

**Campaign Finance Complaint Form**  
**Michigan Department of State**

RECEIVED/FILED  
MICHIGAN DEPT OF STATE

2017 AUG 23 PM 1:52

This complaint form may be used to file a complaint alleging that someone violated the Michigan Campaign Finance Act (the MCFA, 1976 PA 388, as amended; MCL 169.201 *et seq.*).

All information on the form must be provided along with an original signature and evidence.

**Please print or type all information.**

I allege that the MCFA was violated as follows:

| Section 1. Complainant                |  |              |
|---------------------------------------|--|--------------|
| Your Name<br>RONALD CARTER JR         | Daytime Telephone Number<br>586-222-4203 |              |
| Mailing Address<br>17080 AVONDALE AVE |  |              |
| City<br>WARREN                        | State<br>MI                              | Zip<br>48089 |

| Section 2. Alleged Violator        |             |              |
|------------------------------------|-------------|--------------|
| Name<br>NICHOLAS CAVALLI           |             |              |
| Mailing Address<br>40408 LAFAYETTE |             |              |
| City<br>STERLING HTS               | State<br>MI | Zip<br>48313 |

**Section 3. Alleged Violations** (Use additional sheet if more space is needed.)

Section(s) of the MCFA violated:  
MCFA 1976 PA 388, MCL 169.247(1)

Explain how those sections were violated:  
PLEASE SEE ATTACHED

---

---

---

---

---

---

---

---

Evidence that supports those allegations (attach copies of pertinent documents and other information):  
PLEASE SEE ATTACHED

---

---

---

---

**Section 4. Certification (Required)**

*I certify that to the best of my knowledge, information, and belief, formed after a reasonable inquiry under the circumstances, each factual contention of this complaint is supported by evidence.*

X

Signature of Complainant

8-17-17

Date

**Section 5. Certification without Evidence (Supplemental to Section 4)**

**Section 15(6) of the MCFA (MCL 169.215) requires that the signed certification found in section 4 of this form be included in every complaint.** However, if, after a reasonable inquiry under the circumstances, you are unable to certify that certain factual contentions are supported by evidence, you may also make the following certification:

*I certify that to the best of my knowledge, information, or belief, there are grounds to conclude that the following specifically identified factual contentions are likely to be supported by evidence after a reasonable opportunity for further inquiry. Those specific contentions are:*

---

---

---

---

---

---

---

---

X

Signature of Complainant

Date

**Section 15(8) of the MCFA provides that a person who files a complaint with a false certification is responsible for a civil violation of the MCFA. The person may be required to pay a civil fine of up to \$1,000.00 and some or all of the expenses incurred by the Michigan Department of State and the alleged violator as a direct result of the filing of the complaint.**

Mail or deliver the completed complaint form with an **original signature and evidence** to the following address:

Michigan Department of State  
Bureau of Elections  
Richard H. Austin Building – 1st Floor  
430 West Allegan Street  
Lansing, Michigan 48918

August 17, 2017

Re: Nicholas Cavalli Campaign Finance Complaint

To Whom It May Concern:

It is my belief that Nicholas Cavalli, candidate for Sterling Heights City Council, knowingly, and willfully violated MCFA 1976 PA 388, MCL 169.247(1) by failing to include a complete and correct identification statement on his campaign website (<https://www.cavalliforcouncil.com>).

Mr. Cavalli did not include a proper paid for line on any page of his website. Please see the enclosed screenshot of the home screen for further evidence.

Additionally, Mr. Cavalli currently has a reporting waiver on the Macomb County Campaign Finance website, whereby he promises to not raise or spend more than \$1,000 on his campaign. It is my belief that Cavalli has violated this waiver without updating his paperwork, especially since he is now soliciting contributions on his website.

It is my hope that this situation is remedied, so that voters are not misinformed. Mr. Cavalli should also be instructed to conform with Michigan campaign finance law in the future. It is sad that Mr. Cavalli asks voters to support him while knowingly violating the law.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald Carter Jr.", written in a cursive style.

Ronald Carter Jr.

SUBMIT

---

Nicholas A. Cavalli for Sterling Heights City Council



---

If you are looking to contact a representative of the Committee to Elect Nicholas A. Cavalli, please feel free to email us at [nicholas.a.cavalli@gmail.com](mailto:nicholas.a.cavalli@gmail.com) or message us on our Facebook page at [www.facebook.com/cavalliforcouncil](http://www.facebook.com/cavalliforcouncil)

\*Paid for by the Committee to Elect Nicholas A. Cavalli



# Karen A. Spranger

Paul M. Kardasz  
Deputy Clerk

Macomb County  
Clerk/Register of Deeds

Erin A. Stahl  
Deputy Register of Deeds

April 17, 2017

Mr. Nicholas A. Cavalli  
40408 Lafayette  
Sterling Heights, MI 48313

RE: Committee #139532 – CTE Nicholas A. Cavalli

Dear Mr. Cavalli:

On its Statement of Organization, your committee obtained the Reporting Waiver.

