



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3000 • Sacramento, CA 95811
(916) 322-5660 • Fax (916) 322-0886

September 24, 2020

Bart Patel



**Re: Warning Letter
FPPC Case No. 2019-00674; Bart Patel for City Council 2015 and Bart Patel**

Dear Mr. Patel:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is in response to a referral the Enforcement Division received from the Franchise Tax Board’s (“FTB”) Political Reform Audit Program resulting from an audit of your committee, Bart Patel for City Council 2015, for the period of January 1, 2012 through December 15, 2015.

The FTB audit report concluded that the Committee violated the Act by failing to timely file a late contribution report (Form 497) for a contribution received on October 7, 2015 for \$2,500, and that records were not maintained regarding received dates for 12 contributions totaling \$21,000 that were deposited into the campaign bank account after the election. Further, the audit report found other violations that will not be pursued by the Enforcement Division because the Act’s statute of limitations is five years and those violations are beyond that time frame.

Despite the violations, the Enforcement Division has determined that further enforcement action is not warranted because the FTB audit report concluded that the Committee substantially complied with the Act. Additionally, you do not have a history of violating the Act, the Committee has since terminated, and you were an unsuccessful candidate in the November 3, 2015 General Election.

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, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

A warning letter is an Enforcement Division case resolution without administrative prosecution or fine. The Commission has adopted Regulation 18360.1 to authorize the Enforcement Division to issue warning letters to conclude cases in specified circumstances. 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 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 Enforcement Division 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 Commission's website ten (10) days from the date of this letter.

If you need forms or a manual, or guidance regarding your obligations, please visit our website at www.fppc.ca.gov. Please feel free to contact Shaina Elkin at selkin@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,



Galena West
Chief, Enforcement Division

cc: Franchise Tax Board

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