



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](mailto:pdc@pdc.wa.gov) • Website: [www.pdc.wa.gov](http://www.pdc.wa.gov)

November 6, 2015

CHARLES EAKINS  
5213 84TH ST SW APT 4  
MUKILTEO WA 98275

*Sent by US mail and electronically to: [ceakins@gmail.com](mailto:ceakins@gmail.com)*

Subject: Order on Respondent's Request for Reconsideration, Charles Eakins, PDC  
Case No. 16-104

Dear Mr. Eakins:

Enclosed is a copy of the Public Disclosure Commission's Order on Respondent's Request for Reconsideration in PDC Case No. 16-104. As discussed in the enclosed Order, at the Commission's regular October 22, 2015 meeting, the Commission declined to reconsider the findings in the initial Order in your case, which became a final Order on September 15, 2015. A copy of the final Order is enclosed.

Please note that \$300 penalty assessed in PDC Case 16-104 is required to be paid within 30 days of the date of the final order, and is now past due. The payment should be mailed to the PDC at the above address, made payable to "WA STATE TREASURER," and should reference Case No. 16-104.

If you have questions, please contact me at (360) 586-1042; toll free at (877) 601-2828 or by email at [tony.perkins@pdc.wa.gov](mailto:tony.perkins@pdc.wa.gov).

Sincerely,

Tony Perkins  
Acting Director of Compliance

Enclosures (2):

Order on Respondent's Request for Reconsideration  
Final Order in PDC Case 16-104



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

3  
4 IN RE THE MATTER OF ENFORCEMENT  
5 ACTION AGAINST

PDC CASE Nos. 16-104

**ORDER ON RESPONDENT'S  
REQUEST FOR  
RECONSIDERATION**

6  
7 Charles Eakins

8 Respondent.  
9

10 This matter came before the Washington State Public Disclosure Commission on  
11 October 22, 2015, at the PDC office, Room 206, Evergreen Plaza Building, 711 Capitol Way,  
12 Olympia, Washington. Respondent, Charles Eakins, requested reconsideration of the  
13 Commission Order issued following a Brief Enforcement Hearing (brief adjudicative  
14 proceeding) in this matter. The matter was held in accordance with Chapters 34.05 and 42.17A  
15 RCW and Chapter 390-37 WAC.

16 Those present included Katrina Asay, Commission Chair; Anne Levinson, Commission  
17 Vice-Chair; and Member John Bridges. Also present were Senior Assistant Attorney General  
18 Linda A. Dalton, representing the Commission; Kurt Young, PDC Compliance Officer, on  
19 behalf of PDC Staff; PDC Executive Director Evelyn Fielding Lopez; PDC Acting Director of  
20 Compliance Tony Perkins; and PDC staff member Jana Greer as recorder/reporter of the  
21 proceedings. Respondent, Charles Eakins, submitted written testimony and also participated by  
22 telephone in the proceeding. The proceeding was open to the public and recorded.

23 **I. PROCEDURAL HISTORY**

24 The matter involved Mr. Eakins' request that the Commission reconsider the finding that  
25 he violated RCW 42.17A.205 by failing to file a Candidate Registration (C-1 report) and violated  
26 RCW 42.17A.700 by failing to file a Personal Financial Affairs Statement (F-1 report) within

1 two weeks of becoming a candidate for Mukilteo City Council in the 2015 general election, or  
2 by no later than May 31, 2015.

3 A missing C-1 and F-1 Report Warning Letter was mailed to Respondent's campaign  
4 mailing address on June 18, 2015. A Brief Enforcement Hearing notice was mailed to  
5 Respondent's campaign mailing address on July 24, 2015.

6 Both the C-1/F-1 Warning Letter and the Brief Hearing Notice were mailed to 10924  
7 Mukilteo Speedway, Mukilteo, Washington 98275, the campaign mailing address listed for the  
8 Respondent on the Snohomish County Elections website. Neither letter was returned to the PDC  
9 as undeliverable. Respondent provided this mailing address for his 2015 campaign to  
10 Snohomish County Elections on May 15, 2015 at 10:14 a.m.

11 A Brief Enforcement Hearing was held on August 13, 2015. Respondent did not appear  
12 or participate. An initial order was entered on August 21, 2015, making Findings of Fact,  
13 Conclusions of Law, and assessing a \$300 civil penalty against Respondent in accordance with  
14 WAC 390-37-165. The initial order became a final order on September 15, 2015.

