

BEFORE THE WASHINGTON STATE  
EXECUTIVE ETHICS BOARD

In the Matter of:

Irina Stoyan

Respondent.

No. 2021-024

STIPULATED FACTS,  
CONCLUSIONS OF LAW AND  
AGREED ORDER

THIS STIPULATION is entered into by Respondent, Irina Stoyan and Board Staff of the WASHINGTON STATE EXECUTIVE ETHICS BOARD (Board) through KATE REYNOLDS, Executive Director, pursuant to chapter 42.52 RCW, chapter 34.05 RCW, and WAC 292-100-090(1). The following stipulated facts, conclusions of law, and agreed order will be binding upon the parties if fully executed, and if accepted by the Board without modification(s), and will not be binding if rejected by the Board, or if the Respondent does not accept the Board's proposed modification(s), if any, to the stipulation. This stipulation is based on the following:

**A. STIPULATED FACTS**

1. On June 17, 2021, the Executive Ethics Board (Board) received a referral from the Department of Social and Health Services (DSHS) alleging that Irina Stoyan (Ms. Stoyan), a former Quality Control Specialist (QCS) with the Division of Program Integrity (DPI) at DSHS, may have violated the Ethics in Public Service Act by using state resources for private benefit or gain.

2. According to the DSHS Investigative report (IR), Ms. Stoyan was a QCS with DPI. She has been with DSHS since 2004 and was in her current position since 2009 and she has no prior disciplinary actions in her personnel file. Her supervisor is Loraine Chargualaf (Ms.

Chargualaf), Social and Health Program Consultant (SHPC) 4. According to the DSHS, Ms. Stoyan was “discharged from employment” with DSHS as a result of their investigation into this matter.

3. According to the IR, during her employment with DSHS, Ms. Stoyan completed documentation for her outside employment, ‘Glam by Irina’ (a makeup blog), from January 1, 2014 to approximately March 31, 2019<sup>1</sup> and as a licensed Real Estate Agent beginning May 6, 2019.

4. Also according to the IR, on January 15, 2020, it was alleged Ms. Stoyan was using state resources, including telework time and her state issued laptop to conduct personal business/activities. The IR states that the DSHS Information Technology (IT) Forensics did a data pull from Ms. Stoyan’s work computer from July 1, 2019 until February 4, 2020.<sup>2</sup>

5. According to the IR, the data pull revealed:

- Ms. Stoyan had limited activity in barcode, ACES<sup>3</sup>, and Ejas.<sup>4</sup>
- The VPN was not regularly utilized during the days Ms. Stoyan was teleworking.
- There was internet activity unrelated to her state employment completed while Ms. Stoyan was in official duty status, including but not limited to, real estate websites, beauty websites and resume websites.
- Real estate documents were scanned to her personal email.
- Real estate documents were saved to her state computer.

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<sup>1</sup> According to the IR, March 31, 2019 is the last time Ms. Stoyan posted a video in ‘Glam by Irina.’

<sup>2</sup> According to the IR, the data pull also includes information from March 12, 2019 to June 12, 2019, as the IT forensics specialist was not able to pull information for specific dates.

<sup>3</sup> Automated Client Eligibility Services

<sup>4</sup> Electronic Jobs Automated System

6. According to the IR, based on the IT data pull, Ms. Stoyan was placed on a modified assignment on February 6, 2020 and her ability to telework was rescinded. Also on February 6, 2020, Natasha Myers (Ms. Myers), Internal Controls and Investigations Manager for Region 3 Community Services Division (CSD), was assigned as the investigator.

7. According to the IR, two interviews were conducted with Ms. Stoyan. The first interview was on May 26, 2020. Present at the first interview was Ms. Meyers and Ms. Stoyan's Union Representative.

8. According to the IR, Ms. Stoyan was asked what her work schedule was and she said she worked Monday through Friday from 7:00am to 3:30pm. When asked which days of the week she teleworks, Ms. Stoyan stated that prior to COVID-19, Monday, Thursday and Fridays were her telework days. When she is not teleworking, her official workstation station was the Lakewood Community Services Office (CSO).

