



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

July 7, 2023

Committee to Write-In Adam Gerhart for Oakley City Council District 4 2022

Adam Gerhart

Bonnie Silveria, Treasurer

Warning Letter re: FPPC No. 2023-00460; Committee to Write-In Adam Gerhart for Oakley City Council District 4 2022, Adam Gerhart, Bonnie Silveria

Dear Committee, Adam Gerhart, and Bonnie Silveria:

The Enforcement Division of the Fair Political Practices Commission ("FPPC") enforces the provisions of the Political Reform Act (the "Act").¹ As you are aware, the Enforcement Division received a complaint alleging that your committee failed to file a semi-annual campaign statement. The Enforcement Division has completed its review and found that the Committee failed to timely file a semi-annual campaign statement for the reporting period of October 23, 2022 through December 31, 2022.

The Act requires candidate-controlled committees to file semi-annual 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

Your actions violated the Act because you failed to timely file the semi-annual campaign statement for the period covering October 23, 2022 through December 31, 2022 by the January 31, 2023 deadline. However, for the following reasons, the Enforcement Division has decided to close this case with this warning letter rather than a fine: you filed the missing statement soon after you were contacted by the Enforcement Division; you reported no activity on the campaign statement; you were an unsuccessful candidate in this election; and you have no history of violating the Act. Please note that while the Enforcement Division is closing this matter without a fine, your filing officer may assess late filing penalties.

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 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Section 84200.

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 Amber Rodriguez at arodriguez@fppc.ca.gov or (916) 322-1198.

Sincerely,

Christopher B. Burton

Christopher B. Burton, Acting Chief
Enforcement Division

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