



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)

TO: Commission Members

FROM: Kurt Young, Compliance Officer

DATE: September 17, 2013

RE: Request for Review/Reconsideration from **Travis Lisenbee: PDC Case No. 13-284**

**Agenda Item**

Travis Lisenbee is seeking a review by the Commission of an initial order entered in a Brief Enforcement Hearing in PDC Case No. 13-284. The review is scheduled for the September 26, 2013, Commission meeting.

**Background**

Mr. Lisenbee is a first-time candidate seeking the office of School Director in the Northport School District in 2013. Mr. Lisenbee was required to file a Personal Financial Affairs Statement (F-1 report) within two weeks of declaring his candidacy in 2013, or no later than May 31, 2013, disclosing his financial activities for the previous 12 months.

A Brief Enforcement Hearing was held on August 1, 2013, at which the Presiding Officer found Mr. Lisenbee in violation of RCW 42.17A.700 for failing to file an F-1 report within two weeks of declaring his candidacy in 2013. Mr. Lisenbee was assessed a civil penalty of \$100 based on his July 31, 2013 email, and in accordance with the penalty schedule set forth in WAC 390-37-165. A portion of the penalty (\$75) was suspended on the following conditions: (1) he file the missing F-1 report within 30 days of the date of the order; (2) he is not found to have committed any further violations of RCW 42.17A within two years of the date of this order; and (3) the \$25 non-suspended portion of the penalty is paid within 30 days of the date of the order. On August 10, 2013, Mr. Lisenbee filed the missing F-1 report. The initial Order was entered August 15, 2013.

**Request for Review/Reconsideration**

Mr. Lisenbee sent a letter on August 15, 2013, requesting a review<sup>1</sup> of the penalty assessed and stating that the F-1 warning letter and hearing notice were not sent to his mailing address, and thus he was delayed in receiving notification of the missing F-1 report and the scheduled hearing.

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<sup>1</sup> Based on WAC 390-37-144, since Mr. Lisenbee's request could not be heard within 20 business days, the initial order becomes a final order, and his request is automatically treated as a request for reconsideration of a final order (rather than a review of an initial order).

Travis Lisenbee  
Request for Review/Reconsideration  
PDC Case No. 13-284  
Page 2

In his July 31, 2013 email, Mr. Lisenbee indicated that the warning letter and hearing notice were both sent to PO Box 1280, which is the mailing address for the Northport School District, and not the address he listed on the Declaration of Candidacy he filed with the Stevens County Auditor's Office.

**Staff Response**

Staff confirmed that PO Box 1280 is the post office box used by the Northport School District, but it is not clear why that address was used by the PDC database as the mailing address for Mr. Lisenbee. Staff also reviewed the number of registered voters in the Northport School District, and confirmed that after the 2012 general election, the registered voters exceeded 1,000 for the first time, thus triggering the requirement for elected officials and candidates for School Director in the Northport School District to file the F-1 report for the first time.

**Attachments:**

- Findings of Fact, Conclusions of Law, and Order Imposing Fine (PDC Case No. 13-284)
- August 15, 2013, letter from Travis Lisenbee.
- July 31, 2013 email from Mr. Lisenbee.
- 2012 Stevens County registered voter list



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August 15, 2013

Travis Lisenbee  
PO Box 1280  
Northport WA 99157

Subject: PDC Case No. 13-284

Dear Mr. Lisenbee:

Enclosed is a copy of the Public Disclosure Commission's Order Imposing Fine that was entered in the above-referenced case.

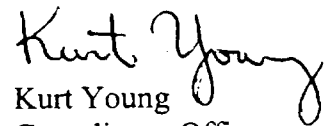
The Presiding Officer assessed a civil penalty of \$100 in accordance with the penalty schedule set forth in WAC 390-37-165, of which \$75 is suspended on the following conditions:

1. You file the missing F-1 report within 30 days of the date of this order;
2. You are not found to have committed any further violations of RCW 42.17A within two years of the date of this order; and
3. The \$25 non-suspended portion of the penalty is paid within 30 days of the date of the order.

The \$50 non-suspended portion of the penalty may be paid either by check or money order, and is payable to the WA State Treasurer. Please mail the penalty payment to the Public Disclosure Commission, and thank you for your participation in writing for the Brief Enforcement Hearing.

If you have questions, please contact me at (360) 664-8854; toll free at (877) 601-2828 or by email at [kurt.young@pdc.wa.gov](mailto:kurt.young@pdc.wa.gov).

Sincerely,

  
Kurt Young  
Compliance Officer

Enclosure



STATE OF WASHINGTON  
PUBLIC DISCLOSURE COMMISSION

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BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON

Travis Lisenbee  
PO Box 1280  
Northport WA 99157

In Re Compliance with RCW 42.17A

Travis Lisenbee

Respondent.

