



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

BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON

Mokihana Presley  
PO Box 1237  
Rainier WA 98576

In Re Compliance with RCW 42.17A

Mokihana Presley

Respondent.

PDC Case No. 13-304

Findings of Fact,  
Conclusions of Law, and  
Order

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 Mokihana Presley 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 in-person 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 an incumbent City Councilmember for the City of Rainier, and a candidate for election to that office 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 as of the date of the hearing.
4. As an incumbent Rainier City Councilmember, the Respondent was required to file an annual F-1 report no later than April 15, 2013, for calendar year 2012. The annual F-1 report was not filed, but is not the subject of this enforcement hearing.



5. The Respondent has no prior violations.
6. The Respondent stated she was appointed to the Rainier City Council in 2012, and was not aware of the F-1 filing requirements at that time. She stated she thought she had completed an F-1 report in April 2013.
7. The Respondent stated the hearing notice was handed to her at a Rainier City Council meeting, and that the address listed on the Brief Enforcement Hearing notice was not her mailing address, but was the address for her deceased brother. She stated she is not sure why that address was used, since it is not the mailing address she provided to the Thurston County Auditor's Office on her Declaration of Candidacy.
8. The Respondent stated that although the hearing notice referenced a July 3, 2013 warning letter, she did not receive the warning letter. She stated that she has partially completed her F-1 report, but has questions for PDC staff. She said she would complete and file her F-1 report after the hearing.

#### 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 was not properly notified of the enforcement hearing, and therefore did not violate RCW 42.17A.700.

#### ORDER

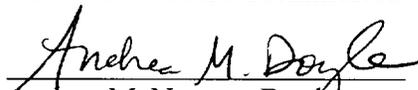
ON the basis of the foregoing Findings of Fact and Conclusions of Law,

**IT IS HEREBY ORDERED that this case is dismissed.**

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

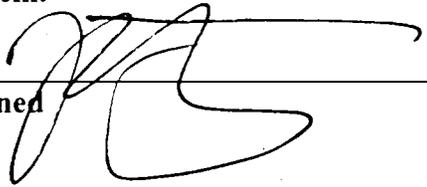
Entered this 14 day of August, 2013.

Public Disclosure Commission

  
Andrea McNamara Doyle  
Executive Director

Enclosure: Information about Appeal Rights

I, James Berkay, 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 8/14/13