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

October 7, 2009

Mr. Daniel Akagi

REDACTED

RE: **Advisory Letter**
FPPC File No. 090667; Daniel Akagi

Dear Mr. Akagi:

The Fair Political Practices Commission ("Commission") enforces the provisions of the Political Reform Act (the "Act") found in Government Code Section 81000, and following. The Act requires candidates to file periodic campaign disclosure statements disclosing contributions received and expenditures made during specified periods of time.

The Enforcement Division of the Commission received a complaint alleging that you failed to complete the proper campaign disclosure statements and report in-kind contributions you received during your election for the Castro Valley Sanitary District Board in November of 2008. Specifically, the complainant indicates that the Tom McGowen for CVSAN committee paid for flyers, door hangars and signs on your behalf, but you failed to report the payments as an in-kind contribution.

The Act requires that when you receive contributions of $1,000 or more, you are required to file a Statement of Organization (Form 410) establishing yourself as a campaign committee and must file subsequent Campaign Disclosure Statements (Form 460) at specified times before the election. (Sections 84101; 84200.5.)

Since we have no direct evidence to indicate that you received an in-kind contribution from the Tim McGowen for CVSAN committee, we are closing our investigation on this matter. If, however, during the November 2008 election, you received in-kind contributions of $1,000 or more, you must complete a Statement of Organization (Form 410), as well as a Campaign Disclosure Statement (Form 460) and report the value of the in-kind contributions on Schedule C of the statement.

The Commission publishes forms and manuals to facilitate compliance with the Act. If you need forms or a manual, or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at (916) 322-5660, Monday through Thursday, between 9:00 a.m. and 4:00 p.m. Please also visit our website at www.fppc.ca.gov.

If you have questions regarding this matter, please contact me at (916) 322-8194.

Sincerely,

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Jeanette E. Turvill
Political Reform Consultant
Enforcement Division

JT/jt
cc. Mr. Tom Silva