



## FAIR POLITICAL PRACTICES COMMISSION

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April 12, 2012

✓ Matt T. Kokkonen  
Matt Kokkonen for Assembly 2010 (1322658)

# REDACTED

### Warning Letter Re: FPPC Case No. 120092; Matt Kokkonen

Dear Mr. Kokkonen:

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 an audit report referred to us by the Franchise Tax Board. The audit covered the period January 1, 2009 through June 30, 2010. A copy of the audit report is enclosed for your information.

The audit report contained the following findings: (1) adequate records were not maintained for some expenditures; (2) electronic reports were not filed for five contributions received, and (3) the balance of loans outstanding on December 31, 2009 exceeded the allowable limit.

Please be advised that Section 84104 of the Act requires that detailed records be maintained for contributions received, Section 85309 spells out online reporting requirements for contributions received, and Section 85307 establishes a limit for loans made by a candidate to the campaign committee. The audit report findings constitute violations of the Act.

The dollar amount of the expenditures lacking adequate documentation was relatively small, as was the dollar amount of the missing election cycle reports. Additionally, a portion of the loan that exceeded the limit may have actually been a contribution incorrectly categorized as a loan. Therefore, we have decided to close this case with a warning letter.

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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.

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 William Marland with any questions you may have regarding this letter.

Sincerely,

**REDACTED**

Gary S. Winuk  
Chief, Enforcement Division

Enclosure