

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 2, 2018

DAYN BRUNNER 46228 GILES RD DARRINGTON, WA 98241

And delivered electronically to "dbrunner@darringtonfd24.com"

Subject: PDC Order, Case 38838

Dear Dayn Brunner,

Enclosed is a copy of the Public Disclosure Commission's Order Imposing Fine that was entered in the above-referenced case. At the October 25, 2018, Enforcement Hearing, the Commission assessed a total civil penalty of \$1,500 in accordance with WAC 390-37-143. The \$1,500 penalty is payable within 30 days of the date of this Order.

The \$1,500 penalty is payable no later than <u>December 3, 2018</u>. Please make the check or money order payable to the WA State Treasurer, and mail the payment to the following:

Department of Enterprise Services Small Agency Services PO Box 41465 Olympia, WA 98504-1465

Please do not send the payment to the PDC offices.

Thank you for your prompt attention to this matter.

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

Sincerely,

Is Thuse Thereby Tabatha Blacksmith Compliance Coordinator

Enclosure: Initial Order

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1	calendar year 2017, due not later than April 16, 2018.
2	The Commissioners had before them the following materials:
3	• Enforcement Hearing Memorandum dated October 16, 2018, prepared by Tabatha
4	Blacksmith, Compliance Coordinator.
5	Warning Letter for missing Personal Financial Affairs Statement from PDC staff dated July
6	16, 2018.
7	• Brief Enforcement Hearing Notice dated August 16, 2018, for the hearing on September 24,
8	2018, including information for submitting a Statement of Understanding by September 19,
9	2018, and a copy of the Brief Enforcement Hearings penalty schedule.
10	• F-1 Enforcement Hearing Notice dated October 15, 2018, indicating the Brief Enforcement
11	Hearing was converted to an Enforcement Hearing before the full Commission on October
12	25, 2018.
13	• Cover letter and Initial Order Imposing Fine (PDC Case 22218), dated September 5, 2017.
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15	II. FINDINGS OF FACT
16 17	1. Dayn Brunner was elected Fire Commissioner for Snohomish County Fire Protection
18	District 24 in 2017.
19	2. Per RCW 42.17A.700, Mr. Brunner was required to file a Personal Financial Affairs
20	Statement (F-1 report) disclosing personal financial information for calendar year 2017 no later
21	than April 16, 2018.
22	
23	3. From April to June of 2018, PDC staff sent seven email reminders to Mr. Brunner
24	concerning the F-1 filing requirement.
25	4. On July 16, 2018 PDC staff sent a warning letter by U.S. Mail, concerning Mr.
36	Brunner's failure to file the F-1 report

1	6. On August 16, 2018, PDC staff served Mr. Brunner by U.S. mail and email, with a
2	hearing notice for a Brief Adjudicative Proceeding to be held on September 24, 2018,
3	concerning the failure to timely file the F-1 report.
4	7. On September 24, 2018, a Brief Adjudicative Proceeding was held in which the
5	Presiding Officer determined that, in accordance with WAC 390-37-143(5), Mr. Brunner's
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7	case needed to be scheduled before the full Commission for an enforcement action as:
8	 He was found in violation in the previous reporting period;
9	o The violation remained in effect following any appeals; and
10	 He had not filed the disclosure form that was the subject of the prior violation.
11	9 On Oataban 15 2019 DDC staff armed David
12	8. On October 15, 2018, PDC staff served Dayn Brunner by U.S. mail and email, with a
13	hearing notice for an Adjudicative Proceeding before the full Public Disclosure Commission, to
14	be held on October 25, 2018, concerning the failure to timely file the F-1 report.
15	9. As of the date of the October 25, 2018 hearing, Mr. Brunner had not filed the missing
16	F-1 report for calendar year 2017.
17	
18	10. Dayn Brunner failed to timely file an F-1 report for calendar year 2016, which was
19	due no later than April 17, 2017 (PDC Case 22218). At the August 23, 2017 Brief Adjudicative
20	Proceeding, Mr. Brunner was found in violation of RCW 42.17A.700 and assessed a \$250
21	penalty for failing to timely file an F-1 report, which was due no later than April 17, 2017. As
22	of the date of the review hearing Mr. Brunner has not paid the \$250 civil penalty for PDC Case
23	22218 and had not filed the missing F-1 report for calendar year 2016.
24	III. CONCLUSIONS OF LAW
25	1. The Commission has jurisdiction over this proceeding pursuant to Chapter 42.17A
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1	RCW, the State campaign finance and disclosure law; Chapter 34.05 RCW, the Administrative
2	Procedure Act; and Title 390 WAC.
3	2. Respondent violated RCW 42.17A.700 by failing to file a Personal Financial Affairs
4	Statement (F-1 Report) disclosing personal financial information for calendar year 2017 no later
5	than April 16, 2018.
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7	IV. ORDER
8	Based upon the Findings and Conclusions, the Commission Orders that:
9	1. Respondent Dayn Brunner is assessed a total civil penalty of \$1,500 for violation
10	of RCW 42.17A.700, payable within 30 days of the date of this order.
11	of Rew 42.17A.700, payable within 30 days of the date of this order.
12	2. The Respondent shall also pay all prior PDC civil penalties, file the F-1 reports
14	for calendar years 2016 and 2017, and remain in compliance with all PDC
15	reporting requirements.
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18	So ORDERED this 1st day of November, 2018.
19	WASHINGTON STATE PUBLIC DISCLOSURE COMMISSION
20	FOR THE COMMISSION:
21	
22	Anne Levinson
23	Chair, Public Disclosure Commission
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1	Copy of this Order mailed and/or emailed to:
2	Dayn Brunner, Respondent 46228 Giles Rd.
3	Darrington, WA 98241 (dbrunner@darringtonfd24.com)
4	
5	Phil Stutzman, PDC Staff (phil.stutzman@pdc.wa.gov) Chad Standifer, Assistant Attorney General, Counsel for PDC Staff (ChadS@atg.wa.gov)
6	
7	I, Tabath a Discillinate , certify that I mailed and emailed a copy of this order to the
8	Respondent at their respective address postage pre-paid on the date stated herein.
9	That Tlorensails 11/2/18
10	Signed Date
11	
12	NOTICE DECONCIDED (TYO)
13	NOTICE: <u>RECONSIDERATION</u> Pursuant to the provisions of RCW 34.05.470 and WAC 390-37-150, you may file a Petition for
14	Reconsideration with the PDC within ten (10) days from the date this Final Order is served upon
	you. Any Request for reconsideration must state the specific grounds for the relief requested.
15	Petitions must be delivered or mailed to the Washington State Public Disclosure Commission,
16	711 Capitols Way, Room 206, Box 40908, Olympia WA 98504-0908.
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18	NOTICE: PETITION FOR JUDICIAL REVIEW
19	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
20	Order must be filed with the court and also served upon both the Commission and the Office of
21	the Attorney general within thirty (30) days after the date this Final Order is served upon you.
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