

Campaign Finance Complaint Form
Michigan Department of State

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MICHIGAN DEPARTMENT OF STATE
2018 NOV -9 AM 9:03

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 <u>KAREN SLEVA</u>	Daytime Telephone Number <u>248-627-5359</u>	
Mailing Address <u>289 EDWARD ST.</u>		
City <u>ORTONVILLE</u>	State <u>MI</u>	Zip <u>48462</u>

Section 2. Alleged Violator		
Name <u>LARRY HAYDEN</u>		
Mailing Address <u>200 MILL ST.</u>		
City <u>ORTONVILLE</u>	State <u>MI</u>	Zip <u>48462</u>

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

Section(s) of the MCFA violated:

APPENDIX S - CAMPAIGN SIGNS - FAQs
RULE #2

Explain how those sections were violated:

I CALLED THE MICHIGAN DEPARTMENT OF STATE, BUREAU OF ELECTIONS AND TOLD THEM: "LARRY HAYDEN'S SIGN DOES NOT CONTAIN THE ADDRESS OF THE COMMITTEE TO ELECT LARRY HAYDEN." I WAS THEN TOLD TO FILE A COMPLAINT BY THE BUREAU OF ELECTIONS EM DLOYEE.

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

I HAVE SUPPLIED AN 8 1/2" x 11" COLOR PICTURE OF LARRY HAYDEN'S SIGN.

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

Karen Sear
Signature of Complainant

11/6/18
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

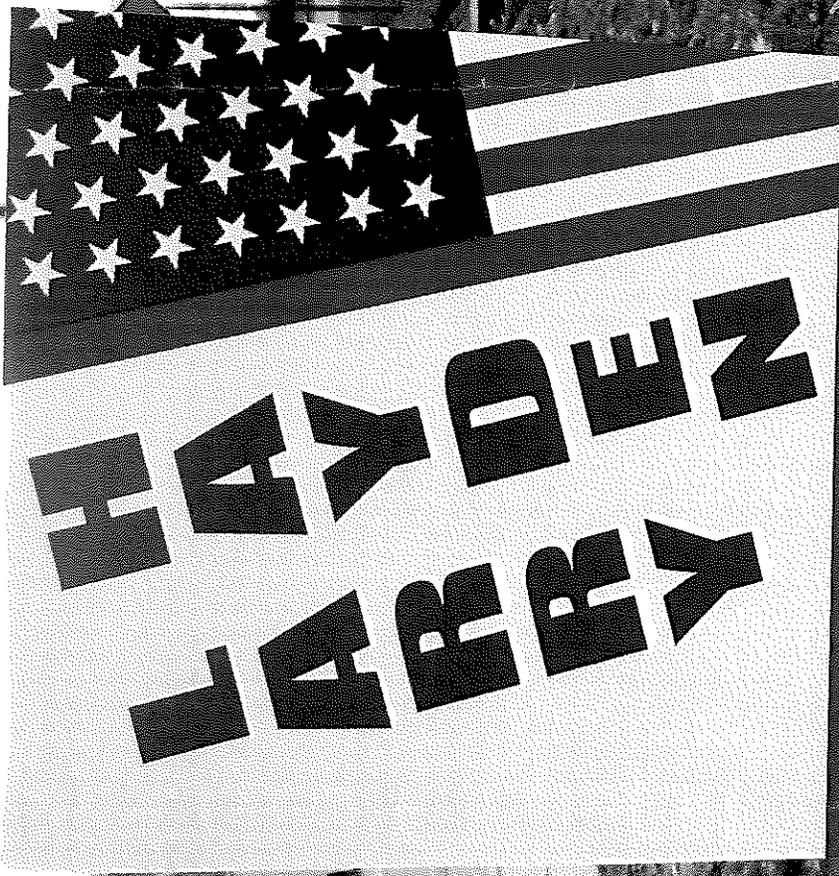
Signature of Complainant

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



**LARRY
HAYDEN**

**Village
Trustee**

Paid For By Committee To Elect Larry Hayden



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

November 20, 2018

Larry Hayden
200 Mill Street
Ortonville, Michigan 48462

Re: *Sleva v. Hayden*
Campaign Finance Complaint
No. 2018-11-104-47

Dear Mr. Hayden:

The Department of State (Department) has received a formal complaint alleging you have violated MCL 169.247 of the Michigan Campaign Finance Act (MCFA) by failing to include a complete and correct identification statement on certain campaign-related materials.

The MCFA and corresponding administrative rules require a person who produces printed material that relates to an election include the phrase "Paid for by [name and address of the person who paid for the item]." MCL 169.247(1), R 169.36(2). A knowing violation constitutes a misdemeanor offense punishable by a fine of up to \$1,000.00, imprisonment for up to 93 days, or both. MCL 169.247(6).

The Act also requires the Department 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 or prevent a further violation [.]" *Id.*

At issue in the complaint is a sign that reads "LARRY HAYDEN Village Trustee." At the bottom of the sign is a paid for by which states "Paid For By Committee To Elect Larry Hayden." In support of the complaint, copies of the materials were provided, and have been enclosed with this communication.

Upon review, it appears that the paid for by statement is incomplete in violation of MCL 169.247 and R 16.36(2). Given this, 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.

Larry Hayden
November 20, 2018
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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 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, looping initial "A".

Adam Fracassi
Bureau of Elections
Michigan Department of State

c: Karen Sleva