



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3050 • Sacramento, CA 95811 • (916) 322-5660

August 31, 2026

Steven Scharf, Individually and
O/b/o Steven Scharf for Cupertino City Council 2020 and Steven Scharf for Cupertino City
Council 2022

Via Email: [REDACTED]

Yanping Zhao, Treasurer, Individually and
O/b/o Steven Scharf for Cupertino City Council 2020

Via Email: [REDACTED]

Nicole Woon, Treasurer, Individually and
O/b/o Steven Scharf for Cupertino City Council 2022

Via Email: [REDACTED]

**Warning Letter re FPPC No. 2021-00875; Steven Scharf, Steven Scharf for Cupertino City
Council 2020, Yanping Zhao, Steven Scharf for Cupertino City Council 2022, and Nicole
Woon**

Dear Committees, Candidate, and Treasurers:

The Enforcement Division of the Fair Political Practices Commission (“FPPC”) enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is in response to a sworn complaint and an anonymous complaint, alleging that Steven Scharf for Cupertino City Council 2020 (“the 2020 Committee”) failed to file campaign statements and improperly gave surplus funds to Steven Scharf for Cupertino City Council 2022 (“the 2022 Committee”). The Enforcement Division has found that the 2020 Committee impermissibly used surplus funds, that the 2022 Committee impermissibly accepted an anonymous contribution, that both committees failed to report a contribution or expenditure on a campaign statement or report, and that both committees failed to timely file campaign statements.

The Act requires candidate-controlled committees to file two pre-election campaign statements at specified times prior to the election in which the candidate will be on the ballot, as well as semiannual 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 31.² The obligation to file semiannual campaign statements continues until the candidate or treasurer terminates the

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.

² Sections 84200, 84200.5, and 84200.8.

committee. Additionally, if a candidate controls more than one committee for the purpose of election to office, the candidate must file campaign statements for each of these committees on the dates the candidate is required to file pre-election statements under Sections 84200.5 and 84200.8 in connection with his or her election to office.³ Further, the Act requires candidate-controlled committees to disclose specific information on their campaign statements; for contributions or expenditures of \$100 or more, the committee must report the full name of each person from whom a contribution is received or to whom an expenditure is made as well as the street address.⁴ In addition, the Act prohibits the receipt of an anonymous contribution to a candidate, committee, or any other person totaling \$100 or more in a calendar year and states that such an anonymous contribution shall be promptly paid to the Secretary of State for deposit in the General Fund of the State.⁵ Lastly, the Act requires that surplus funds be used only for the following purposes: the payment of outstanding campaign debts or elected officer's expenses, the repayment of contributions, and donations to a bona fide charitable, educational, civic, religious, or similar tax-exempt, nonprofit organization.⁶ Surplus funds are defined as campaign funds under the control of a former candidate or elected officer 90 days after leaving an elective office or defeat of a candidate for elective office.⁷ Controlling candidates and committee treasurers are jointly and severally liable for violations by the committee.⁸

The Enforcement Division found that your actions violated the Act because the 2020 Committee failed to timely file nine semiannual campaign statements for the reporting periods ending on December 31, 2020; June 30, 2021; December 31, 2021; June 30, 2023; December 31, 2023; June 30, 2024; December 31, 2024; June 30, 2025; and December 31, 2025. Additionally, as a candidate with two open controlled committees, the 2020 Committee was required to file two pre-election campaign statements in connection with the 2022 election but failed to do so. Further, the 2020 Committee failed to timely disclose an expenditure totaling \$4,958.61 on the semiannual campaign statement for the reporting period ending on December 31, 2022.

The 2022 Committee failed to timely disclose an expenditure totaling \$450 on the pre-election statement for the reporting period ending on October 22, 2022 and a contribution totaling \$4,958.61 on the semiannual campaign statement for the reporting period ending on December 31, 2022. In addition, on its timely filed second pre-election campaign statement, the 2022 Committee disclosed a \$100 contribution received on September 26, 2022 from "Unknown Unknown" then, on its next timely filed campaign statement, disclosed a payment to the City of Cupertino totaling \$100 with the description "Donation of unknown contribution to the general funds of local jurisdiction." Your actions violated the Act because the 2022 Committee received an anonymous contribution of \$100 or more, but paid the impermissible contribution to the local general fund rather than that of the State. Lastly, your actions violated the Act when the 2020 Committee made a \$4,958.61 contribution to the 2022 Committee on November 1, 2022 after the funds had become surplus once the candidate was defeated in the 2020 General Election. The end of the post-election reporting period for the November 2020 election was December 31,

³ Regulation 18405.

⁴ Section 84211.

⁵ Section 84304.

⁶ Section 89519, subd. (b).

⁷ Section 89519, subd. (a).

⁸ Sections 83116.5 and 91006.

2020, so any remaining funds for a defeated candidate became surplus on March 3, 2021 and a monetary contribution to another committee for a local candidate is not a permissible use of surplus funds as outlined in the Act. As such, the 2020 Committee's monetary contribution of \$4,958.61 to the 2022 Committee after the funds had become surplus was a violation of the Act's rules regarding the use of surplus funds.

However, the Enforcement Division has decided to close this case with a warning letter for the following reasons: you were unsuccessful in 2020 and 2022, the late semiannual campaign statements were unrelated to the relevant election; the unreported contributions and expenditures were reported on amended campaign statements and reports; the late-filed campaign statements had zero or very minimal campaign activity; both committees have since terminated; you were inexperienced with the requirements of the Act and do not have a history of violating the Act. With respect to the misuse of surplus funds, your committee mitigated the error by returning the funds prior to Enforcement contact and noting the error on campaign statements. With respect to the acceptance of the anonymous contribution, you mitigated the error by sending the funds to the City's General Fund.

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 vjimmy@fppc.ca.gov or 279-237-5971 with any questions you may have regarding this letter.

Sincerely,



Vanessa Jimmy
Commission Counsel
Enforcement Division

Cc: *Sworn Complainant*