9. According to the IR, Ms. Stoyan was asked what expectations were provided to her regarding teleworking. She said she was to be logged in at her computer by 7:00am, work on usual assignments/tasks, be available for meetings, and respond to calls, emails and Skype messages. When asked if there were any exceptions provided to these expectations, she said no.

10. The IR states that Ms. Stoyan was asked if the password to her computer had ever been compromised, if she had ever provided her password to anyone and if the passwords to the applications and systems utilized have ever been compromised. According to the IR, she answered no to all of these questions.

11. According to the IR, Ms. Stoyan was asked if DSHS was her only employer and she said no. She was asked to review the two outside employment forms she submitted and to

verify which businesses are current. She said that Glam by Irina is no longer a form of employment and her real estate business is a current form of employment.

12. The IR states that from July 2, 2019 to February 4, 2020, there were several links accessed multiple times from Ms. Stoyan's computer during her assigned work hours. According to the IR, Ms. Stoyan was asked about the links and provided the following responses.

13. Ms. Stoyan said that [www.nwmls.com/contact-us](http://www.nwmls.com/contact-us)<sup>5</sup> was a website where anyone can view homes. She then said, "It doesn't give me an excuse...I was desperately searching for a house." She explained that she was "pressured" to either renew her lease or move out. Because of how the housing market works, she said that she would check the website throughout the day to make sure she did not miss any opportunities. A house would hit the market in the morning and when she got off work, it would go into "pending" status. Ms. Stoyan said that, "this is something I wasn't supposed to do and I fully understand that no urgency gives me a right to violate rules." Ms. Stoyan was asked to explain how accessing this link is related to her daily tasks as a QCS. She said, "It is not."

14. In regards to [www.matrix.nwmls.com/NWMLS.Matrix3rdPartyIntegration/](http://www.matrix.nwmls.com/NWMLS.Matrix3rdPartyIntegration/)<sup>6</sup>, Ms. Stoyan stated that there is another site to review homes and that this is similar to the link she previously discussed with the investigator. When asked how this link is related to her daily tasks as a QCS, she said, "It's not."

15. According to the IR, the following links accessed related to Ms. Stoyan's home search performed during Ms. Stoyan's assigned work hours:

- <http://online.goamp.com/CandidateHome/CandidateInformation.aspx>,

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<sup>5</sup> According to the IR, Ms. Stoyan accessed this link multiple times during the July 2, 2019 to February 4, 2020 data pull time-frame.

<sup>6</sup> According to the IR, Ms. Stoyan accessed this site 92 times during the time-frame of the IT data pull.

- <http://www.suprackey.com>,
- <https://accounts.craigslist.org/login>,
- <https://nwmls.clarecityiam.net/idp/login>,
- [https://www.homepartners.com/results/WA/seattle-metro/marketId=29,city=Tacoma\\_WA\\_10152](https://www.homepartners.com/results/WA/seattle-metro/marketId=29,city=Tacoma_WA_10152)
- <https://www.homepartners.com/results/WA/seattle-metro/marketId=29,zipCode=98444>,
- [https://www.zillow.com/homes/for\\_sale](https://www.zillow.com/homes/for_sale),
- [https://www.truepeoplesearch.com/find/address/4230-68th-avenue-ct-w\\_university-place-wa-98466](https://www.truepeoplesearch.com/find/address/4230-68th-avenue-ct-w_university-place-wa-98466),
- [https://www.onlinerme.com/\(S\(3njxqavxa23rwjdaxkuakmgp\)\)/contractorsearchproperty.aspx](https://www.onlinerme.com/(S(3njxqavxa23rwjdaxkuakmgp))/contractorsearchproperty.aspx),
- <https://www.redfin.com/WA/Lakewood/7026-97th-Ave-SW-98498/home>,
- <https://www.onlinerme.com/contractorsearchproperty.aspx>.

