



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

March 29, 2017

The Honorable Michele Hoitenga  
226 Roberts Street  
Manton, Michigan 49663

Dear Representative Hoitenga:

The Department of State (Department) has completed its investigation of the complaints filed against you by Michael Farage and Glenn Kangas, which concerned alleged violations of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* This letter concerns the disposition of these complaints.

The MCFA requires filed campaign finance statements and reports to be complete and accurate. MCL 169.233. A candidate who knowingly files an incomplete or inaccurate statement or report may be subject to a civil fine of up to \$1,000.00. MCL 169.233(10). A candidate who knowingly omits or underreports contributions or expenditures may be subject to a civil fine of up to \$1,000.00 or the amount of the contributions and expenditures omitted or underreported, whichever is greater. MCL 169.233(11).

Additionally, 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), 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.*

Mr. Farage filed his complaints on July 20, 2016, and you filed an answer on August 10, 2016. Mr. Farage filed a rebuttal statement on September 7, 2016. Mr. Kangas filed his complaint on July 25, 2016, and you filed an answer on August 10, 2016. Mr. Kangas filed a rebuttal statement on September 7, 2016.

**Incomplete or Inaccurate Campaign Finance Statement**

Mr. Farage alleged that your committee filed an incomplete or inaccurate campaign finance statement by failing to report certain expenditures on your 2015 Amended July campaign finance statement.

Mr. Farage alleged that your committee failed to report an expenditure regarding the 2015 Wexford/Missaukee Right to Life (RTL) golf outing or failed to report an in-kind contribution regarding that golf outing. As evidence, Mr. Farage provided a copy of a page from the 2016 RTL benefit dinner program. It appears that the back page of the program listed the sponsors of the 2015 golf outing. One sponsor square states "MICHELE HOITENGA FOR 102<sup>ND</sup> HOUSE OF REPRESENTATIVES [.]". Mr. Farage also provided a copy of the expenditure schedule from your candidate committee's 2015 Amended July campaign statement. No expenditure for the golf outing appears on this statement. Additionally, the Department notes that no in-kind contribution for the golf outing appears on your 2015 Amended July campaign statement.

In your response you explained that your father-in-law was in charge of the golf outing and that you did not receive a bill for a golf outing sponsorship. You further explained that you have never used committee funds to donate to the RTL organization and that you do not use the RTL organization to promote your campaign during their annual dinner events.

However, the Act's definition of "contribution" includes the donation or transfer of anything of ascertainable monetary value made for the purpose of influencing the nomination or election of a candidate. MCL 169.204(1). And while the Department takes you at your word that no committee funds were expended for a sponsorship for the golf outing, an advertisement for your committee under the sponsor listing did appear on the 2016 RTL benefit dinner program. This advertisement has an ascertainable monetary value of at least the minimum donation for sponsorship of the golf outing.

The Act's definition of "contribution" also includes, "an individual's own money or property other than the individual's homestead used on behalf of that individual's candidacy [.]". If you used personal funds to purchase a sponsorship for the golf outing, those funds should be disclosed as a direct contribution on your Amended 2015 July campaign statement.<sup>1</sup> If someone other than you purchased the sponsorship, those funds should be disclosed as an in-kind contribution from the person who paid the sponsorship fee to your committee on your Amended 2015 July campaign statement. If no sponsorship fee was actually paid, the minimum sponsorship fee should be disclosed as in an in-kind contribution from the person who determined your committee's name should be advertised on the 2016 RTL benefit dinner program.

**Please file an amended 2015 July campaign finance statement by April 14, 2017, disclosing the golf outing sponsorship fee as outlined above.**

Mr. Farage also alleged that you failed to report expenditures on your Amended 2015 July campaign statement regarding a mailing. Mr. Farage provided copies of an envelope, a flyer, a donation envelope, a business card, and a letter. Mr. Farage alleged that all of the items were mailed together and that you failed to report expenditures for any of these items or postage.

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<sup>1</sup> While the ad appeared in the 2016 RTL benefit dinner program, an expenditure for sponsorship for the golf outing would have been made prior to the outing, which occurred in June 2015 according to the RTL Facebook page.

In your response you asserted that you did report expenditures for postage, envelopes, and business cards on your 2015 July campaign statement. You provided portions of your campaign statement, along with an invoice for the business cards as evidence. The Department has reviewed your original and subsequent Amended 2015 July campaign statements. It appears that several expenditures regarding this mailing were disclosed by you in a timely manner, although it appears that the disclosure was imperfect.

