



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

July 28, 2014

Phil An
[REDACTED]
[REDACTED]

Warning Letter Re: FPPC No. 13/1198: Phil An

Dear Mr. An:

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 sworn complaint we received that alleged that you did not properly disclose contributions your campaign for Hawaiian Gardens City Council in the November 5, 2013, election received.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you failed to timely file a Short Form Campaign Statement, Form 470, by July 31, 2013, for your campaign for Hawaiian Gardens City Council in the November 5, 2013, election.

The Act requires that all candidates file campaign statements. (Section 84200.) The Act allows for a candidate who plans to receive contributions of less than \$1,000 and make expenditures of less than \$1,000 in a calendar year to file a Short Form Campaign Statement, Form 470, for that calendar year. (Section 84206.) When a campaign statement is required to be filed, the Act requires candidates for city office to file the original campaign statement with the clerk of the city. (Section 84215.)

Your actions violate the Act because you failed to timely file a Short Form Campaign Statement, Form 470, by July 31, 2013, for your campaign for Hawaiian Gardens City Council in the November 5, 2013, election. However, because your campaign’s financial activity during the pertinent period was very low, you do not have a history of enforcement actions, and you were cooperative in our investigation, we are closing this matter with a warning letter.

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.

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.

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 at (916) 327-6357 with any questions you may have regarding this letter.

Sincerely,

A black rectangular redaction box covers the signature of Milad Dalju.

Milad Dalju
Commission Counsel
Enforcement Division

cc: Brian Hews