



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

January 18, 2023

Sarah Lang
o/b/o Joshua Hoover
Via email: slang@bmhlaw.com

Warning Letter: FPPC No. 2023-00039, Joshua Hoover

Dear Ms. Lang,

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act¹ (the “Act”). As you are aware, the Enforcement Division received a sworn complaint alleging that your client, Joshua Hoover, failed to disclose a reportable economic interest on their Statements of Economic Interests (“SEIs”). The Enforcement Division has completed its review and found that your client failed to timely disclose a source of income on their Candidate SEI and their 2021 Annual SEI.

Under the Act, a candidate for an office specified in Government Code Section 87200, including a candidate for elective state office such as the State Legislature, is required to file a Candidate SEI disclosing his or her investments, business positions, interests in real property, and income received during the preceding 12 months.² The SEI must be filed no later than the deadline for the declaration of candidacy.³

The Act also requires every state and local agency to develop a Conflict of Interest Code.⁴ The Code designates positions within the agency that make or participate in making governmental decisions.⁵ Individuals in those positions are required to file SEIs at specified times to disclose reportable economic interests as outlined in the Code that could potentially be affected by the individual’s decision-making authority.⁶

Your client violated the Act by failing to timely disclose a source of income, Kevin Kiley for Governor 2021, on their Candidate SEI filed on March 10, 2022 in connection with their candidacy for the State Assembly District 7 in the June 7, 2022 Primary Election. Additionally, Kevin Kiley

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 Section 87201.

³ *Ibid.*

⁴ Section 87300.

⁵ Section 87302, subd. (a).

⁶ Section 87302, subd. (b).

for Governor 2021 was not timely disclosed as a source of income on their 2021 Annual SEI filed on March 30, 2022 for their position as Chief of Staff for Assembly Member Kiley. However, the Enforcement Division has decided to close this case with a warning letter rather than a fine because your client has since filed amendments to both SEIs to disclose Kevin Kiley for Governor 2021 as a source of income, Kevin Kiley for Assembly 2022 was timely disclosed as a source of income on both SEIs, Kevin Kiley for Governor 2021 and Kevin Kiley for Assembly 2022 timely disclosed the payments made to your client on their campaign statements, and your client has no prior history of violating the Act.

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 have questions regarding this letter, please contact Tara Stock at (916) 322-8241 or tstock@fppc.ca.gov.

Sincerely,

Angela J. Brereton

Angela J. Brereton, Chief
Enforcement Division

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