



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

March 26, 2024

San Francisco Latinx Democratic Club
Gabriela Lozano, Treasurer



**Warning Letter Re: FPPC No. 2024-00391; San Francisco Latinx Democratic Club,
Gabriela Lozano**

Dear Committee and Gabriela Lozano:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ As you are aware, the Enforcement Division received a sworn complaint alleging that you failed to properly report unitemized contributions on a semi-annual campaign statement.

The Enforcement Division has completed its review of the facts in this case. Specifically, we found that you disclosed an unitemized miscellaneous increase to cash in the amount of \$6,486.70 on the semi-annual campaign statement covering the period of July 1, 2023 through December 31, 2023.

The Act requires committees to file semi-annual campaign 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 The obligation to file semi-annual campaign statements continues until the candidate or treasurer terminates the committee. Controlling candidates and committee treasurers are jointly and severally liable for violations by the committee.³ Additionally, the Act requires contributions and other payments received to be itemized if the amount totals \$100 or more.⁴

Your actions violated the Act because you failed to timely report an itemized miscellaneous increase to cash with an explanation to describe the increase. However, the Enforcement Division has decided to close this case with this warning letter rather than a fine because you

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 84200.

³ Sections 83116.5 and 91006.

⁴ Section 84211.

amended the campaign statement immediately after you were contacted by the Enforcement Division, the miscellaneous increase to cash was timely disclosed (as unitemized), the activity was unrelated to an 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 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 with any questions you may have regarding this letter.

Sincerely,

James M. Lindsay

James M. Lindsay, Chief
Enforcement Division

JML: vg

cc: Michael Smith