



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

October 11, 2024

Kumar Nallusamy

Kumar Nallusamy for San Ramon Valley School Board Area 3 2020



Warning Letter Re: FPPC No. 2021-00735; Kumar Nallusamy; Kumar Nallusamy for San Ramon Valley School Board Area 3 2020

Dear Kumar Nallusamy and Committee:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is in response to a referral from the Contra Costa County Elections Division alleging you and your Committee’s failure to timely file campaign statements. The Enforcement Division has completed its review of the facts in this case. Specifically, we found that you and the Committee failed to timely file a Statement of Organization, a first pre-election statement, two semi-annual statements, and one 24 hour-report. In addition, you and the Committee failed to timely disclose expenditures on your first pre-election statement in connection with the November 3, 2020, General Election.

The Act requires a candidate controlled committee to file an original copy of the Statement of Organization within 10 days after the committee has qualified and to file two pre-election campaign statements prior to the applicable election in which the candidate is listed on the ballot.² In addition, the committee must file two semi-annual campaign statements each year no later than July 31 for the period ending June 30, and no later than January 31 for the period ending December 31.³ Moreover, the Act requires candidate controlled committees that make or receive a late contribution, including the candidate’s personal funds, to file a report within 24 hours of making or receiving the contribution.⁴ A “late contribution” includes a contribution (including loans)

¹ The Political Reform Act is contained in Government Code sections 18104 through 18998, 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 Sections 84101, 84200.5 and 84206.

³ Section 84200, subd. (a).

⁴ Sections 82036 and 84203.

aggregating \$1,000 or more that is made to or received by a candidate or controlled committee within 90 days before the date of the relevant election.⁵ Finally, the Act requires candidate controlled committees to disclose specific information on their campaign statements. The Act requires that for expenditures of \$100 or more, the committee must report the full name of each person to whom an expenditure is made, as well as the person's street address, the amount of the expenditure and a brief description of the expenditure.⁶

Your actions violated the Act because you failed to timely file your original Statement of Organization with the Secretary of State within 10 days of qualifying as a committee. Additionally, you failed to timely file a first pre-election statement and two semi-annual statements for the reporting periods ending on October 1, 2020, September 14, 2021, and February 7, 2022; and failed to timely file one 24 hour-report for a personal loan in the amount of \$3,658.60. Furthermore, you and the Committee failed to timely disclose expenditures in the amount of \$4,348.21 on your first pre-election statement due on October 1, 2020. However, the Enforcement Division has decided to close this case with a warning letter for the following reasons: the Committee disclosed the late contribution before the relevant election on a filed campaign statement, two of the late campaign statements were unrelated to the relevant election, you were unsuccessful in the election, the Committee has since terminated, your campaign had minimal activity, and you filed amendments disclosing the unreported expenditures. Additionally, you were inexperienced with the requirements of the Act and neither you nor the Committee have a history of violating the Act.

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 guidance regarding your obligations in the future, please visit our website at

⁵ Section 82036.

⁶ Section 84211, subdivisions (i)-(k).

www.fppc.ca.gov/advice.html or call the Commission's Toll-Free Advice Line at 1-866-ASK-FPPC (1-866-275-3772).

If you have any questions regarding this letter, please contact me at (279) 237-5974 or LColumbel@fppc.ca.gov.

Sincerely,

Laura Columbel

Laura Columbel
Commission Counsel
Enforcement Division