



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

August 22, 2012

Mr. David Todd
384 Eureka Street
San Francisco, CA 94114

RE: Warning Letter
FPPC No. 12/465: David Todd; San Francisco Sunshine Ordinance Task Force

Dear Mr. Todd:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),¹ found in Government Code section 81000, et seq. This letter is in response to a sworn complaint filed against you that alleged you failed to disclose certain investments, interests in real property, and income on your statement of economic interests.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that failed to disclose an interest in real property, and income received from that property on your statement of economic interests for your position with the Sunshine Ordinance Task Force member.

Under the City and County of San Francisco's conflict-of-interest code, you are a designated employee required to disclose income (including gifts) from any source, interests in real property, investments, and all business positions in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management.² You have an interest in real property valued at \$2,000 or more, in property located at 386 Eureka Street, San Francisco, and you have received income from the rental of that property. As a designated employee, you were required by your disclosure category to disclose your interests in the property located at 386 Eureka, and all rental income received from that property on your statement of economic interests.

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

² Sunshine Ordinance Task Force Sec. 3.1-424

Your actions violated the Act. (Section 87300.) However, because you filed an amendment to disclose this information immediately after you were contacted by the Enforcement Division, and you do not have an enforcement history, we are closing this matter with a warning letter.

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 FPPC case resolution without administrative prosecution or fine. 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 Fair Political Practices 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 FPPC 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 FPPC's website ten (10) days from the date of this letter.

The FPPC publishes forms and manuals to facilitate compliance with the provisions of the Act. If you need forms or a manual, or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at 1-866-275-3772. Please also visit our website at www.fppc.ca.gov.

Please feel free to contact Teri Rindahl at (916) 327-2018, with any questions you may have regarding this letter.

Sincerely,



Gary S. Winuk
Chief, Enforcement Division

GSW/tr