16. According to the IR, when Ms. Stoyan was asked about the above links, she stated these were reviewed during her house search and they were not related to her daily tasks. Ms. Stoyan stated she realized accessing these links may have appeared to look as if she was working her second business from a state computer. She said she has never done real estate work during the day while working for the state nor does she run her business from the state computer. She stated she understood it may be hard to prove, but reiterated that the landlord from her previous home was going to “kick us out” if they didn’t renew the lease. Ms. Stoyan also stated several times that she realized conducting her home search violated DSHS policies.

17. In regards to <https://www.bing.com/search?q=fred's+beauty+supply&src=IE-SearchBox><sup>7</sup> Ms. Stoyan said it was a make-up site and she may have “looked something up.” When asked how this link is related to her daily tasks, she said, “it is not.”

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<sup>7</sup> According to the IR, Ms. Stoyan accessed the link on March 12, 2019 at 8:33am.

18. In regards to <https://mail.yahoo.com/b/compose?folderType=INBOX><sup>8</sup>, Ms. Stoyan said it was the log in page for her personal email. She stated that this link is not related to her daily tasks.

19. In regards to <https://fc.yahoo.com/>, Ms. Stoyan said it was a folder in her personal email and it is not related to her daily tasks.

20. In regards to <https://www.resume-now.com/build-resume?doctypecode=RSME>,<sup>9</sup> Ms. Stoyan said she was building a resume for her mom since the restaurant she worked for closed. She stated she researched templates for her mom's resume during her lunch break and "logged into my personal email to send it to her." When asked how this was tied to her daily work tasks as a QCS, she said it was not.

21. In regards to <https://www.slideshare.net/DavidPMHall/head-chef-job-description-36078428>, Ms. Stoyan said she was looking for the verbiage and list of responsibilities for a chef so that she could update her mom's resume. Ms. Stoyan then added that this link was not related to her daily tasks as a QCS.

22. In regards to [https://player.vimeo.com/video/143750895?app\\_id=122963](https://player.vimeo.com/video/143750895?app_id=122963), after reviewing the link, Ms. Stoyan stated she didn't recall looking at this video and it's possible that it could have been a "pop up" from when she was looking at other websites.

23. In regards to <https://www.slideshare.net/DavidPMHall/head-chef-job-description-36078428>, Ms. Stoyan said she was looking for the verbiage and list of responsibilities for a chef

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<sup>8</sup> According to the IR, Ms. Stoyan accessed her Yahoo email account multiple times beginning July 2, 2019.

<sup>9</sup> According to the IR, Ms. Stoyan accessed this resume website and several other resume websites on July 3, 2019 from 8:19am to 10:25am and July 3, 2019 from 8:19am-10:25am.

so that she could update her mom's resume. Ms. Stoyan then added that this link was not related to her daily tasks as a QCS.

24. In regards to [https://player.vimeo.com/video/143750895?app\\_id=122963](https://player.vimeo.com/video/143750895?app_id=122963), after reviewing the link, Ms. Stoyan stated she didn't recall looking at this video and it's possible that it could have been a "pop up" from when she was looking at other websites.

25. In regards to <https://auth.skyslope.><sup>11</sup>, Ms. Stoyan said she did not recognize the site. In regards to <https://www.bing.com/search?q=thurston+county+septic&src=IE-SearchBox>,<sup>12</sup> Ms. Stoyan stated she did not recall reviewing this site.

26. In regards to <https://www.hellofresh.com/plans/>,<sup>13</sup> Ms. Stoyan said it was a meal prep website that was shared with her. When asked how this relates to her daily tasks, she said it does not.

27. In regards to <https://www.friendsbeauty.com/checkout/cart>,<sup>14</sup> Ms. Stoyan said that it was a makeup site. She stated she did not recall accessing this link but it may have been a long time ago when she ran her Glam by Irina business.

