



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

November 18, 2022

Fernando Alvarez Morales
Candidate, West Park Elementary School District Board
[REDACTED]

Warning Letter Re: FPPC No. 2022-00855, Fernando Alvarez Morales

Dear Fernando Alvarez Morales:

Please be advised that the Enforcement Division of the Fair Political Practices Commission ("Commission") is hereby withdrawing the rejection letter issued on November 16, 2022, and is instead closing the matter with a warning letter.

The Enforcement Division enforces the provisions of the Political Reform Act (the "Act").¹ As you are aware, in response to the Enforcement Division's pre-election outreach program, we were made aware by the Fresno County Clerk/Elections that you failed to timely file a pre-election campaign statement in connection with the November 8, 2022 election. We originally rejected the referral because initially we received information indicating that you were not going to appear on the November 8, 2022 ballot. However, we have since learned that you did appear on the ballot, so the facts of this matter were re-reviewed.

The Act requires candidates who will appear on a ballot and do not have an open committee and do not plan to raise or spend \$2,000 or more in connection with the applicable election to file Form 470 (Campaign Statement – Short Form) covering the entire calendar year by the deadline for the first pre-election campaign statement.²

You violated the Act because you failed to file your Form 470 by September 29, 2022, the deadline to file the first pre-election campaign statement. But, for the following reasons, the Enforcement Division has decided to close your case with a warning letter rather than a fine: You were referred as part of the proactive pre-election outreach program; you filed your Form 470 immediately after you were contacted by the Enforcement Division; you filed it before the election; and, you have not had a prior violation of this section. Please note that while the Enforcement Division is closing this matter without a fine, your filing officer may assess late filing penalties.

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014 and all statutory references are to this code.

² Sections 84200.5 and 84206.

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.

Please feel free to contact Tara Stock at tstock@fppc.ca.gov or (916) 322-8241 with any questions you may have regarding this letter.

Sincerely,

Angela J. Brereton

Angela J. Brereton, Chief
Enforcement Division

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