PDC Case No. 13-284

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 timely 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 Travis Lisenbee on July 18, 2013. Commission Chair Amit Ranade was the Presiding Officer. The Commission staff was represented by Kurt Young, Compliance Officer. The Respondent provided written materials that were presented 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 Northport School District No. 211 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 by the date of the hearing.
4. The Respondent has no prior violations.

5. The Respondent stated in a July 31, 2013, email that he is a first-time candidate, and when he filed, he understood that he was not required to file an F-1 report. He said it appears that during the most recent general election, the number of registered voters in Northport School District No. 211 increased to 1,036, requiring that candidate F-1 reports be filed. The Respondent said he has mailed his F-1 report to the PDC.
6. The Respondent stated that the hearing notice was sent to the school district and not to his home address, and was forwarded to him with a large amount of non-critical material. He stated that he works for the National Park Service, and his duties take him to various places away from home. He said his non compliance was not from disregard, but was rather from a lack of understanding. He asked the Presiding Officer to waive any penalty.

#### 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 timely 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 \$100 in accordance with the penalty schedule set forth in WAC 390-37-165, of which \$75 is suspended on the following conditions:

- (1) Respondent files the missing F-1 report within 30 days of the date of this order;
- (2) Respondent is not found to have committed any further violations of RCW 42.17A within two years of the date of this order; and
- (3) The \$25 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

Finding, Conclusions & Order

Travis Lisenbee

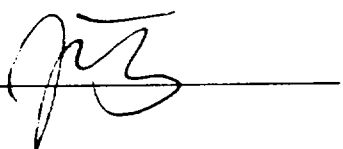
PDC Case No. 13-284

Page - 3 -

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



Date

8/15/13

To Whom it may concern,

The letter informing me of issues with my filing was not sent to my address and I was delayed in receiving it. I have enclosed the information requested, as I will abide with the spirit of the law, but I do not agree or consent to a penalty when I did not receive timely communication.

Best Regards,

Travis Lisenbee

(509) 690-8188

3383 Hwy 25 N Rt 20

Northport, WA 99157

PDC Case No.  
13-284

RECEIVED

AUG 15 2013

Public Disclosure Commission

- F1 RCVD
- No check / \$ RCVD

## **Kurt Young**

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**From:** Travis Lisenbee [charliecrusader@gmail.com]  
**Sent:** Wednesday, July 31, 2013 10:54 PM  
**To:** Kurt Young  
**Subject:** Follow up for Travis Lisenbee

Hi Kurt. I apologize for the phone tag we have been engaged in. I work for the National Park Service and it takes me out of cell range consistently during my day. Thank you for being so open to walking me through this. Per your request I offer explanation below.

To whom it may concern, I have mailed in my F1 disclosure to comply with the statute. This is the first time I have filed and was under the understanding previously that the applicable statute didn't apply to my position. I would appear that during the most recent election this district went 36 voters over the threshold.

The notice that there was an issue with my non-filing was sent to the school, not my home address. It was forwarded to me with a large amount of other material that was very non critical in nature. My National Park Service duties take me to various locals away from home, so I do not systematically review all materials given to me.

In short, my non compliance was not from disregard, but rather lack of understanding compounded by delayed communication. I ask the board to waive the penalty with the knowledge that I desire to fully comply and fulfill my requirements. I thank you for your time and your service to the citizens of our state.

Best Regards,  
Travis Lisenbee  
Northport, Wa.



10:11:30 AM

2012	2011	Jurisdiction	Point Of Contact	Mailing Address	Street Address	City	Zip
4134	3898	LAKE SPOKANE PARK & REC DIST	PHIL AUNE		6249 GUNNAR CT	NINE MILE FALLS	99026
1247	1199	LOON LAKE SD 183 *	BARB SEVEY		4001 MAPLE ST	LOON LAKE	99148
10	9	LOON LAKE SECOND SEWER DIST	BONNIE PHILLIPS		41000 GRANITE POINT RD	LOON LAKE	99148
397	388	LOON LAKE SEWER DIST 4	BROOKE LYONS	PO BOX 98	NORTH SHORE HOMES	LOON LAKE	99148
1762	1680	MARY WALKER SD 207	KEVIN JACKA	PO BOX 159	500 N 4TH	SPRINGDALE	99173
4134	3898	NINE MILE FALLS SD 325/179 M	BRIAN TALBOTT		W 10103 CHARLES RD	NINE MILE FALLS	99026
1026	978	NORTHPORT SD 211	WES HARRIS		PO BOX 1280	NORTHPORT	991571 280
269	259	ONION CREEK SD 030	EDWINA HARDGRAVE		2006-D LOTZE CREEK RD	COLVILLE	99114
415	391	ORIENT SD 065/209 M	MARK SELLE	PO BOX 1419		ORIENT	99160
28367	27202	STEVENS CO	TAMMY DUNCAN		215 S OAK ST ROOM 106	COLVILLE	99114- 2836
28367	27202	STEVENS CO DISTRICT COURT	TAMMY DUNCAN		215 S OAK RM 213	COLVILLE	99114

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. 13-284

**ORDER VACATING PRIOR  
ORDER**

5 Travis Lisenbee

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, Travis Lisenbee, requested a reconsideration<sup>1</sup> of the  
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 he submitted a written request for reconsideration. The proceeding  
21 was open to the public and recorded.