28. According to the IR, during the data pull, several documents were located on Ms. Stoyan's state computer including a National Real Estate Broker Practice Test and Washington

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<sup>10</sup> According to the IR, Ms. Stoyan accessed this site on October 23, 2019 and used it for some type of Real Estate transaction.

<sup>11</sup> According to the IR, Ms. Stoyan accessed this site on October 23, 2019 and used it for some type of Real Estate transaction.

<sup>12</sup> According to the IR, Ms. Stoyan accessed this website on November 12, 2019 at 12:43pm.

<sup>13</sup> According to the IR, Ms. Stoyan accessed this website on November 12, 2019 at 1:49pm.

<sup>14</sup> According to the IR, Ms. Stoyan accessed this website on March 12, 2019 at 8:33am. She looked at multiple beauty items and placed several items into her cart.

Real Estate Exam.<sup>15</sup> The IR states that Ms. Stoyan said she was studying to get her real estate license and that during her breaks and lunches, she was reviewing these on her state computer. According to the IR, when asked how this is related to her current position, she said, “These were not part of my work and I acknowledge this was a violation of the expectations of the rules.”

29. According to the IR, during the same data pull, several documents including an inspection response form dated August 13, 2019, a disclosure of information on lead-based paint, a buyer’s agency agreement, a Residential Real Estate Purchase and Sales agreement, a counter offer addendum to real estate purchase and sale agreement, and a rehab loan investment property on a single unit was discovered. According to the IR, Ms. Stoyan was asked about these documents. She explained that her home scanner was down, so she scanned and emailed these documents to herself from the work copy machine and state computer. The IR states that this is also the time when Ms. Stoyan logged into her personal email account.

30. According to the IR, when asked how these documents are related to her current assigned duties, Ms. Stoyan said it is not. The IR states that Ms. Stoyan admitted all of the documents with the exception of the real estate practice test and exam were documents for her business. She said the tests were prior to her becoming an agent. According to the IR, Ms. Stoyan said that she only ran her business during the weekends until her scanner broke and shared how “ashamed” she was for what was done.

31. According to the IR, Ms. Stoyan was asked about what electronic devices were available which would allow her to search the web and how she was able to access the internet for non-work related business. Ms. Stoyan stated she has a smart phone and a personal laptop.

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<sup>15</sup> According to the IR, these documents were last modified on April 17, 2019 at 9:02am and 9:13am respectively.



32. The IR states that when asked why her state computer was utilized for non-work related things, Ms. Stoyan said that she does not bring her personal laptop to work and she does not use it when teleworking. She said that they are advised not to use their cell phones while at the workstation. According to the IR, Ms. Stoyan said that when she was searching for a home, it was a lot quicker and more convenient to look it up on her state computer. The IR stated that Ms. Stoyan reiterated “there is no excuse for her using her work computer to search for homes.

33. According to the IR, a follow-up interview was conducted with Ms. Stoyan on July 10, 2020. The IR stated that the purpose of the interview was to ask additional questions and to clarify information provided by Ms. Stoyan in the first interview. Present at the interview was Ms. Myers, DSHS Investigator Kirsten Arrowood (Ms. Arrowood) and Ms. Stoyan’s Union Representative.

34. According to the IR, Ms. Stoyan was reminded that during her first interview she said she accessed the Northwest Multiple Listing Service (NWMLS) website for personal home searches related to an urgent need. Ms. Stoyan confirmed this was accurate. When asked about the time-frame for her search. Ms. Stoyan stated she was notified she had to move out in September 2019, but she got a couple of extensions. Ms. Stoyan stated at the end of July 2019, she had to make a decision on what she wanted to do. Ms. Stoyan said she was frustrated with homes being on the market for a short period of time. According to the IR, Ms. Stoyan was asked to confirm her urgent need lasted from July 2019 to December 2019. Ms. Stoyan stated “yes” and added they moved January 15, 2020.

