



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

August 13, 2024

Jeff Von Waldburg
Jeff Von Waldburg for City Council 2022
Via email: info@campaign-compliance.com

Warning Letter Re: FPPC No. 2022-01027, Jeff Von Waldburg for City Council 2022, Jeff Von Waldburg

Dear Committee and Jeff Von Waldburg:

The Enforcement Division of the Fair Political Practice Commission enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is sent in response to an anonymous complaint filed against you which alleged that Jeff Von Waldburg for City Council 2022 (“the Committee”) violated the advertisement disclosure requirements of the Act.

The Enforcement Division has completed its review of the facts in this case. Specifically, the Enforcement Division found that the Committee failed to include the complete committee’s name in the disclosure on a Meta/Facebook sponsored advertisement as stated in the statement of organization (“Form 410”). The Committee was missing the entirety of its name; specifically, “for City Council 2022” in the advertisement disclosure.

The Act defines an online platform as a public-facing internet website, web application, or digital application, including a social network, ad network, or search engine, that sells advertisement directly to advertisers.² The Act requires that a committee that disseminates an online platform disclosed advertisement, such as a Facebook sponsored advertisement, to notify the online platform that the advertisement is an advertisement defined in Section 84501 and provide the online platform with the disclosure name of the committee as it appears on the most recent statement of organization filed pursuant to Section 84101.³

You violated the Act because you failed to provide the committee’s name as it appears in the Form 410 to the online platform for five sponsored Meta/Facebook advertisements paid for by the Committee. However, the following mitigating factors exist in this matter: the disclosure included the candidate’s name, the disclosure linked to your campaign’s Meta/Facebook page, you were an inexperienced candidate, the Committee is terminated, you were an unsuccessful candidate, and you have no history of violating the Act. 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 is closing this case

¹ The Political Reform Act is contained in Government Code section 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practice Commission are contained in Section 18104 through 18998 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Section 84504.6(a)(1).

³ Sections 84504.6(b)(1) and (2)(A)(B).

with this warning letter.⁴ Discretion was used based upon mitigating or aggravating circumstances and the totality of the circumstances.⁵ This resolution may not be used as a comparable case for other enforcement matters.⁶ Please note that while the Enforcement Division is closing this matter without a fine, your filing officer, the Secretary of State, 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 Regulations 18360.1 and 18360.2 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 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 10 days from the date of this letter.

Please feel free to contact me at 279-237-3766 or cfelkins@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

Michael C. Felkins

Michael C. Felkins,
Commission Counsel
Enforcement Division

⁴ <https://www.fppc.ca.gov/content/dam/fppc/NS-Documents/AgendaDocuments/General%20Items/2023/january/15.0-Enforcement-directives.pdf>

⁵ Regulation 18360.1 and 18360.3.

⁶ See Regulation 18361.5, subdivision (e)(3).