



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)**

October 5, 2018

ZACHARY SMITH  
4509 74TH AVE CT NW  
GIG HARBOR, WA 98335

And delivered electronically to “zsmith1@gmail.com”

Subject: PDC Order, Case 38750

Dear ZACHARY SMITH,

Enclosed is a copy of the Public Disclosure Commission’s Order Imposing Fine that was entered in the above-referenced case. At the September 24, 2018, Brief Enforcement hearing, the Presiding Officer assessed a total civil penalty of \$250 in accordance with WAC 390-37-143.

Your \$250 penalty is payable no later than **November 5, 2018**. Please make the check or money order payable to the WA State Treasurer, and mail the payment to the following:

**Department of Enterprise Services  
Small Agency Services  
PO Box 41465  
Olympia, WA 98504-1465**

Please do not send the payment to the PDC offices.

Thank you for your prompt attention to this matter. Please file the missing F-1 report for calendar year 2017.

If you have questions, please contact us by email at [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov).

Sincerely,

/s/   
\_\_\_\_\_  
Fox Blackhorn  
Compliance Coordinator

Enclosure: Initial Order



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BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON

In Re: Compliance with RCW 42.17A	PDC Case 38750
ZACHARY SMITH,  Respondent.	Findings of Fact, Conclusions of Law, and <b>Order Imposing Fine</b>

Pursuant to the brief enforcement hearing (brief adjudicative proceeding) notice sent to ZACHARY SMITH on August 16, 2018, A brief adjudicative proceeding was held on September 24, 2018, 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) as an incumbent official, which was due to be filed not later than April 16, 2018, disclosing financial activities for calendar year 2017.

The hearing was held in accordance with Chapters 34.05 RCW and 42.17A RCW and Chapter 390-37 WAC. Commission Chair Anne Levinson was the Presiding Officer. The Commission staff was represented by Fox Blackhorn-Delph, Compliance Coordinator. The Respondent did not participate in 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 FIRE COMMISSIONER of PIERCE FIRE PROT DIST 05.
2. As a candidate for election, the Respondent was required to file an F-1 report by April 16, 2018.
3. The Respondent did not file the missing F-1 report prior to the date of the hearing.
4. The Respondent has no prior violations.

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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 by April 16, 2018.

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 \$250, in accordance with the F-1 penalty schedule set forth in WAC 390-37-143, payable within 30 days of the date of the Order.**

**It is further ordered that the Respondent:**

1. **Pay the \$250 civil penalty within 30 days of the date of this Order.**
2. **“Cease and desist” from failing to file the required PDC reports in accordance with RCW 42.17A.755(4).**
3. **File the missing F-1 report disclosing financial activity for calendar year 2017 within 30 days of the date of this Order.**

In the event the Respondent fails to pay the \$250 civil penalty within 30 days of the date of the Order, PDC staff is directed to refer the matter to the Department of Enterprise Services (DES) for collection of the amount owed.


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

Entered this 5<sup>th</sup> day of October, 2018.

Public Disclosure Commission

  
Sean Flynn  
General Counsel, for  
Peter Lavallee  
Executive Director

I, Fox Blackhorn, certify that I mailed a copy of this order to the Respondent at their respective address postage pre-paid, and by e-mail on the date stated herein.

 \_\_\_\_\_  
Signed Date

October 5, 2018  
Date

## APPEALS OF INITIAL ORDER

### REVIEW OF INITIAL ORDER - BY THE COMMISSION

You may request that the full Commission review this initial order. To seek review, you must:

- Make the request orally or in writing, stating the reason for review, and identifying what alleged errors are contained in the initial order. *See* WAC 390-37-144(1). Staff may ask for written confirmation of oral requests for review.
- **REQUESTS FOR REVIEW MUST BE RECEIVED AT THE COMMISSION OFFICE WITHIN TWENTY-ONE (21) CALENDAR DAYS AFTER THE POSTMARK DATE OF THIS INITIAL ORDER.** Written requests for review should be delivered or mailed to the Washington State Public Disclosure Commission, 711 Capitol Way, Room 206, Box 40908, Olympia, WA 98504-0908.

If review of this initial order is timely requested, the full Commission will hear the matter. If the Commission is unable to schedule a meeting to consider the request within twenty (20) calendar days, this initial order becomes a final order, and any request for review will automatically be considered a request for reconsideration of a final order. *See* WAC 390-37-144(4). The matter would then be scheduled for consideration and disposition at the next Commission meeting at which it is practicable to do so.

A Respondent does not need to pay a penalty until after the Commission rules on a request for review of an initial order.

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### FURTHER APPEAL RIGHTS – SUPERIOR COURT

If the Commission does not receive a request for review of this initial order within twenty-one (21) calendar days, the initial order shall be the final order. *See* WAC 390-37-142(5).

**YOU HAVE THE RIGHT TO APPEAL A FINAL ORDER TO SUPERIOR COURT, PURSUANT TO THE PETITION FOR JUDICIAL REVIEW PROVISIONS OF RCW 34.05.552.**