



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3000 • Sacramento, CA 95811

October 13, 2020

Joseph Guardarrama
The Kaufman Legal Group
o/b/o Jovana Fajardo and Yes on C – Protect Sacramento Renters, Sponsored by Alliance of
Californians for Community Empowerment Action, Service Employees International Union
1021 and Sacramento Democratic Socialists of America
Via Email: jguard@kaufmanlegalgroup.com

**Warning Letter Re: FPPC No. 2020-00776; Jovana Fajardo and Yes on C – Protect
Sacramento Renters, Sponsored by Alliance of Californians for Community Empowerment
Action, Service Employees International Union 1021 and Sacramento Democratic Socialists
of America**

Dear Mr. Guardarrama:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ As you are aware, the Enforcement Division received an anonymous complaint against your client Yes on C – Protect Sacramento Renters, Sponsored by Alliance of Californians for Community Empowerment Action, Service Employees International Union 1021 and Sacramento Democratic Socialists of America (the “Committee”) alleging that the Committee violated the advertisement disclaimer provisions of the Act.

The Enforcement Division has completed its review and found that your client failed to include the required disclosure on two different websites.

Under the Act, an internet website paid for by a committee, other than a political party committee or a candidate controlled committee established for an elective office of the controlling candidate, shall include the words “Ad paid for by” followed by the name of the committee as it appears on the most recent Statement of Organization filed pursuant to Section 84101.²

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Sections 84504.3, subd. (d) and 84502.

The Committee violated the Act by failing to include its name as it appears on the most recent Statement of Organization on two different websites. However, it was clear that the Committee paid for the websites in question, so the violation resulted in minimal public harm. The Committee corrected the disclosure to include a reference to the ballot measure immediately after being contacted by the Enforcement Division. Additionally, the Committee does not have a prior enforcement history. For these reasons, the Enforcement Division is closing this case with a warning letter.

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 Enforcement Division case resolution without administrative prosecution or fine. The Commission has adopted Regulation 18360.1 to authorize the Enforcement Division to issue warning letters to conclude cases in specified circumstances. 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 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 Enforcement Division 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 Commission's website ten (10) days from the date of this letter.

If you need forms or a manual, or guidance regarding your obligations, please call the Commission's Toll-Free Advice Line at 1-866-275-3772 or visit our website at www.fppc.ca.gov.

Please feel free to contact Dominika Wojenska at dwojenska@fppc.ca.gov or (916) 322-2043 with any questions you may have regarding this letter.

Sincerely,



Galena West, Chief
Enforcement Division