



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3000 • Sacramento, CA 95811

April 18, 2024

Nick Micheli for Supervisor 2024

Nick Micheli

Via email: [REDACTED]

Re: Warning Letter FPPC No. 2024-00204; Nick Micheli for Supervisor 2024 and Nick Micheli

Dear Nick Micheli for Supervisor 2024 and Nick Micheli:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ As you know, the Enforcement Division received a complaint against Nick Micheli for Supervisor 2024 (the “Committee”) which alleged that the Committee violated the advertisement disclosure provisions of the Act. The Enforcement Division has completed its review of this matter and found that you and the Committee failed to include the Committee’s full street address and city on a mail piece distributed in 2024.

The Act requires a candidate-controlled committee to disclose specific information on each piece of mail it sends. A mass mailing is made when more than 200 substantially similar pieces of mail are sent in a calendar month.² The Act provides that mass mailings sent by a candidate-controlled committee must include the disclosure “Paid for by” followed by the name of the committee and the committee’s street address and city, as reflected on the committee’s most recent Statement of Organization filed pursuant to Section 84101.3.³

You and the Committee violated the Act by failing to include on the subject mass mailing the Committee’s full street address and city. However, it was clear that the Committee paid for the mass mailing in question, so the violation resulted in minimal public harm. Further, the Committee does not have a prior Enforcement history. For these reasons, the Enforcement Division is closing this case with a warning letter rather than issuing a fine.

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 82041.5 and Regulation 18435(a).

³ Section 84504.2.

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.

If you need forms or a manual, or guidance regarding your obligations, please call the Commission's Toll-Free Advice Line at 1-866-275-3772 or visit our website at www.fppc.ca.gov.

Please feel free to contact please feel free to contact Christopher Burton 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