22 ///

23 \_\_\_\_\_  
24 <sup>1</sup> Respondent's request for a review could not be heard within 20 business days. Therefore, under  
25 WAC 390-37-144 the initial order became a final order, and the request is automatically treated as a  
26 request for reconsideration of a final order. For ease of reference, the initial order will be referred to as  
the "prior order."

**I. PROCEDURAL HISTORY**

1 The matter involved the allegation that Respondent violated RCW 42.17A.700 by  
2 failing to file a Personal Financial Affairs Statement (F-1 report) as an unopposed candidate for  
3 School Director in the Northport School District in 2013. This was the first time the  
4 candidates from this school district were required to file an F-1. A brief hearing was held on  
5 August 1, 2013.

6 On August 10, 2013, the Respondent filed the missing F-1 report.

7 An initial order from the brief hearing was entered August 15, 2013, making Findings  
8 of Fact, Conclusions of Law and assessing a \$100 civil penalty for the violation found in that  
9 hearing, with \$75 suspended on certain conditions.

10 On August 15, 2013, the Respondent sent a letter to the PDC requesting review of the  
11 initial order, explaining that the warning letter and hearing notice had been sent by PDC staff  
12 to the school district's address, not to the address he listed on his declaration of candidacy.

13 During this time, the initial order became a final order so Respondent's request was  
14 considered a request for reconsideration of a final order (prior order).

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 15,  
19 2013 are vacated and the allegations are dismissed. No penalty is assessed.

20 ///

21 ///

22 ///

23 ///

24

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

2 So ORDERED this 5 day of November, 2013.

3 WASHINGTON STATE PUBLIC  
4 DISCLOSURE COMMISSION

5 FOR THE COMMISSION:

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

9  
10 *ATTACHMENTS*

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

14 *Copy of this order to:*  
15 Travis Lisenbee  
16 PO Box 1280  
17 Northport, WA 00157

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

20 *Jacob Berkey*  
21 Signature

22 11/9/13  
23 Date  
24  
25  
26



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BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON

Travis Lisenbee  
PO Box 1280  
Northport WA 99157

In Re Compliance with RCW 42.17A

Travis Lisenbee

Respondent.

PDC Case No. 13-284

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

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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 Travis Lisenbee on July 18, 2013. Commission Chair Amit Ranade was the Presiding Officer. The Commission staff was represented by Kurt Young, Compliance Officer. The Respondent provided written materials that were presented 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 Northport School District No. 211 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 by the date of the hearing.
4. The Respondent has no prior violations.

Finding, Conclusions & Order

Travis Lisenbee

PDC Case No. 13-284

Page - 2 -

5. The Respondent stated in a July 31, 2013, email that he is a first-time candidate, and when he filed, he understood that he was not required to file an F-1 report. He said it appears that during the most recent general election, the number of registered voters in Northport School District No. 211 increased to 1,036, requiring that candidate F-1 reports be filed. The Respondent said he has mailed his F-1 report to the PDC.
6. The Respondent stated that the hearing notice was sent to the school district and not to his home address, and was forwarded to him with a large amount of non-critical material. He stated that he works for the National Park Service, and his duties take him to various places away from home. He said his non compliance was not from disregard, but was rather from a lack of understanding. He asked the Presiding Officer to waive any penalty.

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 timely 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 \$100 in accordance with the penalty schedule set forth in WAC 390-37-165, of which \$75 is suspended on the following conditions:

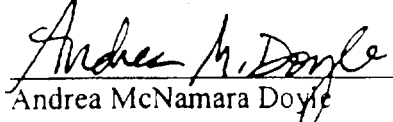
- (1) Respondent files the missing F-1 report within 30 days of the date of this order;
- (2) Respondent is not found to have committed any further violations of RCW 42.17A within two years of the date of this order; and
- (3) The \$25 non-suspended portion of the penalty is paid within 30 days of the 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

Finding, Conclusions & Order

Travis Lisenbee

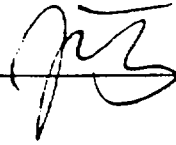
PDC Case No. 13-284

Page - 3 -

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



Date

8/15/13