The Department notes that the disclosure of these items should have been as in-kind contributions to your committee, as well as listed on the Debts or Obligations schedule if you intended the purchases to be loans to the committee. It appears that the payments to Alpha Press, Kel Graphics, and the U.S. Postal Service were reported as expenditures and on the Debts and Obligations schedule. The "Purpose" listed on the expenditure schedule was "loan to campaign by candidate" rather than "postage" or "envelopes." The payment to Zazzle (for business cards) was reported only on the Debts and Obligations schedule. While the expenditures are reported, this imperfect disclosure makes it difficult for the general public to discern the amount disclosed for particular campaign activities. The Department reminds you of the importance of proper disclosure on your campaign statements from here forward.

You also explained in your answer that you did not disclose any expenditure for the red envelopes or "patriotic paper" used in the mailing because these were items that were purchased by you years prior to your decision to run for office. However, these items do have an ascertainable monetary value and should have been reported as in-kind contributions from you to the committee.

You indicated in your answer that approximately 50-60 mailings were sent. Please calculate what it would cost to purchase 60 envelopes and 60 pieces of paper today and **file an amended 2015 July campaign finance statement by April 14, 2017, disclosing this amount as an in-kind contribution from yourself.**

#### **Incomplete or Inaccurate Paid-for-By Statements**

Mr. Farage and Mr. Kangas alleged that you failed to include a complete and correct paid-for-by statement on many of your campaign materials. In support of his complaint, Mr. Farage provided copies of an envelope, a brochure, a letter, a business card, a fundraiser envelope, and a post card. This material all appeared to contain incomplete or inaccurate paid-for-by statements.<sup>2</sup> Mr. Farage also provided a printout of a website announcing your candidacy. This page did not appear to contain a paid-for-by statement. Finally, Mr. Farage provided a screen shot of the paid-for-by statement on your campaign video on YouTube. Your address appears to be omitted.

Mr. Kangas provided a newspaper advertisement which appeared to omit a paid-for-by statement.

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<sup>2</sup> Some paid-for-by statements were missing your committee's address and it appeared that variations of your candidate committee's name were used. The Department notes, however, that each committee name in the paid-for-by statements contained "Friends to Elect Michele Hoitenga [.]"

The Department notes that Mr. Farage and Mr. Kangas alleged that you may have multiple different candidate committees bearing different name variations. As the Department stated in its July 27, 2016 notice letter to you, a review of your committee's records indicates that you have one candidate committee, but that some of your identification statements on your campaign materials are imperfect and do not contain the exact, correct name of your committee as reflected on your Statement of Organization.

In your response to Mr. Farage's complaint you stated, "There is no denial that several variations of my campaign name were used [,]" but that "Friends to Elect Michele Hoitenga" was always used. You noted that some identification statements also included "For State Rep" or "For State Representative."

You admitted that you were originally not aware that your street address must be included in your paid-for-by statements and your complete address was not always initially included, but after it was brought to your attention that it was required you took corrective action by placing correcting stickers on your signs and existing brochures.

You finally asserted that the website that announced your candidacy was a free site and no paid-for-by statement was needed because no payment was made. The Department agrees. Because no payment was made for the site, no paid-for-by statement was required.

In your response to Mr. Kangas' complaint you admitted that the newspaper ad did not have a proper paid-for-by statement on it. You further indicated that the newspaper ran a correction the following day. You provided a picture of the correction. The Department notes that Mr. Kangas asserted in his rebuttal statement that the correction was not run in the paper on the day you indicated, but the Department was able to review that issue online and the correction does appear in the online version.

While the Department believes that the evidence tends to show that your campaign material failed to contain complete and correct paid-for-by statements, section 15(10) of the MCFA requires the Department to "endeavor to correct the violation or prevent a further violation by using informal methods such as a conference, conciliation, or persuasion [.]". The Department is satisfied that you took appropriate corrective measures to bring your campaign material into compliance with the MCFA.

