



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

September 20, 2023

Department of Consumer Affairs
Attn: Jill Johnson
Via email: JillJohnson@dca.ca.gov

Re: Warning Letter; FPPC No. 2021-00842; Department of Consumer Affairs

Dear Jill Johnson:

The Enforcement Division of the Fair Political Practices Commission (“FPPC”) enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is in response to a sworn complaint, regarding the filing officer duties as they relate to Statements of Economic Interests (“SEIs”) in connection with the Bureau of Real Estate Appraisers.

The Act imposes specific duties upon filing officers and filing officials who receive SEIs.² A filing *officer* receives and retains SEIs, while a filing *official* receives SEIs and forwards the originals to the filing officer. In this matter, the Department of Consumer Affairs acts as the filing officer and the Bureau of Real Estate Appraisers acts as a filing official.

The Act requires original statements of economic interests of person other than statewide elective office to be retained by the filing officer for a period of not less than seven years.³ Further, the Act requires the filing official to retain copies of statements of economic interests for not less than four years.⁴

The Department of Consumer Affairs violated the Act by failing to retain original statements of economic interests for the Bureau of Real Estate Appraisers for at least seven years. However, the Enforcement Division has decided to close this case with this warning letter rather than a fine because you explained the box of 2015 original statements of economic interests were misplaced by accident and have no prior history with the Enforcement Division.

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

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 18104 through 18998 of Title 2 of the California Code of Regulations.

² Section 81010; Regulations 18115, 18115.1, and 18115.2.

³ Section 81009, subd. (e).

⁴ Section 81009, subd. (f).

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 bcastillo@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

Bridgette Castillo

Bridgette Castillo
Senior Commission Counsel, Enforcement Division