



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3050 • Sacramento, CA 95811

July 14, 2023

2018 John Chang for Millbrae City Council Member
John Chang and Honglin Chen



Warning Letter Re: FPPC No. 20/479, John Chang, Honglin Chen and 2018 John Chang for Millbrae City Council Member

Dear John Chang, Honglin Chen, and Committee:

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 two sworn complaints alleging that the committee, 2018 John Chang for Millbrae City Council Member (the “Committee”), failed to timely file certain semi-annual campaign statements. The Enforcement Division has completed its review of the facts in this case. Specifically, we found that the Committee failed to timely file several semi-annual statements.

The Act requires candidate-controlled committees to file two-pre-election campaign statements at specified times prior to the election in which the candidate will be on the ballot, as well as semi-annual campaign statements each year no later than July 31 for the period ending June 30, and no later than January 31 for the period ending December 31.² The obligation to file semi-annual campaign statements continues until the candidate or treasurer terminates the committee. Controlling candidates and committee treasurers are jointly and severally liable for violations by the committee.³

Your actions violated the Act because the Committee failed to timely file the semi-annual campaign statement for the periods covering October 21, 2018 through December 31, 2018, January 1, 2019 through June 30, 2019, July 1, 2019 through December 31, 2019, January 1, 2020 through June 30, 2020, July 1, 2020 through December 31, 2020, and January 1, 2021 through April 12, 2021. For the following reasons, the Enforcement Division has decided to

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 84200.5 and 84200.

³ Sections 83116.5 and 91006.

close this case with this warning letter rather than a fine: the violations at issue here caused minimal public harm, most of the statements were filed a few days after the applicable due dates which were all due after the relevant election, there was no evidence of an intent to conceal the violations, you had little or no experience when you ran for office, there was very little or no activity to report, you were unsuccessful, and the committee has terminated.

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 me at 916-738-6411 or jrivera@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

Jonathan Rivera

Jonathan Rivera, Commission Counsel
Enforcement Division

cc: *Rachelle French* [REDACTED] and Douglas Radtke
[REDACTED]