Additionally, the Department is advising you that section 47(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 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 Honorable Michele Hoytenga  
March 29, 2017  
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**Please file an amended 2015 July campaign statement by April 14, 2017 which discloses the RTL golf outing sponsorship fee and the costs of the envelopes and paper for your mailing. Once the Department receives this amended statement it will consider this matter closed.**

Sincerely,

A handwritten signature in black ink, appearing to read "Lori A. Bourbonais". The signature is fluid and cursive, with the first name "Lori" being more prominent.

Lori A. Bourbonais  
Bureau of Elections  
Michigan Department of State

c: Michael Farage  
Glenn Kangas





MICHIGAN DEPARTMENT OF STATE  
BUREAU OF ELECTIONS

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ORIGINAL OR AMENDED  
STATEMENT OF ORGANIZATION FORM FOR CANDIDATE COMMITTEES

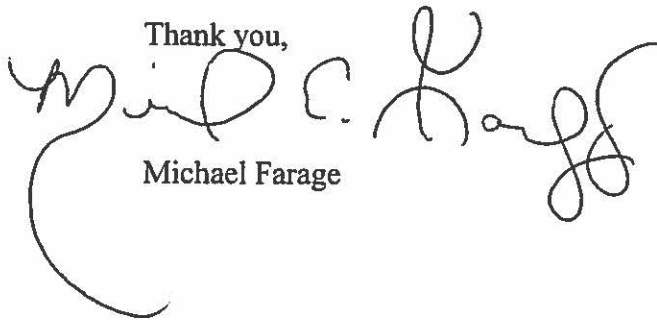
1. Committee ID #: <b>517242</b>	*2. Type of Filing: <input checked="" type="checkbox"/> Original: <input type="checkbox"/> Amendment to Item:		Eff. Date:
*3. Full Name of Committee (must include Candidate's first and last name): <b>Friends to Elect Michele Holtenga for State Rep</b>			
*4a. Candidate Full Name: Last Name <b>Holtenga</b>		First Name <b>Michele</b>	M.I. <b>L</b>
*4b. Political Party (if applicable): <b>Republican Party</b>		*4c. County of Residence: <b>WEXFORD</b>	
*4d. Office Sought: <b>State Rep</b>		*4e. District/Circuit # or Jurisdiction: <b>102nd District</b>	
*5. Date Committee was Formed: <b>03/14/2015</b>			
*6a. Committee Phone: <b>(231) 878-3888</b>		6b. Committee Fax #:	
6c. Committee Email Address: <b>micheleholtenga@gmail.com</b>		6d. Committee Website Address:	
*7a. Complete Committee Mailing Address (May be PO Box): <b>226 Roberts Street, Manton, MI 49663</b>			
*7b. Complete Committee Street Address (May not be PO Box): <b>226 Roberts Street, Manton, MI 49663</b>			
*8. Treasurer Name and Complete Address: <b>Michael Bengelink - 2302 Whitetail Drive, Cadillac, MI 49601</b>			
Phone #: <b>(231) 942-8383</b>		Email Address: <b>mbengelink@yahoo.com</b>	
9. Designated Record Keeper Name and Complete Address: <b>Michael Bengelink - 2302 Whitetail Drive, Cadillac, MI 49601</b>			
Phone #: <b>(231) 942-8383</b>		Email Address: <b>mbengelink@yahoo.com</b>	
*10. REPORTING WAIVER REQUEST: <input type="checkbox"/> YES, I/We WANT TO APPLY FOR THE REPORTING WAIVER. The committee does not expect to receive or expend in excess of \$1,000 in an election. I/We understand that if the committee does not spend or received in excess of \$1,000 in an election, the committee does not owe Pre, P and Annual Campaign Statements. I/We further understand that the Reporting Waiver will be automatically lost if the committee exceed threshold and all required campaign statements must be filed. <u>A Reporting Waiver does not exempt a committee from filing Late Contribution Reports.</u> <input checked="" type="checkbox"/> NO, I/We DO NOT WANT TO APPLY FOR THE REPORTING WAIVER. The committee expects to receive or expend in excess of \$1,000 in an election. I/We understand that the committee owes Pre, Post, Quarterly and Annual Campaign Statements even if the committee does not spend in excess of \$1,000 in an election. I further understand that the Reporting Waiver cannot be requested retroactively to avoid filing requirement to avoid paying late filing fees. Further information regarding Reporting Waivers can be found in Appendix C of the Committee Manual.			
*11. Name and Address of Depositories or Intended Depositories of committee funds. (Michigan Bank, Credit Union or Savings & Loan Association) this item must be completed, an account does not have to be opened until the first contribution is received. *Official Depository (name and address): <b>Chemical Bank - 302 North Mitchell Street, Cadillac, MI 49601</b> Secondary Depository (name and address):			
12. <input type="checkbox"/> This item applies only to gubernatorial candidate committees: Check if this committee intends to seek qualifying contributions or expenditures.			
13. ELECTRONIC FILING: This item applies to committees that file with the Michigan Department of State Bureau of Elections only and does not apply to Candidate Committees that file with the County Clerk's office. <input checked="" type="checkbox"/> Committee spent or received or expects to spend or receive in excess of \$5,000 and is required to file electronically. <input type="checkbox"/> Committee did not spend or receive or does not expect to spend or receive in excess of \$5,000 and would like to file electronically voluntarily. Further information regarding Electronic Filing can be found in Appendix D of the Committee Manual.			
14. Verification: I/We certify that all reasonable diligence was used in the preparation of the above statement and that the contents are true, complete to the best of my/our knowledge or belief. If filing electronically, we further agree that the signatures below shall serve as the signatories to verify the accuracy and completeness of each statement filed electronically by the committee. I/We certify that all reasonable diligence will be used in the preparation of each statement electronically filed by this committee and that the contents of each statement will be true, accurate and complete to the best of my/our knowledge or belief. (Sign Name and Date)			
*Candidate: <b>Michele Holtenga</b>		Date: <b>3-16-2015</b>	*Current Treasurer: <b>Michael Bengelink</b>
Designated Record Keeper (Required only if filing electronically): <b>Michael Bengelink</b>		Date: <b>3-16-2015</b>	

