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

October 1, 2009

Ashok K. Bhatt

REDACTED

Re: **Warning Letter FPPC No. 06/0997; Ashok K. Bhatt, Ash Bhatt for Assembly Committee, Commit-tee for Ash Bhatt**

Dear Mr. Bhatt:

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 complaint filed against you alleging that you and your committees Commit-tee [sic] for Ash Bhatt and Ash Bhatt for Assembly Committee failed to file all required campaign statements.

The FPPC has completed its investigation of the facts in this case. In general, we found that you failed to file campaign statements for both Commit-tee for Ash Bhatt and Ash Bhatt for Assembly Committee, and misreported the cash balance for Ash Bhatt for Assembly Committee.

The Act provides in Section 84206, subdivision (c) that a candidate who has filed a Officeholder and Candidate Campaign Statement – Short Form 470, and who thereafter receives contributions or makes expenditures totaling $1,000 or more in a calendar year, to send written notification to the Secretary of State, the local filing officer, and each candidate contending for the same office within 48 hours of receiving or expending the $1,000. Section 84200.5 requires that candidates being voted on in November of an even numbered year file

[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.

pre-election statements as set forth in Section 84200.7, subdivision (b). Section 84200 requires a committee to file semi-annual statements each year no later than July 31 for the period ending June 30 and January 31 for the period ending December 31. Section 84211, subdivision (e) requires a committee to report the cash balance at the beginning and end of the period covered by the campaign statement. Section 84214 and Regulation 18404 requires a committee to file campaign statements to the time of termination.

Specifically, we found that you were required to file the following statements in connection with your candidacy for Alameda County Water District Board of Directors in the November 7, 2006, election: an Officeholder and Candidate Campaign Statement Form 470 Supplement; a Pre-election Statement for the period ending October 21; a Semi-annual Statement for the period ending December 31, 2006; and, a Statement of Termination. Further, you were required to file semi-annual statements for the Ash Bhatt for Assembly Committee for the periods ending December 31, 2005, and June 30, 2006, and to report $36 as the ending cash balance on the Semi-annual Statement filed for the period ending June 30, 2005.

Your actions violated the Act because you failed to file the above mentioned statements and misreported the ending cash balance for Ash Bhatt for Assembly Committee as $19,101 on the Semi-annual Statement filed for the period ending June 30, 2005.

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,

REDACTED

Grant Beauchamp
Program Specialist
Enforcement Division