



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

September 17, 2024

Juan D. Thomas, [REDACTED]
o/b/o Raya Advocacy, LLC

Warning Letter Re: FPPC Nos. 2020-00439 and 2020-00441 Raya Advocacy, LLC and Juan D. Thomas

Dear Juan D. Thomas:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the "Act").¹ This letter is sent in response to a referral received from the California Secretary of State (the "SOS") alleging you failed to timely file lobbying firm and lobbyist reports.

The Act requires lobbying firms to file a registration statement containing information regarding each person with whom the lobbying firm contracts to provide lobbying services.² If there is a change in the information contained in the lobbying firm or lobbyist's registration statement, it must be updated within 20 days.³ The Act requires lobbying firms to file quarterly reports with the SOS.⁴ The Act requires lobbyists to file a registration statement and a certification upon completing an ethics course.⁵ Furthermore, the Act requires lobbyists to file quarterly reports with the SOS.⁶

Upon review, the Enforcement Division determined that your lobbying firm failed to file five quarterly lobbying firm reports, a termination statement, a lobbying firm activity authorization (Form 602) along with a lobbying firm registration statement (Form 601) or amendment to registration (Form 605) within 20 days of contracting with the California Dialysis Council. Further, you failed to timely file a lobbyist certification statement, five lobbyist reports, and a lobbyist termination statement.

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 86104, subd. (d).

³ Section 86107.

⁴ Sections 86114 and 86117.

⁵ Sections 86100 and 86013.

⁶ Section 86113.

But, for the following reasons, the Enforcement Division has decided to close this case with this warning letter rather than a fine: the activity was reported prior to any relevant election on a different report, the activity was reported by the other participant in the transaction, and you and your lobbying firm have ceased all lobbying activities. Based on the foregoing, and in accordance with the Enforcement Division Policy Directives formally adopted by the Commission on January 26, 2023, which requires the Enforcement Division to take all appropriate actions within their discretion to decrease the Division's annual carryover caseload, the Enforcement Division is closing this case with this warning letter.⁷ Discretion was used based upon mitigating or aggravating circumstances and the totality of the circumstances.⁸ This resolution may not be used as a comparable case for other enforcement matters.⁹

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 me at 279-237-3752 or arose@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

Alex J Rose

Alex J. Rose
Senior Commission Counsel,
Enforcement Division

⁷ <https://www.fppc.ca.gov/content/dam/fppc/NS-Documents/AgendaDocuments/General%20Items/2023/january/15.0-Enforcement-directives.pdf>

⁸ Regulation 18360.1.

⁹ See Regulation 18361.5, subd. (e)(3).