



FAIR POLITICAL PRACTICES COMMISSION

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January 23, 2014

Assembly Member Adrin Nazarian
Nazarian for Assembly 2012 (1341967)

REDACTED

Warning Letter Re: FPPC Case No. 140020; Adrin Nazarian / Nazarian for
Assembly 2012

Dear Assembly Member Nazarian:

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 an audit report referred to us by the Franchise Tax Board. The audit covered the period January 1, 2011 through December 31, 2012. A copy of the audit report is enclosed for your information.

The audit found that a Ballot Measure Contribution Report (BMCR) was not filed for a \$25,000 contribution made to the California Democratic Party and the contribution was not reported as a contribution made on the Summary of Expenditures (Schedule D) of the Preelection Statement filed. An Election Cycle Report (ECR) was not filed for a \$2,500 contribution received, and a \$5,000 Report was not filed for a \$7,800 contribution received. Section 84204.5 of the Act and Regulation 18466 require that a BMCR be filed when contributions totaling \$5,000 or more are made to a committee that had spent more than \$100,000 in the preceding 12 months to support or oppose a state ballot measure. Section 85309 of the Act requires that ECRs be filed when a contribution of \$1,000 or more is received during an election cycle and also requires that \$5,000 Reports be filed when a contribution of \$5,000 or more is received at any time other than during an election cycle.

The contribution to the California Democratic Party is not large in relationship to the total activities of the California Democratic Party. ECRs were filed for 111 contributions received totaling \$221,700. Therefore, we have decided to close this case with a warning letter.

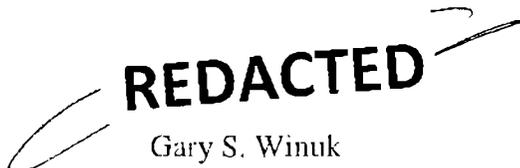
¹ The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California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

Please feel free to contact Program Specialist Robert Perna with any questions you may have regarding this letter.

Sincerely,


REDACTED
Gary S. Winuk
Chief, Enforcement Division

Enclosure