one of her four campaigns committees. Some of these were mailed in July with the wrong disclaimer and other

4. Ms. Hoitenga has not filed statements of organization for 3 of the committees that she has used on her printed material with the Secretary of State as required. She also has not filed campaign statements for these committees as required by the Michigan Campaign Finance Act.
5. She does not address the fact that she did not report as expenditures or gift in kind contributions, the items that were included in her August 31, 2015 letter. Was this paid with her unreported "seed money"?
6. She does not address the Right to Life sponsorship that appears in the program. This was either a non reported gift in kind contribution or was paid by someone else and not reported on her campaign statements.

To end, there is enough evidence that shows multiple violations and enough unanswered questions that requires a further investigation of this campaign and an audit on her record keeping to answer these unresolved issues she has brought to our attention. At this stage, I will allow the information that I have provided to you to stand on its' own merits and I am now putting this in the hands of the Secretary of State.

Thank you,

A handwritten signature in black ink, appearing to read "Michael Farage". The signature is stylized with a large, sweeping initial "M" and a long, curved line extending from the bottom left.

Michael Farage

do so by the Michigan Campaign Finance Act. Additionally MCL 169.33(1)a requires candidates to file “complete campaign statements as required by this act”. This event took place after she formed her committee and I contest that if someone gave this as a gift in kind donation or paid the sponsorship for her, they would have to show this as a gift in kind. This would be true even if this occurred prior to her filing her statement of organization.

Even if this sponsorship was paid by one of her other three committees, I am rebutting that those committees would have had to file a statement of organization and campaign statements as required.

## CONCLUSION

I am confident that this information I have provided will rebut Ms. Hoitenga’s claims that my claims are without merit and outright lies. I learned additional information from Ms. Hoitenga’s response letter dated August 4, 2016. I am sure that you have as well. To summarize my rebuttal, in light of this new information I am requesting that you add to this investigation the following:

1. The letter, that she admits and states was mailed a year and a half ago, before she filed her statement of organization, has many issues with it, probably more than I am aware of. Those that come to mind are:
  - a. All the items that were included in that mailer, as well as the envelopes, would have had to be reported on her campaign statements even though it was before her filing her statement of organization. They would have to appear as gifts in kind, donations, expenses, etc...
  - b. She most likely received contributions from this letter to those 60 individuals that are not accounted for and not reported anywhere. This is the letter with the intent to collect “seed money” to start her campaign. This is not allowed by multiple parts of the Michigan Campaign Finance Act. This may also shed light on her four different committee names and her regulated funds that were used in one of her committees.
  - c. She addresses a different mailer then the one I addressed in my complaint. All items of my complaint should have also been reported on her campaign statements. Additionally, 3 different committees provided printed materials for that mailer.
2. I rebut her argument that she could solely report expenses under her loans to her committee. I feel that this calls for further review of her campaign statements.
3. She admits in her response letter to my complaint that she knew in June that she needed to have a proper disclaimer after being informed by the republican caucus. Then she **knowingly** had multiple printed materials and ads after that June date go out on behalf of



