



FAIR POLITICAL PRACTICES COMMISSION

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

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September 21, 2010

✓ Carlos Villapudua  
Elect Carlos Villapudua for Supervisor, District 1 (1296548)

REDACTED

**Warning Letter Re: FPPC Case No. 100710; Carlos Villapudua**

Dear Mr. Villapudua:

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, 2007 through December 31, 2008. A copy of the audit report is enclosed for your information.

The audit found the following: (1) occupation and employer information was not disclosed for some contributors; (2) five checks of \$100 or more were made payable to cash, and (3) some personal expenses were paid with campaign funds.

Section 84211 of the Act requires occupation and employer information to be disclosed for any contributor of \$100 or more; additionally, Section 85700 specifies that any contribution of \$100 or more for which the candidate or committee does not have the information on file must be returned. Section 84300 prohibits cash expenditures of \$100 or more. Section 89510 states that campaign funds may be used only for expenses associated with the election of a candidate or expenses associated with holding office.

The findings in the audit report constitute violations of the Act. The dollar amounts were small, however, and the payments for personal expenses were reimbursed to the committee. 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 William Marland with any questions you may have regarding this letter.

Sincerely,

**REDACTED**

Sue Straine  
Chief Investigator  
Enforcement Division

Enclosure