



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

January 5, 2023

Lee Hess
[REDACTED]

Warning Letter: FPPC No. 2019-01297; Lee Hess

Dear Mr. Hess:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is in response to a referral from the County of Ventura. The Enforcement Division found that as a result of your position as a Board Member with the County’s Assessment Appeals Board, the Act required you to periodically file a Statement of Economic Interests (“SEI”) and that you failed to file a Leaving Office SEI which indicated your correct leaving office date. The County of Ventura’s referral also alleged that you failed to file a complete 2018 Annual SEI.

Section 87300 of the Act requires every state and local agency to develop a Conflict of Interest Code. This Code requires individuals who participate in making decisions which may foreseeably have a material financial effect on any financial interest belonging to that person to disclose all reportable interests on SEIs.² Individuals required to file SEIs must file within 30 days of assuming office, annually thereafter at the time specified by the Code, and within 30 days of leaving office.³

Our review determined that you resigned from your position effective January 22, 2020. However you violated the Act by filing a Leaving Office SEI which indicated a leaving office date of January 21, 2020. But since you are no longer in the position and have not had a prior violation of this section, the Enforcement Division has decided to close your case with this warning letter rather than a fine. Additionally we determined that your 2018 Annual SEI⁴, although it lacked the form’s standard “cover page”, was comprised of the individual SEI schedules.⁵ Each individual schedule was signed by you under penalty of perjury in accordance with Section 81004. For this reason, since your 2018 Annual SEI substantially complied with the provisions of the Act, the Enforcement Division considers your 2018 Annual SEI to be in compliance and we will not pursue this alleged violated further.

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

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 87302, subd. (b).

³ *Ibid.*

⁴ Filed on April 4, 2019

⁵ Your 2018 Annual SEI included Schedules: A-2, B, C, D, & E

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.

Although the Enforcement Division is closing this case without seeking a penalty, you are still required to amend your Leaving Office SEI. Please contact your filing officer, Anna Hall at ClerkoftheBoard@ventura.org, for further information about your required filings. Any future non-filings may result in monetary penalties and this warning letter may be considered in any future enforcement actions.

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 any questions regarding this letter, please contact Ginny Brown at 916-322-8064 or gbrown@fppc.ca.gov.

Sincerely,

Angela J. Brereton

Angela J. Brereton, Chief
Enforcement Division

AJB:gab

cc: Anna Hall (ClerkoftheBoard@ventura.org)