

1 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**
2 **OF THE STATE OF WASHINGTON**

3 IN RE THE MATTER OF ENFORCEMENT
4 ACTION AGAINST

PDC CASE NO. 13-312

**ORDER VACATING PRIOR
ORDER**

5 Marylene Rios

6 Respondent.
7
8

9 This matter came before the Washington State Public Disclosure Commission on
10 October 24, 2013 at the PDC office, Room 206, Evergreen Plaza Building, 711 Capitol Way,
11 Olympia, Washington. The Respondent, Marylene Rios, requested a review of the initial order
12 (prior order) from a brief enforcement hearing (brief adjudicative proceeding) in this matter.
13 The review hearing was held in accordance with Chapters 34.05 and 42.17A RCW and Chapter
14 390-37 WAC.

15 Those present included Amit Ranade, Commission Chair; Grant Degginger,
16 Commission Vice-Chair; Barry Sehlin, Member; and Kathy Turner, Member. Also present
17 were Kurt Young, PDC Compliance Officer on behalf of the PDC Staff; PDC Executive
18 Director Andrea McNamara Doyle; Nancy Krier, General Counsel for the Commission; and
19 PDC staff member Nancy Coverdale as recorder/reporter of the proceedings. The Respondent
20 did not participate although she submitted a written request for review. The proceeding was
21 open to the public and recorded.

22 ///

23 ///

24 ///

25 ///

I. PROCEDURAL HISTORY

1 The matter involved the allegation that Respondent violated RCW 42.17A.700 by
2 failing to timely file a Personal Financial Affairs Statement (F-1 report) as a candidate for the
3 office of Parks and Recreation Commissioner of the North Manson Park and Recreation
4 District.

5 A brief enforcement hearing was held on August 1, 2013. An initial order (prior order)
6 from the brief hearing was entered August 14, 2013, making Findings of Fact, Conclusions of
7 Law and assessing a \$150 civil penalty for the violation.

8 On August 30, 2013, Respondent requested a review, explaining she had been dealing
9 with a family medical emergency. Staff also confirmed that Respondent had attempted to file
10 her F-1 electronically on July 15, 2013 but had not completed all the steps necessary to release
11 the report for filing. This information from the parties had not been made available to the
12 presiding officer at the time of the brief hearing.

13 On September 3, 2013, Respondent filed the missing F-1 report by completing the steps
14 necessary to file electronically.

15 Following consideration of the prior order, Respondent's request, and Mr. Young's
16 September 17, 2013 memorandum and testimony, and for the reasons provided by the parties,
17 the Commission unanimously voted to vacate the prior order.

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ORDER

18 The Findings of Fact, Conclusions of Law and Order Imposing Fine entered August 14,
19 2013 are vacated and the allegations are dismissed. No penalty is assessed.

20
21 ///
22 ///
23 ///
24 ///
25 ///
26 ///

1 The Executive Director is authorized to enter this order on behalf of the Commission.

2
3 So ORDERED this 5th day of November, 2013.

4 WASHINGTON STATE PUBLIC
5 DISCLOSURE COMMISSION

6 FOR THE COMMISSION:

7 *Andrea M. Doyle*
8 ANDREA MCNAMARA DOYLE
9 Executive Director

10
11 *ATTACHMENTS*

- 12 (1) Prior Order
13 (2) Appeals and Enforcement of Final Orders
14

15 *Copy of this order to:*
16 Marylene Rios
17 PO Box 275
18 Manson, WA 98831

19 I, *Jacob Berkman*, certify that I mailed a copy of this order to the Respondent at
20 Respondent's respective address, postage prepaid, on the date stated herein.

21 *Jacob Berkman*
Signature

11/5/13
Date



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

Marylene Rios
PO Box 275
Manson WA 98831

In Re Compliance with RCW 42.17A

Marylene Rios

Respondent.

PDC Case No. 13-312

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-I 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 Marylene Rios on July 18, 2013. Commission Chair Amit Ranade was the Presiding Officer. The Commission staff was represented by Kurt Young, Compliance Officer. The Respondent did not participate at the hearing or submit any written materials.

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

FINDINGS OF FACT

1. The Respondent is a candidate for Park and Recreation Commissioner in the Manson Park and Recreation District in 2013.
2. As a candidate, the Respondent was required to file an F-I 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-I report by the date of the hearing.
4. The Respondent has no prior violations.



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

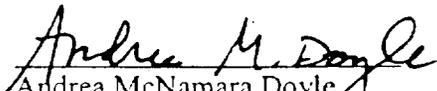
ON the basis of the foregoing Findings of Fact and Conclusions of Law,

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, that is payable within 30 days of the date of this order.

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, Jacob Berkely, 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