35. According to the IR, Ms. Stoyan was asked about her price range and she said they were willing to purchase a home up to \$500,000 or \$600,000. She said they were looking to either rent or buy. Ms. Stoyan was asked to explain why she was looking at homes in the million dollar

range and she said that she might have accidentally clicked on it when browsing. Ms. Stoyan said that while looking at the list of homes, one at a time, they will show in order of when the listing is released. When asked if she sorted her search using her price range, she said no.

36. According to the IR, based on the IT data pull, Ms. Stoyan accessed the NWMLS website and other real estate sites more than 50 times over a 7-month period during work hours. Ms. Stoyan was asked how this aligned with her urgent need for housing. According to the IR, Ms. Stoyan stated, “Unfortunately, there were days when it happened multiple times...it’s not an excuse, but it was such a frustration.” She said by the time she got off work, the home was already gone, pending or selling and she said, “There is not an excuse, it does not align with my work.” She stated there was an urgency and a frustration for her. She wishes she could take the time back and she would never have done this. She also wanted to point out that she had been in real estate since the beginning of 2019 and had “never allowed herself to do any of this” until it came to her personal need.

37. According to the IR, Ms. Stoyan was asked what “showing time” was in the NWMLS website. Ms. Stoyan responded that it was when you schedule an appointment to see the homes. According to the IR, based on the IT data pull, Ms. Stoyan accessed showing time 92<sup>16</sup> times over a 7-month period. Ms. Stoyan stated this was used for scheduling to see a home or seeing when a home was available for a showing. When asked if she would scroll through this one page at a time, she said no. When asked why she would look at million dollar homes in showing time, Ms. Stoyan initially stated, “I don’t think...I never even had this. I wouldn’t have anyone buying this expensive of a home.” She continued to say she did not know why that would appear

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<sup>16</sup> According to the IR, the data pull revealed that there were 94 homes scheduled in showing time.

since she would not see a million dollar house for personal or for business. She added she never had anyone inquire about a home in that price range.<sup>17</sup>

38. According to the IR, Ms. Stoyan was asked, “If this was for your own personal home search, how do you account for the three homes in showing time where you either represented the buyer or the seller?”<sup>18</sup> The IR stated that the three homes in question were 4423 Merry Lane, 15096 Starr Road and 8823 Hartwood. Ms. Stoyan said that she did not know. Ms. Stoyan stated that she did not sell the home on Merry Lane.

39. According to the IR, after being provided the documents from Zillow and the documents Ms. Stoyan scanned into her state computer, Ms. Stoyan recalled the Merry Lane home and stated she was planning to rent the home. She said she worked with Home Partners [of America] and stated Home Partners buys the home, then you rent through them. Ms. Stoyan added her family had been contemplating using Home Partners.

40. When Ms. Stoyan was asked about the website for Home Partners, she said people are able to see available homes through them. When Ms. Stoyan was asked if this was for people who are unable to obtain a home loan, she said not necessarily. She said that people still have to qualify for the loan as well. This is also for people that choose not to buy or for those who don’t have perfect credit.

41. According to the IR, Ms. Stoyan was asked if this company would confirm that real estate agents could represent themselves for homes they are renting. She said yes, but they

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<sup>17</sup> According to the IR, the data pull indicated that there were at least two homes in showing time over \$1m and many homes over Ms. Stoyan’s stated personal home search range of \$600K.

<sup>18</sup> According to the IR, the Investigator corrected this later in the interview. Two homes were in showing time and one was in MLS search.

did not go through them.<sup>19</sup> When asked why not, she said they could not find anything that matched her family's need and they ended up renting from someone they knew.

42. According to the IR, Ms. Stoyan was asked about the home on Starr Road that sold on July 2, 2019 and she admitted to selling this home. When asked to explain looking at the home in showing time and then selling the home, Ms. Stoyan said she was reviewing the details of the listing before she went to show the home after work. According to the IR, Ms. Stoyan was asked if this was for her urgent personal need or for her outside employment and she admitted that this was for her outside employment.

