



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

August 12, 2024

Rob Moore for Los Gatos Town Council 2022
Rob Moore

Via email: [REDACTED]

Warning Letter re: FPPC Case No. 2022-00787; Rob Moore for Los Gatos Town Council 2022 and Rob Moore

Dear Committee and Rob Moore:

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 against Rob Moore for Los Gatos Town Council 2022 (the “Committee”) alleging that you violated the mass mailing disclosure provisions of the Act. The Enforcement Division has completed its review of the matter and found that you failed to include the proper disclaimer on mass mailings disseminated in advance of the November 8, 2022 General Election.

Under the Act, a candidate controlled committee shall not send a mass mailing unless the committee’s name, street address, and city are shown on the outside of each piece of mail in no less than 6-point type that is in a color or print that contrasts with the background so as to be easily legible.² This identification must be preceded by the words “Paid for by.” The words “Paid for by” must be immediately adjacent to and above or immediately adjacent to and in front of the required identification.³

You violated the Act by failing to place the words “Paid for by” followed by the full name of the Committee on mass mailings sent by the Committee. Further, one mass mailing also failed to include the street address and city of the Committee. However, the mass mailings included part of the Committee’s name (“Rob Moore for Los Gatos Town Council”), and each mailer included a QR code linking the reader to and printed the URL for the Committee’s website, which included the full committee name and ID number. As a result, it was clear that the Committee was responsible for the subject mailers, creating minimal public harm. In addition, you were a first-time candidate, the Committee has since terminated, and you have no

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 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Section 84305, subd. (a)(1).

³ Regulation 18435, subd. (c).

prior history of violating the Act. For these reasons, the Enforcement Division is closing this case with a 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.

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 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 me at cburton@fppc.ca.gov or (279) 237-3769 with any questions you may have regarding this letter.

Sincerely,

Christopher B. Burton

Christopher B. Burton
Assistant Chief of Enforcement
Fair Political Practices Commission