

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

RECEIVED  
2019 JAN 24 AM 9:14

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	Paul Foust	Daytime Telephone Number 269-370-2185
Mailing Address	8561 E D Ave	
City	State	Zip
Richland	MI	49083

Section 2. Alleged Violator		
Name	Julia Buck	
Mailing Address	2228 E. Cork St. Apt. 3B	
City	State	Zip
Kalamazoo	MI	49001

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

Section(s) of the MCFA violated:

21 + 24

Explain how those sections were violated:

According to the Kalamazoo County Clerk, Julia Buck has held elected office as KVCC Trustee since 2019 having never filed a single campaign finance-related document with the County. No Statement of Organization is on file for her.

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

Kalamazoo County Clerk, FOIA Request/Denial #19-0006, dated 17 Jan 2019.

**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 Paul Fint 01-21-2019  
Signature of Complainant 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:*

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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



Warpfactor 23 &lt;warpfactor23@gmail.com&gt;

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**FOIA REQUEST 19-0006**

1 message

FOIA &lt;foia@kalamazoo.com&gt;

Thu, Jan 17, 2019 at 9:12 AM

To: "warpfactor23@gmail.com" &lt;warpfactor23@gmail.com&gt;

Dear Paul Froust:

We have reviewed your request submitted pursuant to the Michigan Freedom of Information Act received by Kalamazoo County on January 14, 2019 as:

*"Electronic copies of all Campaign Finance documents filed between 1/1/2003 and 1/13/2019 by the following elected officials: Julia C. Buck (KVCC Trustee) & Susan Miller (KVCC Trustee)."*

Your request is **DENIED** under authority of MCL 15.235(1)(b) [*Records Do Not Exist*] for the reason that the public records do not exist under the name given or by another name reasonably known to the County of Kalamazoo.

**CERTIFICATION OF NON-EXISTANCE:** The undersigned does hereby certify that an attempt has been made to locate the above-described documents and such does not exist or cannot be located using the description provided. The Clerk's Office advises that they are reaching out to the individuals named in your request and have requested those records. Once received, those documents will be posted online.

Michigan law provides you the ability to appeal the denial of your request. A copy of Section 10 of the Michigan FOIA statute is enclosed.

Sincerely,

**Zack Hunkins**



STATE OF MICHIGAN  
JOCELYN BENSON, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

January 28, 2019

Julia Buck  
2228 East Cork Street  
Apartment 3B  
Kalamazoo, Michigan 49001

Re: *Foust v. Buck*  
Campaign Finance Complaint  
No. 2019-01-04-21

Dear Ms. Buck:

The Department of State (Department) received a formal complaint filed by Paul Foust against you, alleging that you violated the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* The investigation and resolution of this complaint is governed by section 15 of the Act and the corresponding administrative rules, R 169.51 *et seq.* A copy of the complaint and supporting documentation is enclosed with this letter.

Section 21 requires a candidate to form a candidate committee within 10 days of becoming a candidate. MCL 169.221(1). Section 24 requires committees to file a statement of organization with the proper filing official within 10 days after the committee is formed. MCL 169.224(1). Section 24 details specific requirements for all statement of organizations that must be filed. See MCL 169.224(2)-(3). A candidate who fails to form a candidate committee within 10 days is subject to a civil fine up to \$1,000. MCL 169.221(13). A candidate who fails to file a statement of organization shall pay a late filing fee of \$10.00 per business day the report isn't filed not to exceed \$300. MCL 169.224(1). A person failing to file a statement of organization after 30 days, is guilty of a misdemeanor punishable by a fine up to \$1,000.

Mr. Foust alleges that you have held office since 2019 but have failed to file a statement of organization.

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 this complaint, you are required to do so within 15 business days of the date of this letter.** Your response may include any written statement or additional documentary evidence you wish to submit.

All materials must be sent to the Department of State, Bureau of Elections, Richard H. Austin Building, 1<sup>st</sup> Floor, 430 West Allegan Street, Lansing, Michigan 48918. If you fail to submit a

response, the Department will render a decision based on the evidence furnished by the complainant.

A copy of your answer will be provided to Mr. Foust, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing all of the statements and materials provided by the parties, the Department will determine whether “there may be reason to believe that a violation of [the MCFA] has occurred [.]” MCL 169.215(10). Note that the Department’s enforcement powers include the possibility of entering a conciliation agreement, conducting an administrative hearing, or referring this matter to the Attorney General for enforcement of the criminal penalties provided in section 24(1) of the Act.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Fracassi". The signature is stylized and cursive.