43. According to the IR, Ms. Stoyan was asked about the third home on Hartwood, which was viewed on MLSrealist and she confirmed this listing was also not for her personal home search.

44. According to the IR, Ms. Stoyan was asked to explain what the SkySlope link she accessed was. She said it was a system that is needed to maintain documents for her outside employment. She said she had to upload a document by a certain time and decided to scan in the document (using state resources). She was asked if this was for her outside employment. She stated "correct." Ms. Stoyan was asked if she only accessed this once. She said, "It had to be just once. It was a very short time before I bought my own scanning machine."<sup>20</sup>

45. According to the IR, Ms. Stoyan was asked to explain what the Suprakey link she accessed was. She said it was a tool to access homes, for showing times. She said that when you

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<sup>19</sup> According to the IR, Home Partners of America confirmed Ms. Stoyan's statement.

<sup>20</sup> According to the IR, Skyslope was accessed on October 23, 2019 at 10:45am and October 24, 2019 at 2:17pm.

schedule a showing, a person has to enter the information in Suprakey to get access. When asked if it was a system for the lockbox used in Real Estate, Ms. Stoyan said yes.

46. According to the IR, Ms. Stoyan was asked about the website MyZap.<sup>21</sup> Ms. Stoyan said it was a database for her notes, address book and things of that nature. She was asked what the DSHS business need was for accessing a customer relationship management tool for Real Estate agents and Ms. Stoyan said there was not one.

47. According to the IR, Ms. Stoyan was asked to explain hundreds of postings made to her Century 21 Real Estate website during work hours. She stated those were automated subscriptions. She stated there is a program called "Circlepix,"<sup>22</sup> which is a subscription providing automated postings, articles, and the like. She stated it maintains the business on her Facebook page and it is a listing machine. She added her personal posts are done outside of working hours. Ms. Stoyan said the difference between the two can be seen.

48. According to the IR, investigators looked at the postings and were unable to see the difference. Ms. Stoyan said that the subscription posts three times a week and when it is a holiday week, a post related to the holiday will go out. She stated the subscription is provided when someone signs on as a Real Estate Agent. After reviewing several postings, Ms. Stoyan was asked to explain multiple posts in a day during her work hours. She stated, "I am 100% confident. I can provide the subscription." She then shared that if she was meeting us in person, she could

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<sup>21</sup> According to the IR, MyZap was accessed on October 29, 2019 at 8:06am.

<sup>22</sup> According to the IR, on May 31, 2019, Ms. Stoyan used her state computer to access Circlepix and set up her preferences.

provide this. When asked if she was logging into her state computer to look up the Facebook posts, Ms. Stoyan said no.<sup>23</sup>

49. Board staff were provided with a copy of a letter to Ms. Stoyan from Deborah Doyle (Ms. Doyle), Director of the DSHS, Division of Program Integrity. The letter was dated November 30, 2020 and the subject was “Notice of Discharge.” The letter states that Ms. Stoyan was being discharged from employment with DSHS effective December 1, 2020. According to the letter, the basis for discipline was:

*From March 2019 through February 4, 2020, you misused state resources by conducting personal business on your state-issued laptop and scanner during work hours, including visiting non-work related websites such as personal email sites, real estate sites, makeup sites and conducting web searches unrelated to your work duties.*

*You also misused state resources by using your state issued computer to store real estate documents such as National Real Estate Broker Practice Test, 17 Washington Real Estate Fundamentals Finals Exam 2017, \$RS8XTCE.asd (Rehab loan – investment property on single unit) (Attachment A) and Corrected Inspection Response, Disclosure of Information on Lead-Based Paint and Lead-Based Paint Hazards, Seller Disclosures Statement Improved Property.*

50. In a written response to Board staff, Ms. Stoyan said she started work with DSHS as a Financial Services Specialist at the Kent CSO in 2004 and worked her way up to a QCP at the DPI. She said this past February would have been 13 years in the same position.

