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

September 14, 2011

J.M. Olchawa, Treasurer
San Bernardino Taxpayers Association

REDACTED

Warning Letter Re: FPPC No. 11/433, San Bernardino Taxpayers Association and J.M. Olchawa, Treasurer

Dear Ms. Olchawa:

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 regarding you and your committee's alleged violation of the Act's loan reporting requirements as they pertain to campaign statements filed by committees.

The Act provides that for every loan outstanding to a committee and as yet neither paid in full nor forgiven, the committee continue to report the lender's full name, street address, occupation, employer, the original date and amount of each loan, the due date and interest rate of the loan, the cumulative payment made or received to date at the end of the reporting period, and the balance outstanding at the end of the reporting period. This is required even if there is no activity on the outstanding loan during the reporting period. (GC § 84211(g).)

Your actions and those of San Bernardino Taxpayers Association violated the Act because, after initially reporting the loans your committee received, you ceased the required further reporting described in the above paragraph regarding their status. Because, however, you responded to our request that you amend the two year's of reports with the required amendments within the deadline set for you and because you have no prior violations of the Act, we have decided to close this case.

[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.

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.

If you have questions regarding this matter, please contact Adrianne Korchmaros at (916) 322-8241.

Sincerely,

REDACTED

Gary S. Winuk, Chief
Enforcement Division

GSW:AK:ak

cc: Anne Basham