Adam Fracassi  
Bureau of Elections  
Michigan Department of State

c: Paul Foust

2019  
2019-0006

## Campaign Finance Complaint Form Michigan Department of State

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City	State	Zip
Richland	MI	49083

Section 2. Alleged Violator		
Name	Julia Buck	
Mailing Address	2228 E. Cork St. Apt. 3B	
City	State	Zip
Kalamazoo	MI	49001

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

Section(s) of the MCFA violated:

21 + 24

Explain how those sections were violated:

According to the Kalamazoo County Clerk, Julia  
Buck has held elected office as KVCC Trustee  
since 2019 having never filed a single campaign  
finance-related document with the County. No  
Statement of Organization is on file for her.

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

Kalamazoo County Clerk, FOIA Request/Denial  
#19-0006, dated 17 Jan 2019.

**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 Paul Fort  
Signature of Complainant

01-21-2019  
Date

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

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*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



STATE OF MICHIGAN  
JOCELYN BENSON, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

March 1, 2019

**SECOND NOTICE**

Julia Buck  
2228 E. Cork Street  
Apartment 3B  
Kalamazoo, Michigan 49001

*Via Certified mail*

Re: *Foust v. Buck*  
Campaign Finance Complaint  
No. 2019-01-04-21

Dear Ms. Buck:

By correspondence dated January 28, 2019, the Department of State (Department) advised you of its intention to investigate a complaint filed against you by Paul Foust concerning alleged violations of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 et seq. A copy of the Department's notice is enclosed with this letter.

The notice informed you that, pursuant to section 15(5) of the MCFA, MCL 169.215(5), the Department is reviewing whether you failed to comply with the requirements of the Act. You were provided an opportunity to respond to these allegations within 15 business days of your receipt of the notice, but to date no response has been filed on your behalf.

**By this letter, the Department is providing you a final opportunity to submit a written response to the enclosed notice.** Your response may include any documentary evidence you wish to submit and must be received by the Department on or before **March 22, 2019**. All materials must be sent to the Bureau of Elections, Michigan Department of State, Richard H. Austin Building, 430 West Allegan Street, Lansing, Michigan 48918.

Failure to submit a written response to this notice will leave the Department no alternative but to make its determination based solely on the documentation furnished by Mr. Foust.

Sincerely,

Adam Fracassi  
Bureau of Elections

**March 22, 2019**

Bureau of Elections  
Michigan Department of State  
Richard H. Austin Building  
430 West Allegan St.  
Lansing, MI 48918

RECEIVED  
2019 MAR 29 AM 9:54  
ELECTIONS DIVISION

Re: *Foust vs. Buck*  
Campaign Finance Complaint  
No. 2019-01-04-21

**To whom it may concern:**

I am writing in response to your letter concerning Mr. Paul Foust's inquiry into my campaign finance documents. This being my first election cycle as a candidate, the details of the Statement of Organization requirements had been an unfortunate lapse in knowledge, but I have since filed my Statement of Organization and remitted the subsequent Late Filing Fee.

I spoke with Sarah O. Joshi at the Kalamazoo County Clerk today, March 22, 2019, to confirm these details:

I went in person to the Kalamazoo County Clerk at 201 W. Kalamazoo Ave on February 4, 2019 and filed my campaign finance Statement of Organization for "Committee to Elect Julia Buck".

On March 13, 2019 I also mailed a check for \$300.00 to the same County Clerk as payment for the subsequent late filing fee.

Included are copies of documents which confirm the above. I have not received a receipt for the late fee payment, but I was informed that they had received my check and the County Clerk needed no further attention.

I apologize for my oversight; please let me know if I can provide any further documentation.

Best,



**Julia C. Buck**  
**jazz.buck16@gmail.com**  
**(734) 904-7814**



**PAST DUE**

Michigan Department of State  
Bureau of Elections

**CAMPAIGN FINANCE  
NOTICE OF LATE FILING FEE DUE  
KALAMAZOO COUNTY**

ID # 55142

Date 02/05/2019

CTE JULIA BUCK  
ATTN: JULIA C. BUCK, TREASURER  
PO BOX 3334  
KALAMAZOO, MI 49001

Please be advised that this office is assessing the above named committee a late filing fee for the late filing of the following Statement:

Statement of Organization	08/13/2018	02/04/2019
Statement	Due Date	Date Received

The late fee is assessed in accordance with MCL 169.224(1), in the amount of \$300.00.

A copy of the governing provision of law is attached. Make your check payable to **KALAMAZOO COUNTY CLERK** and forward it to this office. (See office address listed below.)

