



## FAIR POLITICAL PRACTICES COMMISSION

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

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January 28, 2015

Timothy Coen



### **Warning Letter Re: FPPC No. 14/1334; Timothy Coen, Respondent**

Dear Mr. Coen:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),<sup>1</sup> found in Government Code section 81000, et seq. This letter is in response to a referral from the San Diego County Registrar-Recorder that alleged you have failed to file a campaign statement and failed to file your candidate's Statement of Economic Interests (Form 700).

The FPPC has completed its investigation of the facts in this case. Specifically, we found that you failed to file a Form 470, Campaign Statement Short Form, as a pre-election statement, by the October 6, 2014 deadline with the San Diego County Registrar-Recorder and failed to file your candidate's Statement of Economic Interests, Form 700, by August 8, 2014.

The Act requires that all candidates being voted upon in the general election must file their first campaign statement no later than October 6, 2014. (Sections 84200.5/84200.7.) Candidates who do not form a committee, and do not raise or spend \$1,000 or more in a calendar year, are permitted to file a campaign disclosure statement short form, a Form 470. (Section 84206; Regulation 18406.) Additionally, you are required to file a candidate's Statement of Economic Interests, Form 700, no later than the final filing date for the declaration or nomination documents. (Section 87302.3.)

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<sup>1</sup> 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.

Your actions violated the Act because you failed to file a pre-election campaign statement by the October 6, 2014 deadline and a candidate's Form 700 by the final filing date for the declaration of candidacy. Since it does not appear that you had significant activity during the period covered by your statement, and you were defeated in the election, we are closing our file on this matter.

You must immediately file your delinquent campaign statement with the San Diego County Registrar of Voters.

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.

Please feel free to contact me with any questions you may have regarding this letter.

Sincerely,

A solid black rectangular redaction box covering the signature of Gary S. Winuk.

Gary S. Winuk, Chief  
Enforcement Division

GSW/jt

cc: San Diego County Registrar of Voters