



FAIR POLITICAL PRACTICES COMMISSION

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

(916) 322-5660 • Fax (916) 322-0886

April 14, 2014

Mr. Clifford Newell
District Attorney
Nevada County District Attorney's Office

REDACTED

Re: Advisory Letter
FPPC Case No. 13/708; Clifford Newell

Dear Mr. Newell:

The Fair Political Practices Commission (“Commission”) enforces the provisions of the Political Reform Act (the “Act”)¹. As you may be aware, the Commission reviewed a referral from the Attorney General’s Office regarding violations of the reporting provisions of the Act. Specifically, our review focused on whether you failed to disclose the forgiveness of a loan on your Statement of Economic Interests.

An express purpose of the Act, as set forth in Section 81002, subdivision (c), is to ensure that the assets and income of public officials, that may be materially affected by their official actions, be disclosed, so that conflicts of interests may be avoided. In furtherance of this purpose, Section 87200 requires certain public officials, including district attorneys, to file an annual Statement of Economic Interests (“SEI”) by April 1st of each year that the official remains in office. On the SEI, each official must disclose reportable economic interests that he or she held during the preceding calendar year.

As a result of our review, we did not find evidence to indicate a violation of the Act in connection with the forgiveness of any loans. The investigation did confirm that you signed a Deed-in-Lieu-of-Foreclosure, relinquishing your interests in the Snow Mountain Camp Road property to the mortgagee in 2009. This property had previously been used for the operation of a summer camp, but had been used solely for residential purposes by you and your family since the closure of the camp in 2005. The income from the summer camp operation was properly

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.

reported on the applicable SEIs. An official is not required to disclose real property that is used by the official or the official's immediate family as a residence. Section 87206 requires the disclosure of the date of disposal of an interest in real property when the property is sold. However, in this case, you had no income to disclose, as the financial institution received the property in satisfaction of the debt.

The Commission publishes forms and manuals to facilitate compliance with the provisions of the Act. If you need forms or manuals, or guidance regarding your obligations, please call the Commission's Technical Assistance Division at 1-866-275-3772. Please also visit our website at www.fppc.ca.gov. If you have any questions regarding this matter, please feel free to contact me at 916-322-5660.

Sincerely,

REDACTED _____

Zachary W. Norton
Commission Counsel
Enforcement Division