



FAIR POLITICAL PRACTICES COMMISSION

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August 15, 2014

David M. Slosberg, Treasurer  
Friends of Memo Morantes (1227735)



**Warning Letter Re: FPPC Case No. 140854; Guillermo Morantes / Friends of Memo Morantes**

Dear Mr. Slosberg:

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, 2010 through June 30, 2012. A copy of the audit report is enclosed for your information.

The audit found that five Semi-annual Statements were not filed with the San Mateo County Chief Elections Officer for the period January 1, 2010 through June 30, 2012. In addition, records were not provided to determine the receipts and expenditures, if any, required to be reported on these campaign statements. The lack of records precluded the determination of the disposition of \$2,475 in funds shown as the ending cash balance on the campaign statement filed for the period ending December 31, 2009. Section 84200 of the Act requires that elected officers, candidates, and committees file Semi-Annual Statements. Section 84104 of the Act makes it the duty of each candidate and treasurer to maintain detailed records to establish that campaign statements were properly filed; regulation 18401 details the specific records required for receipts and expenditures.

The candidate stated that he thought this Committee was closed and are not aware of any activity for the Committee. The amount of funds that a determination cannot be made concerning their disposition is not large. The candidate and the committee do not have a history of violating the Act. Therefore, we have decided to close this case with a warning letter.

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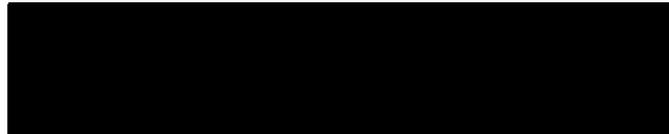
<sup>1</sup> The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the 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 Robert Perna with any questions you may have regarding this letter.

Sincerely,

A large black rectangular redaction box covering the signature area.

Gary S. Winuk  
Chief, Enforcement Division

Enclosure