15 By email received by the PDC staff on September 25, 2015, Respondent requested that  
16 the Commission reconsider the final order. Respondent stated that he had no knowledge of the  
17 C-1 or F-1 filing requirements, and that he did not receive notice of the August 13, 2015 Brief  
18 Enforcement Hearing.

19 At the time of the reconsideration hearing, Respondent had a "pending" electronic C-1  
20 report that was created and saved on September 25, 2015, more than a month after the August  
21 13, 2015 Brief Enforcement Hearing. However, as of the date of the October 22, 2015  
22 reconsideration proceedings, Respondent had not certified the pending report by submitting  
23 signature authorization for electronic filing, and had not filed a C-1 report in any other manner.

24 Respondent also had not filed the required F-1 report by the date of the Commission's  
25 October 22, 2015 hearing.

26 /



1 Following the Commission's consideration of the final order; Respondent's request for  
2 reconsideration and his testimony; and Mr. Young's October 15, 2015, memorandum, the  
3 Commission unanimously voted to uphold the final order and deny Respondent's request for  
4 reconsideration.

5 **II. FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

6 The Findings of Fact, Conclusions of Law, and final Order Imposing Fine entered on  
7 September 15, 2015 are upheld. Respondent's request for reconsideration is denied. The  
8 Executive Director is authorized to enter this order on behalf of the Commission.

9 SO ORDERED this 16th day of November, 2015.

10 WASHINGTON STATE PUBLIC  
11 DISCLOSURE COMMISSION

12 FOR THE COMMISSION:

13   
14 Evelyn Fielding Lopez  
15 Executive Director

16 *This order sent by mail to:*

17 Charles Eakins  
18 5213 84<sup>th</sup> St SW Apt 4  
19 Mukilteo WA 98275

20 *And by email to:*

21 ceakins@gmail.com  
22  
23  
24  
25  
26

I, Tony Perkins, certify that I emailed a  
copy of this order to the Respondent at his respective  
email address.

T.P.  
Signed

11/6/15  
Date



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BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON

CHARLES EAKINS  
10924 MUKILTEO SPEEDWAY  
MUKILTEO WA 98275

In Re Compliance with RCW 42.17A

CHARLES EAKINS

Respondent.

PDC Case No. 16-104

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

On Thursday, August 13, 2015, the Public Disclosure Commission held a brief adjudicative proceeding in Room 206, Evergreen Plaza Building, 711 Capitol Way, Olympia, Washington.

Held in accordance with RCW Chapters 34.05, 42.17A, and WAC Chapter 390-37, the hearing determined whether the respondent violated RCW 42.17A.205 and/or .700 by failing to file the required Candidate Registration (C1) and/or Personal Financial Affairs Statement (F1) within two weeks of declaring candidacy for the 2015 election.

Public Disclosure Commission Chair Katrina Asay was the Presiding Officer. Jacob Berkey, Compliance Coordinator, and Kurt Young, Compliance Officer represented Commission Staff. Having considered the evidence, the Presiding Officer found:

FINDINGS OF FACT

- Commission staff mailed a brief enforcement hearing notice to the respondent on July 24, 2015.
- First-time candidate, no PDC filing history.

CONCLUSIONS OF LAW

Based on the above facts, as a matter of law, the Presiding Officer concluded:



**Finding, Conclusions & Order**

PDC Case No. 16-104

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1. This matter was duly and properly convened and all jurisdictional, substantive and procedural requirements were satisfied.
2. Violation of RCW 42.17A.205 and 700, which require reports to be filed no later than two weeks after declaring candidacy.

**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 \$300 in accordance with WAC 390-37-165, conditions:

**Penalty is payable within 30 days.**

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

Entered August 21, 2015.

Public Disclosure Commission

**Fredrick  
C. Kiga**

Digitally signed by Fredrick C. Kiga  
DN: cn=Fredrick C. Kiga,  
o=Washington State Public  
Disclosure Commission,  
ou=Executive Director,  
email=fred.kiga@pdc.wa.gov, c=US  
Date: 2015.08.21 08:23:15 -0700'

Frederick C. Kiga  
Executive Director

Enclosure: Information about Appeal  
Rights

SEND CERTIFICATION	
I hereby 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.	Jacob T. Berkey
Signed	
Date	8/21/15