelyn Fielding Lopez filed a staff generated complaint against the Respondent for failing to timely file a C-1 report and F-1 report.
7. The Respondent stated that he initially decided to run for office as a local physician due to his concerns "...about the lack of community control over Valley Medical Center" and that he filed his Declaration of Candidacy on May 15, 2015, the last date for candidates to file for office. He stated that his father is 80 years old and has had some health related issues that concerned him for some time, and that his health took a turn for the worse in 2015 due to a lack of availability of a "life-saving drug he needs to take daily" for his heart.
8. The Respondent stated that after he filed for office, he was spending a lot of his time caring for his father that included him traveling to Canada for his father's heart medication, while also trying to take care of his patients. He stated that put him under a lot of stress, which left him no time to campaign for the Hospital Commissioner position, so he withdrew his candidacy with the PDC, but it was too late to withdraw with King County Elections, and he only found he was on the general election ballot when a patient informed him in October of 2015. He stated that he did not campaign for the Hospital Commissioner position, and he did not raise or spend any money including his personal funds.
9. The Respondent stated that since he received over 65% of the vote, he felt an obligation to the voters who wanted him to represent them as Hospital Commissioner. He apologized for failing to timely file his C-1 and F-1 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. The Respondent violated RCW 42.17A.205 by failing to timely file a Candidate Registration (C-1 report), due within two weeks of his declaring his candidacy or no later than May 29, 2015.
3. The Respondent violated RCW 42.17A.700 by failing to timely file a Personal Financial Affairs Statement (F-1 report), also due within two weeks of his declaring his candidacy or no later than May 29, 2015.

ORDER

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

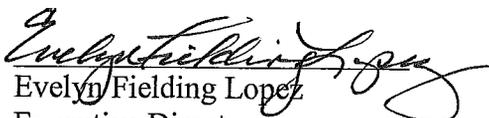
IT IS HEREBY ORDERED that the Respondent is assessed a \$400 civil penalty, of which \$350 of the penalty is suspended on the following conditions:

1. **The Respondent commits no further violations of RCW 42.17A for six years from the date of the Order; and**
2. **The \$50 non-suspended portion of the penalty is paid within 30 days from the date of the Order.**

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

Entered this 24th day of March, 2016.

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. Kurt Young 3/24/16

Enclosure: Information about Appeal Rights

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**INFORMATION ABOUT APPEALS OF INITIAL ORDERS,
FURTHER APPEAL RIGHTS,
AND ENFORCEMENT OF FINAL ORDERS**

APPEALS

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, 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.)

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.