



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

January 31, 2014

ROBERT JESSE HILL
910 TACOMA AVE SO
TACOMA WA 98402-2104

Subject: Order Denying Request For Reconsideration, PDC Case No. 13-126

Dear Mr. Hill:

Enclosed is a copy of the Public Disclosure Commission's Order on Reconsideration denying your request for Reconsideration of the Final Order that was entered in the above-referenced case and information about appeals and enforcement of final orders. The Final Order assessed a \$500 civil penalty for the violations found at the hearing.

Please make your checks payable to "**WA State Treasurer**" and mail to the Public Disclosure Commission, P.O. Box 40908, Olympia, WA 98504-0908. Please reference Case No. 13-126. Thank you.

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

Sincerely,

Philip E. Stutzman
Director of Compliance

Enclosure: (1) Information about appeals and enforcement of final orders

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

3 IN RE THE MATTER OF ENFORCEMENT
4 ACTION AGAINST

5 Robert Jesse Hill

6 Respondent.

PDC CASE NO. 13-126

**ORDER ON
RECONSIDERATION**

(Order Upholding Final Order)

7
8
9 This matter came before the Washington State Public Disclosure Commission on
10 January 23, 2014 at the PDC office, Room 206, Evergreen Plaza Building, 711 Capitol Way,
11 Olympia, Washington. The Respondent, Robert Jesse Hill, requested a reconsideration of the
12 final order issued pursuant to an enforcement hearing before the Full Commission in this
13 matter. The reconsideration hearing was held in accordance with Chapters 34.05 and 42.17A
14 RCW and Chapter 390-37 WAC.

15 Those present included Amit Ranade, Commission Chair; Grant Degginger,
16 Commission Vice-Chair; and Kathy Turner, Member. Also present were Kurt Young, PDC
17 Compliance Officer on behalf of the PDC Staff; PDC Executive Director Andrea McNamara
18 Doyle; and PDC staff member Nancy Coverdale as recorder/reporter of the proceedings. The
19 Respondent, Robert Jesse Hill, did not appear or participate in the hearing. The proceeding
20 was open to the public and recorded.

21 **I. PROCEDURAL HISTORY**

22 The matter involved allegations that the Respondent violated: (1) RCW 42.17A.205 by
23 failing to file a Candidate Registration (C-1 report); and (2) RCW 42.17A.700 by failing to file
24 a Personal Financial Affairs Statement (F-1 report) as a candidate for City Councilmember for
25 the City of Tacoma in 2013, due no later than May 31, 2013.
26

1 An enforcement hearing was held September 26, 2013 before the Full Commission. A
2 final order was entered November 5, 2013, making Findings of Fact, Conclusions of Law and
3 assessing a \$500 civil penalty for the violations found in that hearing.

4 On December 12, 2013, after receiving the final order, the Respondent submitted a
5 letter requesting the Commission reconsider his case, stating that for most of calendar year
6 2013 he was incarcerated in Pierce County jail. The Respondent stated that the November 5,
7 2013, final order was forwarded to him by a family member while he was in jail.

8 Following consideration of the final order, the Respondent's request, and Mr. Young's
9 January 16, 2014 memorandum and testimony, the Commission unanimously voted to uphold
10 the final order and deny the Respondent's request for reconsideration.

11 **II. FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ORDER**

12 The Findings of Fact, Conclusions of Law and Order Imposing Fine entered November
13 5, 2013 are upheld. Respondent's request for reconsideration is denied. The Executive
14 Director is authorized to enter this order on behalf of the Commission.

15 So ORDERED this 31st day of January, 2014.

16 WASHINGTON STATE PUBLIC
17 DISCLOSURE COMMISSION

18 FOR THE COMMISSION:

19 
20 ANDREA MCNAMARA DOYLE
Executive Director

21 *ATTACHMENT:* Final Order

22 *Copy of this order to:*

23 Robert Jesse Hill
910 Tacoma Avenue So
Tacoma, WA 98402-2104

24 I, _____, certify that I mailed a copy of this order to the Respondent
25 at Respondent's respective address, postage prepaid, on the date stated herein.

26 _____
Signature

Date

INFORMATION ABOUT APPEALS AND ENFORCEMENT OF FINAL ORDERS

APPEALS

RECONSIDERATION OF FINAL ORDER – BY THE COMMISSION

Any party may ask the Commission to **reconsider** a final order. Parties seeking reconsideration must:

- Make the request in writing;
- Include the specific grounds or reasons for the request; and
- Deliver the request to the PDC office so it is received within **TWENTY-ONE (21) BUSINESS DAYS** of the date that the Commission serves this order upon the party. *WAC 390-37-150*. (Note that the date of service by the Commission on a party is considered the date of mailing by U.S. mail if the order is mailed, or the date received if the order is personally served. *RCW 34.05.010(19)*. The Commission orders are generally mailed via U.S. mail.)

Within twenty (20) business days after the petition for reconsideration is filed, the Commission may either act on the petition or notify the parties in writing of the date by which it will act. If neither of these events happens within twenty business days, the Commission is deemed to have denied the petition for reconsideration. *WAC 390-37-150*.

A Respondent is not required to ask the Commission to reconsider a final order before seeking judicial review by a superior court. *RCW 34.05.470(5)*.

FURTHER APPEAL RIGHTS – SUPERIOR COURT

A final order issued by the Public Disclosure Commission is subject to **judicial review** under the Administrative Procedure Act (APA), chapter 34.05 RCW. *RCW 42.17A.755*. The procedures are provided in the APA at RCW 34.05.510 - .574.

ENFORCEMENT OF FINAL ORDERS

If **enforcement** of a final order is required, the Commission may seek to enforce a final order in superior court under RCW 42.17A.755 - .760, and recover legal costs and attorney's fees if a penalty remains unpaid and no petition for judicial review has been filed. This action will be taken without further order by the Commission.