

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

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MICHIGAN DEPT OF STATE

2020 JUL 20 PM 2: 22

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	Michael Loughman	Daytime Telephone Number
Mailing Address	4469 Walma AVE SE #202	
City	State	Zip
GRAND RAPIDS	MI	49512

Section 2. Alleged Violator		
Name	August S. Trew	
Mailing Address	2958 REEDS LAKE BLVD	
City	State	Zip
GRAND RAPIDS	MI	49506

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

Section(s) of the MCFA violated:

SECTION 169.247

Explain how those sections were violated:

- ① MR. TREW'S SIGNS SAY "AUGUST TREAU KENT COUNTY COMMISSIONER" - GIVING THE IMPRESSION HE IS THE INCUMBANT. NO. "FOR" OR "ELECT"
- ② HIS SIGNS LACK THE "PAID FOR" WORDING

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

SEE ATTACHED PHOTO









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

July 28, 2020

August S. Treu  
2958 Reeds Lake Blvd  
Grand Rapids, Michigan 49506

Re: *Loughman v. Treu*  
Campaign Finance Complaint  
No. 2020-07-70-47

Dear Mr. Treu:

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. A copy of the complaint is enclosed.

The complaint was submitted to the Department on July 20, 2020 and alleges that you have distributed yard signs that did not include a proper paid for by statement. A picture of the yard signs is included with the complaint.

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).

Upon review, the evidence submitted supports the conclusion that a potential violation of the Act has occurred. From the outset, the Department must consider whether it is an expenditure covered by the MCFA. The yard sign specifically states "August Treu Kent County Commissioner." Because it was published by your committee, the signs are covered by the gambit of the Act and must include the paid for by statement outlined under section 47. MCL 169.206(2)(j). However, the signs have completely omitted the required paid for by statement. Since this phrase is absent, the evidence supports the conclusion that a potential violation has occurred.

After reaching this conclusion, the Act requires the Department to "endeavor to correct the violation or prevent a further violation by using informal methods [,]" if it finds that "there may

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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.*

Given this, the Department concludes that a formal warning is a sufficient resolution to the complaint and 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 referencing you or your candidacy produced in the future must include this identification statement. For all materials currently in circulation, the paid for by statement must be corrected. If this information has been included in your materials and you wish to rebut the Department’s conclusion, you must respond in writing to the Department within 15 business days of the date of this letter otherwise the Department will treat the complaint as resolved.

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).

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Fracassi", written in a cursive style.

Adam Fracassi  
Bureau of Elections  
Michigan Department of State

Enclosure  
c: Michael Loughman