



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

May 23, 2023

Frank Guzman  
[REDACTED]

**Warning Letter: FPPC No. 2020-00876; Frank Guzman for Pomona School Board 2020, and Frank Guzman**

Dear Frank Guzman and Committee:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).<sup>1</sup> As you are aware, in response to the Enforcement Division’s pre-election outreach program, we were made aware by Los Angeles County Registrar Recorder/County Clerk that you failed to timely file a pre-election campaign statement in connection with the November 3, 2020 election. The Enforcement Division has completed its review of the facts in this case. Specifically, we found that individually you failed to timely file a Candidate Statement of Economic Interest (SEI), and that you and the Committee failed to timely file a Statement of Organization (Form 410) after your committee qualified, the first and second pre-election campaign statements, and five semi-annual campaign statements.

The Act requires a candidate for office that is designated in a conflict of interest code to file a Candidate SEI that discloses their investments, business positions, interests in real property, and income received during the previous 12 months.<sup>2</sup> The Candidate SEI must be filed with the election official with whom the candidate’s declaration of candidacy or other nomination documents to appear on the ballot are required to be filed. And the SEI must be filed no later than the deadline for the declaration of candidacy.<sup>3</sup>

Additionally, the Act requires candidate-controlled committees to file two pre-election campaign statements at specified times prior to the election in which the candidate will be on the ballot, as well as semi-annual campaign statements each year no later than July 31 for the period ending

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<sup>1</sup> 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.

<sup>2</sup> Section 87302.3.

<sup>3</sup> *Ibid.*

June 30, and no later than January 31 for the period ending December 31.<sup>4</sup> The obligation to file semi-annual campaign statements continues until the candidate or treasurer terminates the committee. The Act also requires candidates to file a Form 410 with the Secretary of State's office within 10 days of their committee's qualification.<sup>5</sup> Controlling candidates and committee treasurers are jointly and severally liable for violations by the committee.<sup>6</sup>

Your actions violated the Act because as an officeholder, you failed to timely file a semi-annual campaign statement for the reporting period of January 1, 2018 through June 30, 2018, by the July 31, 2018 due date; July 1, 2018 through December 31, 2018, by the January 31, 2019 due date; January 1, 2019 through June 30, 2019, by the July 31, 2019 due date; and July 1, 2019 through December 31, 2019, by the January 31, 2020 due date.

Your actions further violated the Act because as a candidate, you failed to file a Candidate Statement of Economic Interest (Form 700) by the August 12, 2020 due date. You also violated the Act because you failed to file a Statement of Organization with the Secretary of State and the Los Angeles Registrar-Recorder/County Clerk disclosing the Committee's date of qualification.

Lastly, your actions violated the Act by failing to timely file the first pre-election campaign statement for the period covering January 1, 2020 through September 19, 2020, by the September 24, 2020 due date; and the second pre-election campaign statement for the period covering September 20, 2020 through October 17, 2020, by the October 22, 2020 due date, providing no disclosure before the election; and a semi-annual campaign statement for the reporting period of October 18, 2020 through December 31, 2020, by the January February 1, 2021 due date.

However, you were an unsuccessful candidate, you are no longer in office, and the Committee had a low amount of campaign activity resulting in minimal public harm. 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.<sup>7</sup> Discretion was used based upon mitigating or aggravating circumstances and the totality of the circumstances.<sup>8</sup> This resolution may not be used as a comparable case for other enforcement matters.<sup>9</sup>

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<sup>4</sup> Sections 84200.5 and 84200.

<sup>5</sup> Section 84101, subd. (a).

<sup>6</sup> Sections 83116.5 and 91006.

<sup>7</sup> <https://www.fppc.ca.gov/content/dam/fppc/NS-Documents/AgendaDocuments/General%20Items/2023/january/15.0-Enforcement-directives.pdf>

<sup>8</sup> Regulations 18360.1 and 18360.3.

<sup>9</sup> See Regulation 18361.5, subd. (e)(3).

Please note that while the Enforcement Division is closing this matter without a fine, you are still required to file all outstanding statements. Further, 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 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 Vanessa Greer at [vgreer@fppc.ca.gov](mailto:vgreer@fppc.ca.gov) or 916-322-2043 with any questions you may have regarding this letter.

Sincerely,

*Christopher B. Burton*

Christopher B. Burton, Acting Chief  
Enforcement Division

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