FAIR POLITICAL PRACTICES COMMISSION
428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

December 2, 2014

Mr. Paul Vincent Avila
Paul Vincent Avila for Mayor, 2014
[redacted]

Warning Letter Re: FPPC No. 14/1208; Paul Vincent Avila for Mayor, 2014; Paul Vincent Avila, Respondent(s)

Dear Mr. Avila:

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 a sworn complaint from the City of Ontario that alleged you have failed to file a 24-hour report in connection with a loan to your campaign.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that your committee failed to file a Form 497, Late Contribution Report, in connection with a personal loan it received from you. While the loan was reported on the committee's Campaign Disclosure Statement, Form 460, your committee failed to report this loan within 24 hours of its receipt.

The Act requires that committees must file a late contribution report (Form 497) when it receives a contribution, including a loan, of $1,000 or more during the 90 days preceding the election. (Section 82036.) The contribution, including a loan, would also then be reported on the committee's next Campaign Disclosure Statement (Form 460).

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[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.

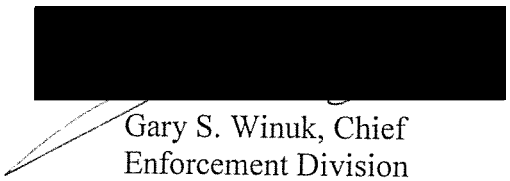
Your actions violated the Act because your committee failed to file a report within 24 hours of receiving the personal loan from you. Since it appears that the majority of fundraising consisted of this personal loan from you and you did not have significant activity during the period covered by your statement, we are closing our file on this matter.

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,



Gary S. Winuk, Chief
Enforcement Division

GSW/jt
cc: Ms. Vicki Kasad
City of Ontario