



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

September 23, 2022

Dubliners Against Overdevelopment
Arun Chakma, Treasurer



Warning Letter Re: FPPC No. 2022-00512; Dubliners Against Overdevelopment; Arun Chakma

Dear Dubliners Against Overdevelopment & Mr. Chakma,

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 a referral from the City of Dublin City Clerk alleging that you failed to timely file the first quarterly campaign statement for the calendar year 2022.

The Enforcement Division has completed its review of the facts in this case. Specifically, we found that you failed to file the quarterly campaign statement for the reporting period of: January 1, 2022 through March 30, 2022, by the May 2, 2022 deadline².

Under the Act, an initiative becomes a measure when the proponents begin to circulate signature petitions to qualify the measure for the ballot. (*In re Fontana* (1976) 2 FPPC Ops. 25). The Act requires committees primarily formed to support a measure to file quarterly campaign statements, in addition to required pre-election statements and semi-annual statements. Quarterly statements³ are due on or before April 30, covering the period January 1 to March 31, and on or before October 31, covering July 1 to September 30. The obligation to file campaign statements continues until the treasurer terminates the committee.

Your actions violated the Act because you failed to timely file the above referenced quarterly campaign statement by the required deadline. However, the Enforcement Division has decided to close this case with this warning letter rather than a fine because: the missing campaign statement was filed immediately after you were contacted by the Enforcement Division; this was the first campaign statement ever filed by the Committee; the referendum backed by the Committee did not advance to an official vote and there was confusion over whether a quarterly campaign statement was required; and you do not have a prior Enforcement history.

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 April 30, 2022 was a Saturday. Therefore the filing deadline extended to the next business day.

³ Section 84202.3

Please note that while the Enforcement Division is closing this matter without a fine, your filing officer, the City of Dublin, may assess late filing penalties.

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. 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. Please feel free to contact Ginny Brown at 916-322-8064 or gbrown@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

Angela J. Brereton

Angela J. Brereton, Chief
Enforcement Division

AJB:gab

cc: Marsha Moore, Dublin City Clerk