The Reporting Waiver will remain in effect as long as the committee maintains it. It is maintained by not spending or receiving more than \$1,000 per election and/or not incurring more than \$1,000 in debt. It is automatically lost if the committee exceeds the \$1,000 threshold. Once lost, the committee is required to file all due campaign statements, even if there was no activity.

In determining if your committee lost the Reporting Waiver, keep in mind that funds left over from an election count toward the amount received for the next election and that unpaid late fees are considered to be debt.

To regain the Reporting Waiver, a committee must file an amended Statement of Organization form requesting it.

Please contact the Election Dept. of my office at (586) 469-5209 if you have any questions about this information.

Yours truly,

Karen A. Spranger  
Macomb County Clerk/Register of Deeds

cc: D. Cavalli, Treasurer

**Clerk's Office**  
40 North Main Street, 1<sup>st</sup> Floor  
Mount Clemens, MI 48043  
586-469-5120; Fax: 877-443-9505  
macombgov.org/clerksoffice  
clerksoffice@macombgov.org

**Macomb County Jury Services**  
40 North Main Street, 5<sup>th</sup> Floor  
Mount Clemens, MI 48043  
586-469-5158; Fax: 866-731-8701  
macombgov.org/juryroom  
juryroom@macombgov.org

**Register of Deeds**  
32 Market Street  
Mount Clemens, MI 48043  
586-469-7953; Fax: 586-469-5130  
macombgov.org/registerofdeeds  
registerofdeeds@macombgov.org



STATE OF MICHIGAN  
RUTH JOHNSON, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

August 25, 2017

Nicholas Cavalli  
40408 Lafayette  
Sterling Heights, Michigan 48313

Dear Mr. Cavalli:

The Department of State (Department) received a formal complaint filed by Ronald Carter, Jr. against you, alleging that you violated section 47(1) of the Michigan Campaign Finance Act (MCFA), 1976 PA 388, MCL 169.247(1), by failing to include a complete and correct identification statement on your campaign website. A copy of the complaint is provided as an enclosure with this letter.

The MCFA and corresponding administrative rules require a person who produces printed material that relates to an election to include the phrase "Paid for by [name and address of the person who paid for the item]." MCL 169.247(1), Mich. Admin. R 169.36(2).

In support of his complaint, Mr. Carter provided a link to your campaign website and a screenshot of the site which states, "Nicholas A. Cavalli for Sterling Heights City Council [.]". Your committee's address appears to be missing from the paid-for-by statement.

The Department notes that Mr. Carter also alleges that although you filed a statement with the Macomb County Clerk indicating that your candidate committee is eligible for a reporting waiver, the committee received or spent an amount in excess of \$1,000.00 in relation to the 2017 Sterling Heights City Council election, and you failed to file required campaign statements. However, Mr. Carter did not provide any evidence that would allow the Department to determine that your committee received or spent an amount in excess of \$1,000.00. Additionally, it is the Department's understanding from a response to a separate complaint that no primary election was held for the Sterling Heights city council election, and the first statement owed by your committee if you have reached the \$1,000.00 threshold would be the 2017 Pre-General campaign statement. That statement is not due yet. Therefore, this portion of Mr. Carter's complaint is premature and is dismissed without prejudice.

The purpose of this letter is to inform you of the Department's examination of these matters and your right to respond to the allegations before the Department proceeds further. It is important to understand that the Department is neither making this complaint nor accepting the allegations as true.

**If you wish to file a written response to the complaint, you are required to do so within 15 business days of the date of this letter. Please include any evidence that reflects any corrective measures you have taken to bring your campaign material into compliance with**



STATE OF MICHIGAN  
RUTH JOHNSON, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

September 13, 2017

Ronald Carter Jr.  
12080 Avondale Ave  
Warren, MI 48089

Dear Mr. Carter:

The Department of State received a response to the complaint you filed against Nicholas Cavalli, which concerns an alleged violation of the Michigan Campaign Finance Act (MCFA), 1976 P.A. 388, MCL 169.201 *et seq.* A copy of the response is provided as an enclosure with this letter.

If you elect to file a rebuttal statement, you are required to send it within 10 business days of the date of this letter to the Bureau of Elections, Richard H. Austin Building, 1<sup>st</sup> Floor, 430 West Allegan Street, Lansing, Michigan 48918.

Sincerely,

A handwritten signature in black ink that reads "Lori A. Bourbonais".

