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

July 29, 2011

Mr. Charles Pratty
Mr. Charles Siroonian
Ecology Auto Parts
REDACTED

Warning Letter Re: FPPC No. 11/501; Ecology Auto Parts

Dear Messrs. Pratty and Siroonian:

The Fair Political Practices Commission ("FPPC") enforces the provisions of the Political Reform Act ("Act"),[1] found in Government Code section 81000, et seq. This letter is in response to an allegation that Ecology Auto Parts failed to file a Major Donor Campaign Statement, Form 461. Upon initial review of the allegation, it was determined that a Form 461 was filed with the Secretary of State's office on January 14, 2011. However, upon our initial review, it became apparent that certain contributions were not disclosed.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that on two separate occasions, Ecology Auto Parts made contributions in the form of food and printing costs totaling $2328.00 to the Committee to Elect Frank A. Gonzales Council 2010, but failed to disclose those two contributions on the Form 461 filed in January.

Under the Act, a contribution is a payment made at the behest of a committee unless full and adequate consideration is received from the committee for making the payment. (Section 82015.) Furthermore, the Act requires all contributions to be disclosed; even those contributions described as non-monetary contributions. (Section 84211.)

[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 18109 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 you did not disclose the two non-monetary contributions made to the Committee to Elect Frank A. Gonzales Council 2010. However, since you filed an amendment to disclose this information immediately after contact by the Enforcement Division, and you do not have an enforcement history, 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 Teri Rindahl at 916-327-2018 with any questions you may have regarding this letter.

Sincerely,

REDACTED

Gary S. Winuk, Chief
Enforcement Division

GSW/tr