



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

September 15, 2023

Timothy Banuelos
[REDACTED]

Warning Letter: FPPC No. 2022-00924; Timothy Banuelos

Dear Timothy Banuelos,

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 referral from the FPPC’s Statements of Economic Interests (“SEI”) Unit. The Enforcement Division found that as a result of your position as a Planning Commissioner with the City of Pinole, the Act required you to periodically file a SEI and that you failed to timely file your Assuming Office SEI and 2021 Annual SEI.

Section 87200 of the Act requires certain public officials to disclose reportable interests. Every person enumerated within Section 87200 must file an SEI within 30 days of assuming office, annually thereafter at the time specified by Commission regulations, and within 30 days of leaving office.

Your actions violated the Act by failing to file your Assuming Office SEI within 30 days of assuming your position, and 2021 Annual SEI by the April 1, 2022 deadline. However, you have filed the outstanding SEIs and have not had a prior violation of this section. Based on the foregoing, and in accordance with the Enforcement Division Policy Directives formally adopted by the Commission on January 26, 2023, which requires the Enforcement Division to take all appropriate actions within their discretion to decrease the Division’s annual carryover caseload, the Enforcement Division is closing this case with this warning letter. Discretion was used based upon mitigating or aggravating circumstances and the totality of the circumstances. This resolution may not be used as a comparable case for other enforcement matters.

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.

Although the Enforcement Division is closing this case without seeking a penalty, you are still required to pay any late filing fees assessed by your filing officer. Please contact your filing officer, Cyndi Glaser, at cglaser@fppc.ca.gov or form700@fppc.ca.gov for further information about your required filings and/or fees owed. Please note that any future non-filings will be brought to our attention and may result in monetary penalties. This warning letter may be considered should a future enforcement action become necessary.

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.

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,

James M. Lindsay

Christopher B. Burton, Chief
Enforcement Division

JML:gab