If you have questions, contact us immediately at (269) 383-8840.

Sincerely,

**SARAH O. JOSHI  
ELECTIONS SPECIALIST**

**KALAMAZOO COUNTY**

· Make Check payable to **Kalamazoo County Clerk** and remit to  
**Timothy A. Snow, County Clerk; 201 W. Kalamazoo Avenue; Kalamazoo, MI 49007**

**MICHIGAN CAMPAIGN FINANCE ACT (EXCERPT)**  
Act 388 of 1976

**169.224 Statement of organization; time for filing; late filing fee; violation as misdemeanor; penalty; contents of statement; name of sponsor; amendment; statement as to receipts or expenditures; filing statement indicating dissolution of committee; exception; political committee considered as independent expenditure committee.**

Sec. 24. (1) A committee shall file a statement of organization with the filing officials designated in section 36 to receive the committee's campaign statements. A committee shall file a statement of organization within 10 days after the committee is formed. A filing official shall maintain a statement of organization filed by a committee until 5 years after the official date of the committee's dissolution. A person who fails to file a statement of organization required by this subsection shall pay a late filing fee of \$10.00 for each business day the statement remains not filed in violation of this subsection. The late filing fee must not exceed \$300.00. A person who violates this subsection by failing to file for more than 30 days after a statement of organization is required to be filed is guilty of a misdemeanor punishable by a fine of not more than \$1,000.00.

(2) The statement of organization required to be filed under subsection (1) must include the following information:

(a) The name, street address, and if available, the electronic mail address and telephone number of the committee, and the electronic mail address of the candidate. If a committee is a candidate committee, the committee name must include the first and last name of the candidate. A committee address may be the home address of the candidate or treasurer of the committee.

(b) The name, street address, and if available, the electronic mail address and telephone number of the treasurer or other individual designated as responsible for the committee's record keeping, report preparation, or report filing.

(c) The name and address of the financial institution in which the official committee depository is or is intended to be located, and the name and address of each financial institution in which a secondary depository is or is intended to be located.

(d) The full name of the office being sought by, including district number or jurisdiction, and the county residence of each candidate supported or opposed by the committee.

(e) A brief statement identifying the substance of each ballot question supported or opposed by the committee. If the ballot question supported or opposed by the committee is a local ballot question, the committee shall identify the county in which the greatest number of registered voters eligible to vote on the ballot question reside.

(f) Identification of the committee as a candidate committee, political party committee, independent committee, independent expenditure committee, political committee, or ballot question committee if it is identifiable as such a committee.

(3) An independent committee or political committee shall include in the name of the committee the name of the person or persons that sponsor the committee, if any, or with whom the committee is affiliated. A person, other than an individual or a committee, sponsors or is affiliated with an independent committee or political committee if that person establishes, directs, controls, or financially supports the administration of the committee. For the purposes of this subsection, a person does not financially support the administration of a committee by merely making a contribution to the committee.

(4) If any of the information required in a statement of organization is changed, the committee shall file an amendment when the next campaign statement is required to be filed.

(5) When filing a statement of organization, a committee, other than an independent committee, a political committee, or a political party committee, may indicate in a written statement signed by the treasurer of the committee that the committee does not expect for each election to receive an amount in excess of \$1,000.00 or expend an amount in excess of \$1,000.00. The treasurer of a committee of an incumbent judge or justice is considered to have made the statement required under this subsection following appointment or election of that judge or justice and is not required to file a written statement under this subsection indicating that the committee does not expect for each election to receive or expend an amount in excess of \$1,000.00.

(6) When filing a statement of organization, an independent committee, a political committee, or a political party committee may indicate in a written statement signed by the treasurer of the committee that the committee does not expect in a calendar year to receive or expend an amount in excess of \$1,000.00.

(7) Upon the dissolution of a committee, the committee shall file a statement indicating dissolution with the filing officials with whom the committee's statement of organization was filed. Dissolution of a committee must be accomplished pursuant to rules promulgated by the secretary of state under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

# Certificate of Election

I, Timothy A. Snow, Kalamazoo County Clerk, do hereby certify that at the Election held on November 6, 2018, Julia C. Buck, receiving a sufficient number of votes, was Elected to the Office of Kalamazoo Valley Community College Board Member for the term expiring January 1, 2025, as determined by the Board of County Canvassers of Kalamazoo County, Michigan.

In Witness Whereof, I have set my signature and affixed the Seal of the Circuit Court for said County, this 15<sup>th</sup> day of November 2018.