51. She said in May of 2019, she started outside employment as a real estate agent and she immediately notified DSHS. She said at the same time her family was desperately searching for housing as the place they lived in at that time was forcing them to move out. She said they only had a few months to find housing so we they were not left on the street.

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<sup>23</sup> According to the IR, Ms. Stoyan sent investigators multiple emails with zip files and images of the Circlepix subscription. Documentation of Circlepix automatically posting three times per week with one extra post on a holiday week was provided.

52. Ms. Stoyan said that they were not allowed to be on their phones at all while sitting at the desk so as an alternative she looked quickly on her work laptop, she said she understands that it does not give her an excuse and understands that she should not have used her state issued computer for non-work-related activities.

53. She said in February of 2020, she was placed under investigation for misuse of state resources. Ms. Stoyan said that during the investigation she was accused of not logging into her laptop on the days she was supposed to be working. She said she was able to prove those findings were wrong by providing copies of emails and Skype conversations to show her presence at work on those days.

54. Ms. Stoyan confirmed she used her work laptop to browse the web to look for housing for her family and used a work scanner one time because hers at home was broken. She said she understands that it is not acceptable and that she should have been disciplined, but being fired after 16.5 years of spotless state service was unfair and not appropriate. She said she has not received any financial gain while browsing her state computer or breached any confidential sources. She said she was stressed with personal issues, which unfortunately led her to make some poor choices that she regrets.

## **B. CONCLUSIONS OF LAW**

1. The Ethics in Public Service Act, Chapter 42.52 RCW, prohibits state employees from Use of persons, money or property for private gain. RCW 42.52.160 states:

No state officer or state employee may employ or use any person, money, or property under the officers or employees official control or direction, or in his or her official custody, for the private benefit or gain of the officer, employee or another.

WAC 292-110-010 Use of state resources, states, in part:

.....

**(3) Permitted personal use of state resources.** This subsection applies to any use of state resources not included in subsection (2) of this section.

(a) A state officer or employee's use of state resources is de minimis only if each of the following conditions are met:

- (i) There is little or no cost to the state;
- (ii) Any use is brief;
- (iii) Any use occurs infrequently;
- (iv) The use does not interfere with the performance of any state officer's or employee's official duties;
- (v) The use does not compromise the security or integrity of state property, information systems, or software;
- (vi) The use is not for the purpose of conducting an outside business, in furtherance of private employment, or to realize a private financial gain; and
- (vii) The use is not for supporting, promoting the interests of, or soliciting for an outside organization or group.

2. The Board is authorized to impose sanctions for violations to the Ethics Act pursuant to RCW 42.52.360. The Board has set forth criteria in WAC 292-120-030 for imposing sanctions and consideration of any mitigating or aggravating factors.

### **C. AGGRAVATING AND MITIGATING FACTORS**

In determining the appropriateness of the civil penalty, the Board reviewed the criteria in WAC 292-120-030. In the matter at hand, it is an aggravating factor these types of violations significantly reduce the public respect and confidence in state government employees and they were continuous in nature. It is a mitigating factor that Ms. Stoyan was discharged from employment with DSHS.

### **D. STIPULATION AND AGREED ORDER**

1. Pursuant to chapter 42.52 RCW, the Executive Ethics Board has jurisdiction over Irina Stoyan and over the subject matter of this complaint.



2. Under RCW 34.05.060, the Board can establish procedures for attempting and executing informal settlement of matters in lieu of more formal proceedings under the Administrative Procedures Act, including adjudicative hearings. The Board has established such procedures under WAC 292-100-090.

3. Pursuant to WAC 292-100-090(1), the parties have the authority to resolve this matter under the terms contained herein, subject to Board approval.

4. Irina Stoyan agrees that if any or all of the alleged violations were proven at a hearing, the Board may impose sanctions, including a civil penalty under RCW 42.52.480(1)(b) of up to \$5,000, or the greater of three times the economic value of anything received or sought in violation of chapter 42.52 RCW, for each violation found. The Board may also order the payment of costs, including reasonable investigative costs, under RCW 42.52.480(1)(c).

