

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. 13-325

**ORDER VACATING PRIOR
ORDER**

5 Destiny Stein

6 Respondent.
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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, Destiny Stein, requested a reconsideration¹ 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 she submitted a written request for reconsideration. The
21 proceeding was open to the public and recorded.

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23 _____
24 ¹ 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."

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I. PROCEDURAL HISTORY

The matter involved the allegation that Respondent violated RCW 42.17A.700 by failing to timely file a Personal Financial Affairs Statement (F-1 report) as a candidate for the office of City Councilmember for Medical Lake. Respondent filed her missing F-1 on July 24, 2013.

A brief enforcement hearing was held on August 1, 2013. An initial order from the brief hearing was entered August 13, 2013, making Findings of Fact, Conclusions of Law and assessing a \$100 civil penalty for the violation.

On August 21, 2013, the Respondent sent an email to the PDC requesting review of the initial order, explaining her attempt to file her F-1 electronically, which was confirmed by PDC staff. During this time, the initial order became a final order so Respondent's request was considered a request for reconsideration of a final order (prior order).

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

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ORDER

The Findings of Fact, Conclusions of Law and Order Imposing Fine entered August 13, 2013 are vacated and the allegations are dismissed. No penalty is assessed.

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

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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 Destiny Stein
17 617 North Jefferson St.
18 Medical Lake, WA 99022

19 I, Jacob Berkeley, 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 Berkeley*
22 _____
23 Signature

24 11/5/13
25 _____
26 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

Destiny Stein
617 North Jefferson Street
Medical Lake WA 99022

In Re Compliance with RCW 42.17A

Destiny Stein

Respondent.

PDC Case No. 13-325

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 Destiny Stein 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 City Councilmember in the City of Medical Lake 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 filed the missing F-1 report on July 24, 2013, prior to 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 timely file the F-1 report, which was due to be filed no later than May 31, 2013.

ORDER

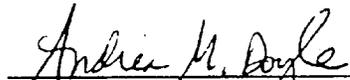
ON the basis of the foregoing Findings of Fact and Conclusions of Law,

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

This is an Initial Order of the Public Disclosure Commission.

Entered this 13 day of August, 2013.

Public Disclosure Commission


Andrea McNamara Doyle
Executive Director

Enclosure: Information about Appeal Rights

I, Jacob Benkey, 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

8/13/13