



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

January 13, 2025

Hitendra Gupta

Sent via email: [REDACTED]

Warning Letter Re: FPPC No. 2025-00078; Hitendra Gupta

Dear Hitendra Gupta:

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 City of Newark regarding your failure to timely file Form 470 (Campaign Short Form) in connection with the November 5, 2024 General Election.

The Act requires candidate-controlled committees to file two pre-election campaign statements prior to the election in which the candidate is listed on the ballot.² For the period ending 45 days before the election, the statement shall be filed no later than 40 days before the election.³ The Act allows a candidate who does not have an open committee and does not plan to raise or spend \$2,000 or more in connection with the applicable election to file a Form 470 (Campaign Statement - Short Form) covering the entire calendar year by the first pre-election campaign statement deadline.⁴

You violated the Act because you failed to file your Form 470 by the deadline for the first pre-election statement, September 26, 2024. However, the Enforcement Division has decided to close your case with this warning letter rather than a fine because you were an unsuccessful candidate in the November 5, 2024 General Election, and you have no prior history of violating the Act. Although the Enforcement Division is closing this case without seeking a penalty, you are still required to file the outstanding Form 470 and pay any late filing fees assessed by your filing officer, the City of Newark.

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

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014 and all statutory references are to this code.

² Section 84200.5.

³ Section 84200.8, subd. (a).

⁴ Sections 84206 and 84200.8; Regulation 18406.

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 have any questions, please feel free to contact Vanessa Greer at vgreer@fppc.ca.gov or 279-237-5965.

Sincerely,

Christopher B. Burton

Christopher B. Burton, Assistant Chief
Enforcement Division

CBB: vg

cc: City of Newark