*Timothy A. Snow*

Kalamazoo County Clerk & Register of Deeds



Board of County Canvassers

*Wendy Flora*

*Frank P.*

*Jo Kent*

*Richard Lavin*



STATE OF MICHIGAN  
JOCELYN BENSON, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

March 29, 2019

Paul Foust  
8561 E D Ave  
Richland, Michigan 49083

Dear Mr. Foust:

The Department of State received a response to the complaint you filed against Julia Buck, 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, appearing to read "Adam Fracassi".

Adam Fracassi  
Bureau of Elections  
Michigan Department of State

c: Julia Buck



STATE OF MICHIGAN  
JOCELYN BENSON, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

June 18, 2019

Julia Buck  
2228 East Cork Street  
Apartment 3B  
Kalamazoo, Michigan 49001

Re: *Foust v. Buck*  
Campaign Finance Complaint  
No. 2019-01-04-21

Dear Ms. Buck:

The Department of State (Department) has concluded its investigation into the formal complaint filed by Paul Foust against you, alleging that you violated the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* This letter concerns the resolution of the complaint.

Mr. Foust filed his complaint with the Department on January 24, 2019 and alleged you have held elected office as Kalamazoo Valley Community College Trustee since 2019 and you failed to file a statement of organization and any related documents. As evidence to his complaint, Mr. Foust submitted a copy of a FOIA request sent to the Kalamazoo County Clerk's Office.

The Department notified you of its intent to investigate the complaint by letter dated January 28, 2019 and sent you a copy of the complaint and the evidence. You failed to respond to the first notice, and by letter dated March 1, 2019, the Department mailed you a second notice of its intent to investigate the complaint sent via certified mail.

You timely responded to the Department's final notice and submitted an answer to the Department dated March 22, 2019. You responded to the complaint and indicated that you have since filed your Statement of Organization with the County Clerk's office and paid the late filing fee by mailing a check on March 13, 2019. You indicated that it was an oversight and that you did not received or spend any money as you sought election or re-election.

By letter dated March 29, 2019, the Department mailed a copy of your response to Mr. Foust and notified him of his right to file a rebuttal. To date, no rebuttal has been received.

Section 21 requires a candidate to form a candidate committee within 10 days of becoming a candidate. MCL 169.221(1). Section 24 requires committees to file a statement of organization with the proper filing official within 10 days after the committee is formed. MCL 169.224(1). Section 24 details specific requirements for all statement of organizations that must be filed. See MCL 169.224(2)-(3). A candidate who fails to form a candidate committee within 10 days is subject to a civil fine up to \$1,000. MCL 169.221(13). A candidate who fails to file a statement of organization shall pay a late filing fee of \$10.00 per business day the report isn't filed not to

exceed \$300. MCL 169.224(1). A person failing to file a statement of organization after 30 days, is guilty of a misdemeanor punishable by a fine up to \$1,000.

Upon review, the Department determines that the evidence submitted supports the conclusion that a potential violation of the MCFA has occurred. The MCFA requires a statement of organization be filed within 10 days of the candidate forming a campaign committee, and the committee must be formed within 10 days of becoming a candidate. Based upon the evidence submitted and your admission, no statement of organization was filed until February 8, 2019 – after the filing of this complaint.

Therefore, because you failed to timely file a statement of organization, the Department determines that a potential violation of the MCFA has occurred. Upon reaching this conclusion, the Department is required to “endeavor to correct the violation or prevent a further violation by using informal methods [.]” if it finds that “there may be reason to believe that a violation . . . has occurred [.]” MCL 169.215(10). The objective of an informal resolution is “to correct the violation of prevent further violation [.]” *Id.*

The Department notes that as part of your response, you filed the statement of organization and have paid the maximum late filing fee of \$300. The Department has reviewed this statement and is satisfied that you have come into compliance with the MCFA.<sup>1</sup> Therefore, the Department determines that this formal warning is a sufficient resolution to the complaint.

The Department his hereby advising you that sections 21 and 24 require you to file certain campaign finance reports with the county by specific deadlines. Although you currently have a reporting waiver, be advised that should you exceed the \$1,000 threshold, you will be required to file reports as outlined by the Act.

Please be advised that this notice has served to remind you of your reporting obligations under the Act and may be used in future proceedings as evidence that tends to establish a knowing violation of the Act. The Department now considers the instant matter closed and will take no further action against you at this time.

Sincerely,



Adam Fracassi  
Bureau of Elections  
Michigan Department of State

c: Paul Foust

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<sup>1</sup> The Statement of organization is available on the County Clerk's website:  
<http://docs.kalamazoo.mi.campaignfinance.us/28109.pdf>