FAIR POLITICAL PRACTICES COMMISSION
428 J Street • Suite 620 • Sacramento, CA 95814-2329
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August 15, 2014

Oscar E. Villegas
Friends of Oscar Villegas for City Council 2012 (1222373)
[redacted]

Warning Letter Re: FPPC Case No. 140860; Oscar E. Villegas / Friends of Oscar Villegas for City Council 2012

Dear Mr. Villegas:

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 an audit report referred to us by the Franchise Tax Board. The audit covered the period January 1, 2009 through December 31, 2012. A copy of the audit report is enclosed for your information.

The audit found the following violations of the Act: 1) the beginning cash balance on January 1, 2009, was overstated by $3,598 on the Summary Page of the initial Semi-annual Statement filed for the period ending June 30, 2009; this increased cash balance was carried over on the initial campaign statements filed for the audit period; 2) accrued expenses totaling $679 and $4,977 were not reported on the initial Preelection Statements filed for the periods ending September 30 and October 20, 2012; and 3) nine expenditures totaling $1,590 were not disclosed on the initial campaign statements filed. Section 84211 of the Act states that campaign statements shall contain the balance of cash and cash equivalents on hand at the beginning and the end of the period covered by the campaign statement. Section 82025 of the Act defines an expenditure as being made on the date payment is made or consideration is received, whichever is earlier. Section 84211 of the Act requires total expenditures to be reported in each campaign statement period.

[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.

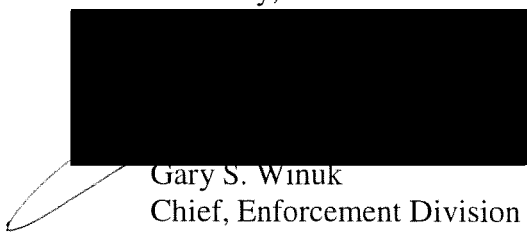
The overstated cash balances and the amount of expenditures not properly accrued were not exceedingly large. You and your committee do not have a history of violations of the Act. Therefore, we have decided to close this case with a warning letter.

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.

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,



Gary S. Winuk
Chief, Enforcement Division

Enclosure