



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

January 10, 2024

Yunhee Yoo For Mill Valley School District 2022
Yunhee Yoo



Warning Letter Re: FPPC No. 2022-00853; Yunhee Yoo For Mill Valley School District 2022 (I.D. No. 1456575) and Yunhee Yoo

Dear Committee and Yunhee Yoo,

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 an AdWatch complaint that alleged you violated the Act’s advertisement disclosure provisions. The Enforcement Division completed its investigation and found that you failed to disclose identifying information on a mass mailing sent in connection with the November 8, 2022 General Election for a seat in the Mill Valley School District.

When distributing mass mailings, the Act requires committees to disclose specific information on the outside of each piece of mass mailings. A mass mailing exists when more than 200 substantially similar pieces of mail are sent in a calendar month.² A committee sending a mass mailing must show on the outside of each piece of mail the name, street address, and city of the committee.³

The Enforcement Division has completed its review of the facts in this case. Specifically, we found that: over 8,000 similar postcards were created for the November 8, 2022 General Election to support Yoo for a seat in the Mill Valley School District; Yoo paid for the creation of the postcards; Yoo mailed the postcards prior to the election; and the postcards did not state the street address, and city of residence of Yoo’s Committee. Here, the Committee and Yoo violated the Act by failing to state the street address and city of the committee.

The Act also requires mass mailings to identify who paid for the mailings, preceded by the words “Paid for by” immediately adjacent to and above or immediately adjacent to and in

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.

² Section 82041.5.

³ Section 84305, subd. (a)(1).

front of the required identification.⁴ Here, while the postcards correctly stated Yunhee Yoo's name, the Act was violated because the postcards fail to state the words "Paid for by" immediately in front the Committee's name.

Despite these violations, however, the Enforcement Division has decided to close this case with this warning letter rather than a fine because the violation resulted in minimal public harm since the postcards prominently display your name, so it is clear who sent the mailing, and you have no prior history of violating the Act. Also, you were a first-time candidate, and you raised and spent a low amount of money for the election.

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.

Although we are closing our file on this matter, please be advised of the provisions in the Act regarding mass mailing and advertisement disclosure statements. If you need future guidance regarding candidate obligations, please visit our website at www.fppc.ca.gov. You may also contact me at (279)237-5978, or via e-mail at cbernabe@fppc.ca.gov.

Sincerely,

Cynthia Bernabé

Cynthia Bernabé
Commission Counsel
Enforcement Division

⁴ Section 84302, subd. (a)(1).