



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 920 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

January 15, 2013

Mr. Michael Sarno

Ms. Shirley Sarno

Committee to Elect Michael Sarno TUD Director 2012

REDACTED

Re: Warning Letter

FPPC No. 12/889: Michael Sarno, Committee to Elect Michael Sarno TUD Director 2012, and Shirley Sarno, Treasurer

Dear Mr. and Ms. Sarno:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),¹ found in Government Code section 81000, et seq. This letter is in response to a complaint filed against you and your committee that alleged you failed to file a Statement of Organization, Form 410. We are closing this matter with a warning letter.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you failed to file the Form 410 within 10 days of raising or spending \$1,000 in connection with your election to the Tuolumne Utilities District Board.

Whenever a person, or group of people, raise \$1,000 or more for an election, that person(s) will qualify as a committee. (Section 82013(a).) The Act provides that a committee as defined by Section 82013(a) is to file the Form 410 within 10 days after the committee has qualified as a committee. (Section 84101.)

Your actions violated the Act because you and your committee failed to file the Form 410 within 10 days of reaching the \$1,000 threshold. However, because you filed the Form 410 immediately upon contact from the Enforcement Division, you filed the required pre-election statements, and you do not have an enforcement history, we are closing this matter with a warning letter.

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

The FPPC publishes forms and manuals to facilitate compliance with the provisions of the Act. If you need forms or a manual, or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at 1-866-275-3772. Please also visit our website at www.fppc.ca.gov.

Please feel free to contact Teri Rindahl at 916.327.2018 with any questions you may have regarding this letter.

Sincerely,

 **REDACTED**

Gary S. Winuk
Chief, Enforcement Division

GSW/tr

cc. David Butler