



STATE OF WASHINGTON  
PUBLIC DISCLOSURE COMMISSION

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BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON

Kurt "Shawn" Merz  
93 Crossdike Road  
Cathlamet WA 98612

In Re Compliance with RCW 42.17A

Kurt "Shawn" Merz

Respondent.

PDC Case No. 13-289

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 RCW 42.17A.700 by failing to 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 Kurt "Shawn" Merz 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 School Director for Wahkiakum School District No. 200 in 2013.
2. As a candidate, the Respondent was required to file 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 had not filed the missing F-1 report prior to the date of the hearing.
4. The Respondent has no prior violations.

5. The Respondent stated that he is a first-time candidate for public office, and he acknowledged clearly missing the F-1 filing deadline. He accepted responsibility for the missing report, and stated that he only conducts business activity by mail and telephone. He stated he had been out of town which contributed to his failure to file the F-1 report. The Respondent stated that he started to complete the F-1 report, but had questions for PDC staff.

#### 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, which was 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 \$150 in accordance with the penalty schedule set forth in WAC 390-37-165, of which \$100 is suspended on the following conditions:**

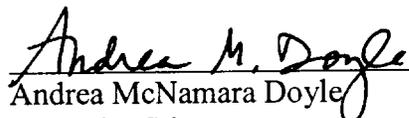
- (1) Respondent submits the F-1 report within 10 days of the date of this order; and**
- (2) The \$50 non-suspended portion of the penalty is paid within 30 days of the date of this order.**

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 Berkey, 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

8/15/13  
Date