



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

March 29, 2024

Families and Councilman Fajardo Supporting Sylvia Ballin for City Council 2024

Via email: [REDACTED]

Joel Fajardo

Via email: [REDACTED]

Warning Letter Re: FPPC No. 2024-00410; Families and Councilman Fajardo Supporting Sylvia Ballin for City Council 2024, Joel Fajardo

Dear Joel Fajardo and Committee:

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 violated the campaign disclosure provisions of the Act. The Enforcement Division has completed its review of the facts in this case. Specifically, we found that, in December 2023, you filed Form 410 (Statement of Organization) to establish a committee primarily formed to support Sylvia Ballin, a candidate running for San Fernando City Council in the March 5, 2024, primary election.

Under the Act, a candidate may only have one controlled committee and bank account for election to office², and may not control a committee making expenditures for or against other candidates. The definition of “candidate” under the Act includes an elected officer.³ A candidate maintains that status until the candidate leaves all offices and no longer maintains any committee(s).⁴ A controlled committee is defined as a committee that is controlled directly or indirectly by a candidate or that acts jointly with a candidate, the candidate’s agent, or any other committee the candidate has a significant influence on the actions or decisions of the subject committee.⁵

As the Principal Officer for the committee, it is presumed Joel Fajardo was controlling the committee. You violated the Act by establishing a candidate-controlled committee and campaign bank account to support another candidate.

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 85201

³Section 82007(a)(3)

⁴ Section 84214 and Regulation 18404.

⁵ Section 82016.

However, for the following reasons, the Enforcement Division has decided to close this case with this warning letter rather than a fine: You immediately terminated the committee after seeking advice from the Commission's Legal Division; the only contribution to the committee was a loan from the candidate's personal funds, which was refunded; and no expenditures were made by the committee other than the annual fee to the Secretary of State's office.

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 Shelby Pearce at spearce@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

James M. Lindsay

James M. Lindsay, Chief
Enforcement Division

JML: sp