



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

December 6, 2024

Jose Nikyar

Via email: [REDACTED]

Warning Letter Re: FPPC Case No. 2024-01145; Jose Nikyar

Dear Jose Nikyar:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ As you are aware, in response to the Enforcement Division’s pre-election outreach program, we were made aware by the City of Ontario that you failed to timely file your 1st and 2nd pre-election campaign statements in connection with the November 5, 2024 election. The Enforcement Division has completed its review of the facts in this case. Specifically, we found that you failed to timely file the 1st and 2nd pre-election campaign statements and a Statement of Organization.

The Act requires candidates for local office listed on the November 5, 2024 ballot who have raised or spent \$2,000 or more to file a Form 460 covering the period July 1, 2024 to September 21, 2024 by September 26, 2024 and one covering the period September 22, 2024 to October 19, 2024 by October 24, 2024.² The Act also requires candidates for local office to file a Statement of Organization (Form 410) once \$2,000 or more has been raised or spent.³

You violated the Act because you failed to file your Form 460s by September 26, 2024, the deadline to file the 1st pre-election campaign statement and by October 24, 2024, the deadline to file the 2nd pre-election campaign statement. You also failed to properly file the Form 410 with the Secretary of State. But, for the following reasons, the Enforcement Division has decided to close your case with a warning letter rather than a fine: you were referred as part of the proactive pre-election outreach program; you filed your Form 460s after you were contacted by the Enforcement Division and before the election; you attempted to file the Form 410; you were unsuccessful; and, you have not had a prior violation of this section. Please note that while the Enforcement Division is closing this matter without a fine, your filing officer may assess late filing penalties.

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 84200.5.

³ Section 84101.

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.

Should you have any questions regarding this letter, please feel free to contact me at vjimmy@fppc.ca.gov or (279) 237-5971.

Sincerely,

Vanessa Jimmy

Vanessa Jimmy
Commission Counsel
Enforcement Division

Cc: Filing Officer