



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
428 J Street • Suite 620 • Sacramento, CA 95814-2329

September 12, 2022

Rhea Stewart

o/b/o Stewart for San Dieguito Union High School District Trustee Area 3 2018



Warning Letter re: FPPC No. 2021-01002; Stewart for San Dieguito Union High School District Trustee Area 3 2018, Rhea Stewart

Dear Rhea Stewart:

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 filing officer referral against you and your committee Stewart for San Dieguito Union High School District Trustee Area 3 2018 (the “Committee”), alleging that you failed to timely file four semi-annual campaign statements for the reporting periods between July 1, 2019 through June 30, 2021. The Enforcement Division found that you failed to timely file two pre-election and four semi-annual campaign statements and improperly used surplus funds.

The Act requires elected officers, candidates, and committees to file pre-election and semi-annual campaign statements.² Furthermore, the Act requires funds remaining in a campaign account 90 days after the defeat for elective office to be reported and may be used for only the following purposes: the payment of outstanding campaign debts or elected officer's expenses, the repayment of contributions, donations to any bona fide charitable, educational, civic, religious, or similar tax-exempt, nonprofit organization, contributions to a political party committee, contributions to support or oppose any candidate for federal office, any candidate for elective office in a state other than California, or any ballot measure, the payment for professional services reasonably required by the committee to assist in the performance of its administrative functions.³

You violated the Act by failing to timely file two pre-election and four semi-annual campaign statements for the reporting periods between July 1, 2019 through June 30, 2021. Furthermore, you improperly used the 2018 leftover/surplus funds (\$1,182) to pay for things related to your 2020 campaign for a different office. Specifically, the expenditures were \$580 to San Diego County [filing fees], \$475 to California Voter Guide [mailers], and \$127 [unitemized expenditures]. However, the Enforcement Division has decided to close this case with a warning letter because other than spending the \$1,182, there was no campaign activity during these reporting periods, so the failure to timely file the campaign statements was of minimal public harm. Additionally, this is your first offense as you have no prior enforcement history, you have

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 18109 through 18997 of Title 2 of the California Code of Regulations.

² Sections 84200 and 84200.5.

³ Section 89519, subd. (a) and (b).

minimal experience as treasurer/candidate of a committee, the amount raised/spent regarding the 2020 election was low (\$0/\$1,182), and the Committee has terminated. Therefore, the Enforcement Division has decided to close this case with a warning letter.

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 need forms, manual, or guidance regarding your obligations, please call the Commission's Toll-Free Advice Line at 1-866-275-3772 or visit our website at www.fppc.ca.gov. Please feel free to contact me at (916) 327-6358 or arose@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

Alex Rose

Alex Rose
Commission Counsel
Enforcement Division