Ms. Hoytenga repeatedly violated MCL 169.247(1) by sending out multiple printed materials, many of them you have received in this complaint, that did not have the proper disclaimers on them. She knowingly sent out pieces that did not include 1, 2 or sometimes all 3 of the required parts of a proper disclaimer. Two included regulated funds, many did not include paid for by, most had a name that was not her committee, some did not have the address, and ads in the newspaper did not have a disclaimer on them at all. She admits in writing in her letter dated August 4<sup>th</sup>, under #3, that she knew she needed to have a proper disclaimer on her materials, claims she goes out and corrects the signs and brochures, and then repeatedly sends out multiple pieces with out a proper disclaimer.

2. If #1 above is not the case, then the only other situation that could be the answer is that she has 4 different committees that she has been using but has only filed one with the secretary of state office. MCL 169.224(1) requires filing a statement of organization for a committee. MCL 169.225 requires each committee that has formed a statement of organization to file campaign statements for specific periods. MCL 169.226(1)b requires a campaign statement to include a list of all contributions and expenditures. Ms. Hoytenga has used three committees that have not fulfilled the three sections of the Michigan Campaign Finance Act that I have just noted. Those committee names are:
  - a. Committee to Elect Michele Hoytenga
  - b. Friends to Elect Michele Hoytenga(some materials include regulated funds)
  - c. Friends to Elect Michele Hoytenga for State Representative

As mentioned before, there is no way to know if there were contributions made to these three committees, expenses paid by them, "seed money" taken in to start her campaign, etc..., because there is no statement of organization, no campaign statements, and no listing of contributions and expenditures.

3. In her letter, Ms. Hoytenga admits she is aware of these other committees. This takes away the option that these were committees that she was not aware existed. This puts the responsibility of all items in this complaint form on Ms. Hoytenga's shoulders.

### **COMPLAINT #3**

This complaint form addresses one specific issue dealing with Ms. Hoytenga not reporting her sponsorship for the Wexford/Missaukee Right to Life Dinner as a 2015 golf outing sponsorship. I provided the program for the event recognizing sponsors for that event that would have given a minimum of \$100.00 for the sponsorship.

My only rebuttal is that Ms. Hoytenga did not address this complaint in her response. With that said, I believe that she either did not report her sponsorship on her expense report as required to

Campaign Finance Act is very clear “the name and address of the person paying for the item”, not “anything close to it”. She has reported three different committees on these pieces, and has not reported these expenditures for these items on the committee that she has registered with the secretary of state. This could be because she has used different committee names and feels that she doesn’t have to record these items on her official committee that has filed with the Secretary of State office, because they do not include the name of that committee on the printed material.

- b. It is not the responsibility of all these people that designed and produced the printed materials to make sure they are following the Michigan Campaign Finance Act, it is the responsibility of the candidate to make sure they are doing that. Most likely, like every other candidate, the candidate is approving all pieces before they go to production or are providing the vendor with the finished product. Most candidates use multiple vendors and still comply with the Michigan Campaign Finance Act.

As a summary to complaint #1, I believe that an investigation is necessary to uncover these new issues that Ms. Hoitenga has exposed to your office in an effort to respond to other allegations. She has made it very clear that she has participated in campaigning before she filed officially as a candidate and believes that it is acceptable. I believe that allowing Ms. Hoitenga to be allowed to do these activities against the Michigan Campaign Finance Act would not be acceptable for all of those candidates that follow the laws of the State. She should have to report everything prior to her committee being formed in an effort to obtain “seed money” and she should be required to report all of those contributors that gave her “seed money” to start her official campaign. Additionally, all expenditures as outlined in my complaint as well as the new ones she has addressed, should be required to be reported.