Lori A. Bourbonais  
Bureau of Elections  
Michigan Department of State

c: Nicholas Cavalli

To whom it may concern,

In response to the MCFA complaint filed by Ronald Carter Jr. from Warren, Michigan, The Committee to Elect Nicholas A. Cavalli, and the candidate himself, would like to make a sincere apology for this violation. It was never our intention to misinform any of our voters, nor would we make such an egregious violation of the law knowingly and willfully. This was the first case in which the identification and disclaimer statements had been brought to the attention of the campaign. We cannot stress enough that there was never any malintent on the part of this committee or the candidate himself, it was an honest mistake. Since receiving this complaint and request to fix the issue, we have reviewed the entire section dealing with identification and disclaimer statements, provided to us by the State of Michigan, to make sure that we do not violate this going forward. In addition to this, we have halted the production of lawn signs to place an identification statement on those as well. Thank you for bringing this to our attention and we are glad to have fixed this issue before it became a larger one.

As for the allegations that we have met, or gone over, our reporting waiver, I would like to assure you that we are within compliance of the practice. Our campaign is not required to get rid of this waiver until our first required report in October. This waiver was signed in case we did not go over the \$1,000.00 mark in campaign funds, however we would be open to the admission that we are now over said mark. However our funds do not get reported for over a month still, and as such, the waiver is in effect until we report our funds as being higher than the \$1,000.00 limit, in which case, the waiver is automatically removed from this committee.

RECEIVED/FILED  
MICHIGAN DEPT OF STATE  
2017 SEP -7 PM 2:12  
ELECTIONS/REGISTRATION



Thank you for your concerns and of course we are happy to fix any problems that may come about on this campaign. Seeing that this is the first campaign for many people on this committee, we are bound to make mistakes, we are just glad that they could be corrected before they became larger than they already are.

Please see my attached screenshots from [www.cavalliforcouncil.com](http://www.cavalliforcouncil.com) and feel free to visit the website to clarify that such a violation has been remedied.

On behalf of the entire Committee to Elect Nicholas A. Cavalli,

A handwritten signature in black ink that reads "Nicholas A. Cavalli". The signature is written in a cursive, flowing style.

-Candidate for Sterling Heights City Council

Nicholas is very active in the community and loves to interact with every member! A full gallery of Nicholas' activities can be found here.

[CLICK HERE!](#)

---

## Nicholas A. Cavalli for Sterling Heights City Council

---

If you are looking to contact a representative of the Committee to Elect Nicholas A. Cavalli, please feel free to email us at [nicholas.a.cavalli@gmail.com](mailto:nicholas.a.cavalli@gmail.com) or message us on our Facebook page at [www.facebook.com/cavalliforcouncil](http://www.facebook.com/cavalliforcouncil)

\*Paid for by the Committee to Elect Nicholas A. Cavalli, 40408 Lafayette Sterling Heights, MI 48313



STATE OF MICHIGAN  
RUTH JOHNSON, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

September 27, 2018

Nicholas Cavalli  
40408 Lafayette  
Sterling Heights, Michigan 48313

Dear Mr. Cavalli:

The Department of State (Department) has concluded its investigation into the formal complaint filed by Ronald Carter against you, alleging that you violated section 47(1) of the Michigan Campaign Finance Act (MCFA), 1976 PA 388, MCL 169.247(1), by failing to include a complete and correct identification statement on certain campaign materials. From the outset, the Department apologizes for the delay in processing this complaint. Regrettably, the complaint was misfiled in our office and was not caught until recently.

The MCFA and corresponding administrative rules require a person who produces printed material that relates to an election to include the phrase "Paid for by [name and address of the person who paid for the item]." MCL 169.247(1), Mich. Admin. R 169.36(2).

In support of his complaint, Mr. Carter provided a link to your campaign website and a screenshot of the site which states, "Nicholas A. Cavalli for Sterling Heights City Council [.]". Your committee's address appears to be missing from the paid-for-by statement.<sup>1</sup>

You filed a response with our office admitting to having an improper paid for by statement on your website. You further stated that in response to receiving the complaint, you corrected the paid for by statement on your website and provided proof of such.

Given that you have corrected the issue, the Department feels this warning is an appropriate resolution to the complaint. Therefore, the Department is hereby advising you that MCL 169.247(1) and R 169.36(2) require you to print a complete and accurate identification statement on all campaign materials, consisting of the phrase "paid for by" followed by the full name and address of your committee. Note that all printed materials that refer to an election or your candidacy produced in the future must include this identification statement.

Please be advised that this notice has served to remind you of your obligation under the Act to identify your printed matter and may be used in future proceedings as evidence that tends to

---

<sup>1</sup>By notice dated August 25, 2017, the Department dismissed the allegations related to the reporting waiver as premature.

Nicholas Cavalli  
September 28, 2018  
Page 2

establish a knowing violation of the Act. A knowing violation is a misdemeanor offense and may merit referral to the Attorney General for enforcement action. MCL 169.247(6), 215(10). The Department considers the instant action closed and resolved.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Fracassi". The signature is written in a cursive style with a large, sweeping flourish at the end.

Adam Fracassi  
Bureau of Elections  
Michigan Department of State

c: Ronald Carter