



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

November 2, 2018

BRANDI HOLMES
PO BOX 2942
WESTPORT, WA 98595

And delivered electronically to “bholmes33@gmail.com”

Subject: PDC Order, Case 38857

Dear Brandi Holmes,

Enclosed is a copy of the Public Disclosure Commission’s Order Imposing Fine that was entered in the above-referenced case. At the October 25, 2018, Enforcement Hearing, the Commission assessed a total civil penalty of \$500 in accordance with WAC 390-37-143. The \$500 penalty is payable within 30 days of the date of this Order.

The \$500 penalty is payable no later than **December 3, 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.

If you have questions, please contact us by email at pdc@pdc.wa.gov.

Sincerely,

Tabatha Blacksmith
Compliance Coordinator

Enclosure: Initial Order

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

In re the Matter of Enforcement Action
Against:

PDC CASE NO. 38857

BRANDI HOLMES,

FINAL ORDER

Respondent.

I. INTRODUCTION

This matter was heard by the Washington State Public Disclosure Commission (Commission) on October 25, 2018, at the Public Disclosure Commission Office, 711 Capitol Way, Room 206, Olympia, Washington 98504. The hearing was held pursuant to Chapter 34.05 RCW, Chapter 42.17A RCW, and Chapter 390-37 WAC.

Commissioners present were Anne Levinson, Commission Chair (presiding); David Ammons, Commission Vice-Chair; and Commissioner William Downing. Also present were Assistant Attorney General John S. Meader representing the Commission; Tabatha Blacksmith and Fox Blackhorn-Delph, Compliance Coordinators on behalf of PDC Staff; and Assistant Attorney General Chad Standifer representing PDC Staff. Respondent Brandi Holmes did not participate. The proceeding was open to the public and recorded.

The hearing concerned allegations that Respondent Brandi Holmes violated RCW 42.17A.700 by failing to timely file a Personal Financial Affairs Statement (F-1 Report) for

1 calendar year 2017, due not later than April 16, 2018.

2 The Commissioners had before them the following materials:

- 3 • Enforcement Hearing Memorandum dated October 16, 2018, prepared by Tabatha
4 Blacksmith, Compliance Coordinator.
- 5 • Warning Letter for missing Personal Financial Affairs Statement from PDC staff dated July
6 16, 2018.
- 7 • Brief Enforcement Hearing Notice dated August 16, 2018, for the hearing on September 24,
8 2018, including information for submitting a Statement of Understanding by September 19,
9 2018, and a copy of the Brief Enforcement Hearings penalty schedule.
- 10 • F-1 Enforcement Hearing Notice dated October 15, 2018, indicating the Brief Enforcement
11 Hearing was converted to an Enforcement Hearing before the full Commission on October
12 25, 2018.
- 13 • PDC Statement of Understanding signed and dated by the Respondent August 13, 2017, for
14 the 2016 F-1 report.

15 **II. FINDINGS OF FACT**

17 1. Brandi Holmes was elected to the City Council for the City of Westport in 2015.

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19 2. Per RCW 42.17A.700, Ms. Holmes was required to file a Personal Financial Affairs
20 Statement (F-1 report) disclosing personal financial information for calendar year 2017 no later
21 than April 16, 2018.

22 3. From April to June of 2018, PDC staff sent seven email reminders to Ms. Holmes
23 concerning the F-1 filing requirement.

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25 4. On July 16, 2018 PDC staff sent a warning letter by U.S. Mail, concerning Ms.
26 Holmes's failure to file the F-1 report.

1 6. On August 16, 2018 PDC staff served Ms. Holmes by U.S. mail and email, with a
2 hearing notice for a Brief Adjudicative Proceeding to be held on September 24, 2018,
3 concerning the failure to timely file the F-1 report.
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5 7. On September 24, 2018, a Brief Adjudicative Proceeding was held in which the
6 Presiding Officer determined that, in accordance with WAC 390-37-143(5), Ms. Holmes’s case
7 needed to be scheduled before the full Commission for an enforcement action as:

- 8 o She was found in violation in the previous reporting period; and
- 9 o The violation remained in effect following any appeals.

10
11 8. On September 24, 2018, Brandi Holmes filed an F-1 report for calendar year 2017,
12 which was due no later than April 16, 2018.

13 9. On October 15, 2018, PDC staff served Ms. Holmes by U.S. mail and email, with a
14 hearing notice for an Adjudicative Proceeding before the full Public Disclosure Commission, to
15 be held on October 25, 2018, concerning the failure to timely file the F-1 report.
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17 10. Brandi Holmes failed to timely file an F-1 report for calendar year 2016, which was
18 due no later than April 15, 2017 (PDC Case 22255). On August 13, 2017, Ms. Holmes filed a
19 signed Statement of Understanding and paid a \$100 penalty for violating RCW 42.17A.700. On
20 August 17, 2017, Brandi Holmes filed an F-1 report for calendar year 2016, which was due no
21 later than April 17, 2017.

22 **III. CONCLUSIONS OF LAW**

23 1. The Commission has jurisdiction over this proceeding pursuant to Chapter 42.17A
24 RCW, the State campaign finance and disclosure law; Chapter 34.05 RCW, the Administrative
25 Procedure Act; and Title 390 WAC.
26

2. The Respondent violated RCW 42.17A.700 by failing to file a Personal Financial Affairs Statement (F-1 Report) disclosing personal financial information for calendar year 2017 no later than April 16, 2018.

IV. ORDER

Based upon the Findings and Conclusions, the Commission Orders that:

1. Respondent Brandi Holmes is assessed a total civil penalty of \$500 for violation of RCW 42.17A.700 which is payable within 30 days of the date of this Order.
2. The Respondent shall remain in compliance with all PDC reporting requirements.

So ORDERED this 1st day of November, 2018.

WASHINGTON STATE PUBLIC
DISCLOSURE COMMISSION

FOR THE COMMISSION:



Anne Levinson
Chair, Public Disclosure Commission

Copy of this Order mailed and/or emailed to:

Brandi Holmes, Respondent
P.O. Box 2942
Westport, WA 98595
(bholmes33@gmail.com)

Phil Stutzman, PDC Staff (phil.stutzman@pdc.wa.gov)
Chad Standifer, Assistant Attorney General, Counsel for PDC Staff (ChadS@atg.wa.gov)

1 I, Talisha Blacksmith, certify that I mailed and emailed a copy of this order to the
2 Respondent at their respective address postage pre-paid on the date stated herein.

3 Talisha Blacksmith
4 Signed

4/2/18
Date

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6 **NOTICE: RECONSIDERATION**

7 Pursuant to the provisions of RCW 34.05.470 and WAC 390-37-150, you may file a Petition for
8 Reconsideration with the PDC within ten (10) days from the date this Final Order is served upon
9 you. Any Request for reconsideration must state the specific grounds for the relief requested.
10 Petitions must be delivered or mailed to the Washington State Public Disclosure Commission,
711 Capitols Way, Room 206, Box 40908, Olympia WA 98504-0908.

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12 **NOTICE: PETITION FOR JUDICIAL REVIEW**

13 You have the right to appeal this Final Order to Superior Court, pursuant to the Petition for
14 Judicial Review provisions of RCW 34.05.542. Any Petition for Judicial Review of this Final
15 Order must be filed with the court and also served upon both the Commission and the Office of
16 the Attorney general within thirty (30) days after the date this Final Order is served upon you.
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