5. Irina Stoyan further agrees that the evidence available to the Board is such that the Board may conclude they violated the Ethics in Public Service Act. Therefore, in the interest of seeking an informal and expeditious resolution of this matter, the parties agree to entry of the stipulated findings of fact, conclusions of law and agreed order.

6. Irina Stoyan waives the opportunity for a hearing, contingent upon acceptance of this stipulation by the Board, or their acceptance of any modification(s) proposed by the Board, pursuant to the provisions of WAC 292-100-090(2).

7. If the Board accepts this stipulation, the Board agrees to release and discharge from all further ethics proceedings under chapter 42.52 RCW for any allegations arising out of the facts in this matter, subject to payment of the full amount of the civil penalty due and owing, any other costs imposed, and compliance with all other terms and conditions of the stipulation. Irina Stoyan

in turn agrees to release and discharge the Board, its officers, agents and employees from all claims, damages, and causes of action arising out of this complaint and this stipulation.

8. If the Board accepts this stipulation, it does not purport to settle any other claims between Irina Stoyan and the Washington State Executive Ethics Board, the State of Washington, or other third party, which may be filed in the future. No other claims of alleged violations are pending against Irina Stoyan at this time.

9. If the Board accepts this stipulation, it is enforceable under RCW 34.05.578 and any other applicable statutes or rules.


10. If the Board rejects this stipulation, or if Irina Stoyan does not accept the Board's proposed modification(s), if any, this matter will be scheduled for an administrative hearing before the Board. If an administrative hearing is scheduled before the Board, waives any objection to participation by any Board member at the hearing to whom this stipulation was presented for approval under WAC 292-100-090(2). Further, Irina Stoyan understands and agrees that this stipulation as well as information obtained during any settlement discussions between the parties shall not be admitted into evidence during the administrative hearing, unless otherwise agreed by the parties.

11. Irina Stoyan agrees to pay a civil penalty in the amount of two thousand five hundred dollars (\$2,500) associated with violations of RCW 42.52.

12. The civil penalty in the amount of two thousand five hundred dollars (\$2,500) is payable in full to the Washington State Executive Ethics Board within forty-five (45) days after this stipulation is signed and accepted by the Board, or as otherwise agreed to by the parties.

## I. CERTIFICATION

I, Irina Stoyan, hereby certify that I have read this stipulation in its entirety, that my counsel of record, if any, has fully explained the legal significance and consequence of it. I further certify that I fully understand and agree to all of it, and that it may be presented to the Board without my appearance. I knowingly and voluntarily waive my right to a hearing in this matter and if the Board accepts the stipulation, I understand that I will receive a signed copy.

  
\_\_\_\_\_  
Irina Stoyan  
Respondent

9/29/21  
\_\_\_\_\_  
Date

Presented by:

  
\_\_\_\_\_  
KATE REYNOLDS  
Executive Director

11/11/2021  
\_\_\_\_\_  
Date

## II. ORDER

Having reviewed the proposed stipulation, WE, THE STATE OF WASHINGTON EXECUTIVE ETHICS BOARD, pursuant to WAC 292-100-090, HEREBY ORDER that the Stipulation is

✓

ACCEPTED in its entirety;

\_\_\_\_\_

REJECTED in its entirety;

\_\_\_\_\_

MODIFIED. This stipulation will become the order of the Board if the Respondent approves\* the following modification(s):

\_\_\_\_\_  
\_\_\_\_\_

DATED this 12th day of November 2021.

Approved via Zoom

Shirley Battan, Chair

Approved via Zoom

Gerri Davis, Vice Chair

Approved via Zoom

Jan Jutte, Member

Absent

Earl Key, Member

\* I, Irina Stoyan, accept/do not accept (circle one) the proposed modification(s).

\_\_\_\_\_  
Irina Stoyan, Respondent

\_\_\_\_\_  
Date