



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

John Vervalen
2901 Mt. Vista Road Apt. #38
Centralia WA 98531

In Re Compliance with RCW 42.17A

John Vervalen

Respondent.

PDC Case No. 13-153

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

A brief enforcement hearing (brief adjudicative proceeding) was held August 1, 2013, in Room 206, Evergreen Plaza Building, 711 Capitol Way, Olympia, Washington to consider whether the Respondent violated: (1) RCW 42.17A.205 by failing to timely file the Candidate Registration (C-1 report), which was due to be filed within two weeks of the Respondent declaring his candidacy; and (2) RCW 42.17A.700 by failing to timely file a Personal Financial Affairs Statement (F-1 report) covering the 12 months preceding the date the Respondent became a candidate for election in 2013.

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 John Vervalen on July 18, 2013. Commission Chair Amit Ranade was the Presiding Officer. The Commission staff was represented by Kurt Young, Compliance Officer. The Respondent participated by telephone and provided sworn testimony to the Presiding Officer at the hearing.

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

FINDINGS OF FACT

1. The Respondent is a candidate for City Councilmember in the City of Centralia in 2013.
2. As a candidate, the Respondent was required to file a C-1 report and an F-1 report within two weeks of the date the Respondent filed a declaration of candidacy, or no later than May 31, 2013.
3. The Respondent filed the missing C-1 and F-1 reports on July 29, 2013, prior to the date of the hearing.
4. The Respondent has no prior violations.

5. The Respondent stated that he is not a first-time candidate, and that he thought he filed the missing C-1 and F-1 reports electronically. He stated that he received what he believed were confirmations for electronically filing the C-1 and F-1 reports, but later admitted to not submitting signature filing authorization cards for the missing reports. He stated he ended up mailing the missing reports, and said he was confused about the electronic filing process. He questioned whether his confusion rose to the level of being fined \$100 for each late-filed report.

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 the C-1 report, and RCW 42.17A.700 by failing to timely file the F-1 report, which were both due to be filed no later than May 31, 2013.

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 \$200 in accordance with the penalty schedule set forth in WAC 390-37-165, of which \$175 is suspended on the following conditions:

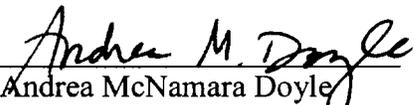
- (1) Respondent is not found to have committed any further violations of RCW 42.17A within two years of the date of this order; and
- (2) The \$25 non-suspended portion of the penalty is paid within 30 days of the date of this order.

If the Respondent fails to comply with any of these conditions, the suspended portion of the penalty will become immediately due and payable without further action by the Commission.

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

Entered this 15 day of August, 2013.

Public Disclosure Commission

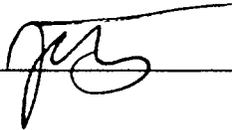

Andrea McNamara Doyle

Executive Director

Enclosure: Information about Appeal Rights

I, Jacob Berkley, certify that I mailed a copy of this order to the Respondent(s) at his/her/its respective address, postage pre-paid, on the date stated herein.

Signed



Date

8/15/13