



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

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January 5, 2010

Mr. Edward Sileo

REDACTED

**RE: Advisory Letter, FPPC No. 07/420; Jim Jeffra, Ed Sileo**

Dear Mr. Sileo:

The Fair Political Practices Commission ("Commission") enforces the provisions of the Political Reform Act (the "Act") found in Government Code Section 81000, and following. As you may be aware, the Commission was investigating whether you were in violation of conflict of interest provisions of the Act. Specifically, it was alleged that you participated in a governmental decision where you approved Resolution No 07-06 and 06-119, as recommended by the Lancaster Redevelopment Agency and Royal Investors Group, where you had an economic interest in Competitive Analysis. Your father, Patrick Sileo, has an ownership interest in Competitive Analysis.

**After investigation, we have determined that there is insufficient evidence to find you violated the Act. As a result, we are closing this case with this Advisory Letter.**

Under the Act, no public official at any level of state or local government may make, participate in making, or in any way use or attempt to use his official position to influence a governmental decision in which he knows or has reason to know he has a disqualifying conflict of interest. (Section 87100.) To determine whether an individual has a disqualifying conflict of interest, the Commission generally employs the following sequenced analysis: (1) is the individual a public official; (2) did the official make, participate in making, or use or attempt to use the official position to influence a governmental decision; (3) what are the official's economic interests, (4) are the official's economic interests directly or indirectly involved in the governmental decision; (5) what is the applicable materiality standard for each economic interest involved; and (6) is it reasonably foreseeable that the governmental decision will have a material financial effect on the official's economic interest. (See Regulation 18700.)

Section 87103 specifies that conflict of interest may occur if it is reasonably foreseeable that the decision will have a material financial effect upon "the official or a

member of his or her immediate family. The Act defines "immediate family" as an individual's spouse and dependent children. (Section 82021.)

The complaint generally alleged that you acted where you had a conflict of interest because Royal Investors Group had a financial relationship with your father, Patrick Sileo. Because you are not a dependent child you have no financial interest based on your familial relationship to your father under the Act. Therefore, there is insufficient evidence that you violated the conflict of interest provisions of the Act.

If you did have an economic interest in Ed Sileo, your governmental decision to approve redevelopment might have resulted in a disqualifying conflict of interest under the Act.

The Commission publishes forms and manuals to facilitate compliance with the provisions of the Act and provides guidance regarding filing obligations over the telephone and through written advice. Please call the Commission's Technical Assistance Division at 1-866-275-3772 or visit our website at [www.fppc.ca.gov](http://www.fppc.ca.gov).

Sincerely,

REDACTED

(Ty D. Moore) Counsel  
Enforcement Division