



FAIR POLITICAL PRACTICES COMMISSION

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

(916) 322-5660 • Fax (916) 322-0886

September 30, 2014

✓ Mr. Joe Daichendt  
Theory R Properties

[REDACTED]

Mr. Joe Daichendt  
Committee for 250 Jobs – Yes on Measure Z

[REDACTED]

**Warning Letter Re: FPPC No. 14/875; Theory R Properties; Committee for 250 Jobs – Yes on Measure Z; Joe Daichendt, Treasurer and Principal Officer, Respondent(s)**

Dear Mr. Daichendt:

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 a sworn complaint filed against you that alleged you failed to file campaign disclosure statements in connection with your effort to qualify a ballot measure.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that as an independent expenditure committee, Theory R Properties failed to timely file a semi-annual campaign statement by the July 31, 2014 deadline. Additionally, once qualified, the committee, Committee for 250 Jobs – Yes on Measure Z, failed to timely file its Statement of Organization due by the August 4, 2014 deadline.

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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.

The Act requires that persons who make independent expenditures file campaign statements at periodic intervals and that a recipient committee qualifying a measure for the ballot must file its Statement of Organization once it receives \$1,000 or more and commences the signature gathering process. (Sections 84101, 84200/84200.7; In re: Fontana 2 FPPC Ops. 25 71-162..)

Your actions violated the Act because Theory R Properties failed to file a semi-annual campaign statement as an independent expenditure committee by the July 31, 2014 deadline and once qualified, the ballot measure committee, Committee for 250 Jobs – Yes on Measure Z, failed to file its Statement of Organization within its respective deadline. However, since both entities have now filed their respective campaign statements, we are closing our file on this matter. Please note though that both committees remain subject to any late filing penalty that may be assessed by each respective filing officer. (Section 91013.)

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 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 with any questions you may have regarding this letter.

Sincerely,

A black rectangular redaction box covering the signature of Gary S. Winuk.

Gary S. Winuk, Chief  
Enforcement Division

GSW/jt

cc: Mr. William Furniss