## **COMPLAINT #2**

This complaint can be recognized by the handwritten “#2” that appears on the top of my complaint form. This complaint addresses two main issues. One is that she has used four different committee names on her printed materials throughout the campaign. The second one is that she uses the wrong disclaimer on multiple printed materials. The items that I am rebutting are:

1. In section #3 of Ms. Hoitenga’s response letter, she admits that in June 2016 she was contacted by the Republican Caucus and was informed of needing the correct disclaimer on her yard signs. **She admits that she knew she needed a proper disclaimer including the address.** This is very important because MCL 169.247 section 47(6) reads **“a person who knowingly violates this section is guilty of a misdemeanor punishable by a fine of not more than \$1,000.00 or imprisonment for not more than 93 days, or both.”** After June 24, 2016 where she purchases labels to put onto signs and brochures,

- d. Additionally, MCL section 169.206 section 6(1)(a) states expenditures include a contribution or a transfer of anything of ascertainable monetary purposes of influencing the nomination or election of a candidate". This states that these items should show up as an expense to the campaign as well.
2. Under section #6 of Ms. Hoitenga's response, she argues that she reported expenses under a loan to her campaign. I rebut this argument and request that this be investigated as well for the following two reasons:
  - a. MCL 169.226 section 26(1) clearly states, "a campaign statement of a committee, other than a political party committee, required by this act shall contain all of the following information." Included in this is section 26(1)(b) that states "under the heading 'expenditures', the total amount of expenditures made during the period covered by the campaign statement." This requires all expenses to be reported.
  - b. MCL 169.206 (1) defines expenditure as a payment, donation, **loan**". It clearly states that even loans are considered an expenditure and thus be listed under expenditures.
  - c. MCL 169.226 section 26(j) requires specific information about the expenditures that do not show up in the loan section, thus reporting it only as a loan is incorrect.
3. Ms. Hoitenga does not address in her response to this complaint, many of the issues that I address concerning the multiple items: envelopes, fund raising letter paper, color brochure, stamps for this mailer, and any other items that do not show up on her quarterly campaign statements or Annual 2015 campaign statement. I still believe that these items should have been reported.
4. Additionally this complaint addresses the fact that there are 3 different committee names that appear on these materials that were included in the red envelope that was mailed out on August 31, 2015. After the information that was provided by Ms. Hoitenga, as well as the many question that she did not answer in her response, it is easy to conclude that money could be going to different committees. The "seed money" for example could have been put into the "Friends to elect Michel Hoitenga " committee that is accepting regulated funds, as verified by her mail pieces that have that stated on them. In her response letter under section #2, she addresses using multiple names on her pieces and states **"this was due to using several different people for the design/production and printing process with the different literature"** There are two points that I would like to rebut on this argument that she uses:
  - a. As noted in your August 1, 2016 letter to Ms. Hoitenga you not MCL 169.247 which requires the phrase "paid for by" and name and address of the person who paid for the item". This is very clear and simple. If a committee is paying for the printed material, then the name of the committee must appear and the address. Many of these pieces have different committee names on it. The Michigan

she addresses a letter that she sent out, apparently with the same red envelopes, that was sent out prior to March 16, 2015. Under section #4 she writes:

**“The red envelope and patriotic paper were not purchased for my campaign and were only used to send out letters to approximately 50 to 60 people in an effort to get seed money for a very few select people in local politics to get the campaign started prior to even forming the committee. Therefore, there is no expense report except in stamps. These were mailed over a year and a half ago, therefore, why wasn’t this complaint issued when it was mailed.”**

She admits that she has sent out a letter “prior to even forming the committee”. I am attaching a copy of her Statement of Organization form for Candidate Committees which was dated on March 16, 2016. Let me address each of the violations that have occurred from her actions:

- a. She is justifying that since this letter was mailed out “prior to even forming the committee” she does not have to put these on the expenditure section as required under MCL 169.226, section 26(1). She goes onto to say, “Therefore, there is no expense report except stamps.” Can you imagine what would happen if candidates started raising money and paying expenses specifically for their campaign, and were not required to report any of it as long as they do not form their committee? Section 169.206, section 6(1), defines expenditure and 169.203, 1(c), defines when a candidate becomes a candidate. The minute she “makes an expenditure” toward her election, she is a candidate.
- b. She states that “letters to approximately 50 to 60 people in an effort to get seed money ” and then states, “to get the campaign started”. Ms. Hoitenga has obtained “seed money” for her campaign to get her campaign started. She argues that she doesn’t have to put expenses for this letter because it was “prior to even forming the committee.” This exposes a very serious issue. Who provided her the “seed money”? She is required by the Michigan Campaign Finance Act to report these contributions. I rebut her argument that she didn’t have to because she hadn’t formed the committee yet. Did these contributions go into one of her other committees that she used on her printed materials? I believe that she did not report these expenses from this letter that she states was mailed out “over a year and a half ago” or the letter that I have sent the complaint on from August 2016, because these expenses were paid for by the “seed money” she got from these “50 to 60 people”.
- c. Despite her argument, she would still have to report these envelopes and patriotic paper, as gift in kind contributions. In MCL 169.204 part of the definition of contribution is a payment, gift, or expenditure or donation of money or **anything of ascertainable monetary value.** These items have value and should have been on the expense reports.

