

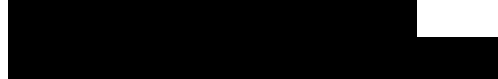


STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3050 • Sacramento, CA 95811

June 2, 2025

Residents for a Responsible Hospital Committee to Oppose the Recall of Kumar 2017
Treasurer, Lysa Ray
Controlling Candidate, Parmod Kumar

Sent via email:



Warning Letter re: FPPC Case No. 2019-01646; Residents for a Responsible Hospital, a Committee Opposing the Recall of Kumar 2017, Parmod Kumar, and Lysa Ray;

Dear Respondents,

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (“the Act”).¹ This case arises from a commission-initiated investigation. The investigation found that Residents for a Responsible Hospital Committee to Oppose the Recall of Kumar 2017 (“the Committee”), Lysa Ray (Ray), and Parmod Kumar (“Kumar”)² failed to identify Kumar as a controlling candidate on the committee’s statement of organization in violation of the Act. Additionally, the Committee and Kumar failed to include the proper disclosure on advertisements produced by the Committee in violation of the Act.

A recipient committee controlled directly or indirectly by a candidate is a “controlled committee.” “Candidate” includes any officeholder who is the subject of a recall election.³ A candidate controls a committee if they have significant influence on the actions or decisions of the committee.⁴ A controlled committee must identify the controlling candidate on its statement of organization and include the last name of the candidate in the committee’s name.⁵ If the committee is controlled by a candidate for the purposes of their own election, the committee’s name also must include the office sought and the year of the election.⁶

A “mass mailing” has been made when more than 200 substantially similar pieces of mail are sent in a calendar month.⁷ No candidate or committee shall send a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in no less than 6-point type which shall be in a color or print which contrasts with the background so as to be easily legible.⁸ Further, the words “Paid for by” must precede the identifying information on the

¹ The Political Reform Act—sometimes simply referred to as the Act—is contained in Government Code sections 81000 through 91014. The regulations of the Fair Political Practices Commission are contained in California Code of Regulations, title 2, sections 18104 through 18998. Unless otherwise noted, all statutory and regulatory references are to these sources—as they were in effect during the time of the violations in this case (2017).

² Luther Khachigian served as the Committee’s principal officer; however, he is now deceased. Therefore, the Enforcement Division is not charging Luther Khachigian as a respondent in this matter.

³ Section 82007.

⁴ Section 82016.

⁵ Section 84012, subd. (e), and Regulation 18402, subd. (c)(1).

⁶ Regulation 18402, subd. (c)(2).

⁷ Section 82041.5 and Regulation 18435 subd. (a).

⁸ Section 84305.

mass mailing.⁹ “Advertisement” means any general or public advertisement which is authorized and paid for by a person or committee for the purpose of supporting or opposing a candidate for elective office or a ballot measure or ballot measures.¹⁰ Any committee that supports or opposes one or more ballot measures shall print or broadcast its name as part of any advertisement or other paid public statement.¹¹

The Committee, Kumar, and Ray failed to identify Kumar as the controlling candidate of the Committee on its statement of organization, in violation of Section 84102, subdivision (e). Additionally, the Committee and Kumar failed to include the necessary disclosures on two mass mailings, invoiced on June 8, 2017 and June 26, 2017, in violation of Section 84305 and Regulation 18435.¹² In mitigation of the failure to identify a controlling candidate, the Committee name was correct, which included the name of the person controlling the Committee, the year and the office sought. In mitigation of the advertisements, there was minimal confusion for the public regarding who was responsible for the ads, as they included a shortened version of the Committee name, the Committee identification number, and the Committee’s address. In further mitigation, during the past five years, all respondents do not have a history of prior, similar violations of the Act, the Committee is terminated, the efforts to oppose the recall were unsuccessful, and your violations appear to have been inadvertent.

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. This warning letter may be considered in any future enforcement actions.

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

⁹ Regulation 18435, subd. (d).

¹⁰ Section 84501.

¹¹ Section 84504, subd. (c), and Regulation 18405.4.

¹² A Probable Cause Report was issued on June 3, 2022 to toll the statute of limitation on these violations.

Thank you for your attention to this matter. Please do not hesitate to call if you have any questions.

Sincerely,

Marissa Corona

Marissa Corona
Senior Commission Counsel
Enforcement Division
mcorona@fppc.ca.gov
(279) 237-5932