



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

January 3, 2024

Albert Fontanez
[REDACTED]

Warning Letter re: FPPC No. 2023-00764; Albert Fontanez

Dear Albert Fontanez,

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 Buena Park, the Act required you to periodically file a SEI and that you failed to timely file your Assuming Office and 2022 SEIs.

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 and 2022 Annual SEIs by the September 22, 2022 and April 3, 2023 deadlines. However, your filing officer, the City of Buena Park, mistakenly confirmed receipt of your SEIs on May 8, 2023. Since the FPPC’s SEI Unit has no record of receiving the Assuming Office and 2022 Annual SEIs, we requested the SEIs from you. You have since filed the missing SEIs, you had no reportable interests to disclose on your SEIs, you were in the position for just under one year, and you have no prior Enforcement history. For these reasons, we are closing your case with this warning letter rather than a fine.

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 for further information about your required filings. 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 18104 through 18998 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 Amber Rodriguez at arodriguez@fppc.ca.gov or (279) 237-3756.

Sincerely,

James M. Lindsay

James M. Lindsay, Chief
Enforcement Division

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