



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

December 16, 2022

T. Brendan Kennedy
Vice President – Corporate Counsel
o/b/o Universal Services of America, LP, d/b/a Allied Universal
Paul Laconi, responsible officer
161 Washington Street, Suite 600
Conshohocken, PA 19428



Warning Letter Re: FPPC No. 2022-00299; Universal Services of America, LP, d/b/a Allied Universal

Dear T. Brendan Kennedy,

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 Commission-initiated investigation which found that Universal Services of America, LP, d/b/a Allied Universal (the “Committee”) failed to timely file two major donor campaign statements (Form 461) for the reporting periods of January 1, 2018 to June 30, 2018 and July 1, 2018 to December 31, 2018, despite qualifying as a major donor committee during the first half of 2018.

The Enforcement Division has completed its review of the facts in this case. Specifically, we found that the Committee qualified as a major donor committee on May 14, 2018, and ultimately made a total of \$39,715 in contributions in 2018. We found that the Committee failed to timely file two corresponding Form 461s disclosing these contributions.

Under the Act, an individual or entity that makes contributions totaling \$10,000 or more in a calendar year qualifies as a major donor committee and incurs filing obligations.² If the \$10,000 threshold is met in the first six months of the calendar year, a major donor must file a Form 461 covering the period of January 1 through June 30 by July 31 of the calendar year. If the Committee makes additional contributions during the latter six months of the calendar year, a major donor must file a Form 461 covering the period July 1 through December 31 by January 31 of the following calendar year.³

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 82013, subd. (c).

³ Section 84200.

The Committee's actions violated the Act because it failed to timely file a Form 461 by the respective July 31, 2018 and January 1, 2019 deadlines. However, mitigating evidence exists such that the Enforcement Division has decided to close this matter with this warning letter rather than issue a fine: this was the Committee's first time qualifying as a major donor committee and each of the committees that received the pertinent contributions timely disclosed receipt of them on a corresponding campaign statement (Form 460). Further, the Committee filed the Form 461 after being contacted by the Enforcement Division and has no prior Enforcement history.

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 your client with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Commission. If your client wishes to avail himself of these proceedings by requesting that his 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 or a 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 cburton@fppc.ca.gov or 916-322-5021 with any questions you may have regarding this letter.

Sincerely,

Christopher B. Burton

Christopher B. Burton, Assistant Chief
Enforcement Division