September 6, 2016

2016 SEP -7 PM 1:21

Dear Ms. Bourbanais,

Thank you for sending me the response letter by Ms. Hoitenga that is dated August 4, 2016. Thank you also for giving me an opportunity to send in a rebuttal of her response to my complaints. Since my three complaints are all included in this one letter, I will do my best to try and make it as easy as possible to understand which of my three complaints I am talking about on each point. I will also refer to her response letter often to rebut what she has stated. Additionally, she has exposed some new issues that should be addressed in this investigation.

I do not want to spend a lot of time trying to address all of the things that she stated specifically toward me. In this letter and a face book post, she spent a lot of time speaking about me and stating that "the majority of the complaints are with no merit, false information or outright lies". I want to reassure you, as I point out each of the items discussed in this letter, it will be reinforced from my three complaints that these complaints are with merit, will have factual information and are the truth. I will be very thorough in this rebuttal period

I also want to make it clear right away that her statement that she has not met me or spoke with me is not accurate. I have spoke with her on **three** different occasions. One of these times, was at an Americans for Prosperity event in Lansing, and more recently, I spoke with her at the candidate forum ( inside the theater area ) that they had in Cadillac at the High School auditorium. Ms. Hoitenga simply does not remember me.

## **COMPLAINT # 1**

This complaint is the one that has a handwritten "#1" on the top of the first page of the complaint form, left of the time stamp. In Ms. Hoitenga's response letter she addresses this issue in #4. I want to make it very clear that in this letter she discusses a completely different letter that raises more concerns and more questions that require a thorough investigation of her campaign. My first complaint is entirely about a mailer that went out in an envelope dated August 31, 2015. I will give you an original envelope of a person that received this letter. She does not report any of these items in that mailer on her expenditure section of the quarterly finance report. Here are the issues that I would like to rebut specific to this first complaint:

1. **This may be the most important part of my rebuttal letter.** Under #4 of her response letter, she exposes ( what I believe are ) could be new ( additional ) violations of the Michigan Campaign Finance Act. Instead of addressing the letter from August 31, 2016,



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

September 12, 2016

Michele Hoitenga  
226 Roberts St.  
Manton, MI 49663

Dear Ms. Hoitenga:

This letter concerns the complaint that was recently filed against you by Michael Farage, which relates to a purported violation of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* The Department of State has received a rebuttal statement from the complainant, a copy of which is enclosed with this letter.

Section 15(10) of the MCFA, MCL 169.215(10), requires the Department to determine within 45 business days from the receipt of the rebuttal statement whether there is a reason to believe that a violation of the Act has occurred. Mr. Farage's complaint remains under investigation at this time. At the conclusion of the review, all parties will receive written notice of the outcome of the complaint.

Sincerely,

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

Lori A. Bourbonais  
Bureau of Elections  
Michigan Department of State

c: Michael Farage



Date debt was incurred: 05/27/2015

Original amount: \$49.00

Cumulative payment to date on debt: \$0.00

Outstanding balance at close of this period: \$49.00

Loan was Forgiven: No

Debt #5:

This item is a : Debt or obligation owed BY or forgiven the committee

Owed by Name: MICHELE HOITENGA  
Address: 226 ROBERTS STREET  
MANTON, MI 49663-0000

Corporation: No

Type of Obligation: LOAN TO CAMPAIGN BY CANDIDATE (ZAZZLE) Business Cards

Date debt was incurred: 03/12/2015

Original amount: \$131.09

Cumulative payment to date on debt: \$0.00

Outstanding balance at close of this period: \$131.09

Loan was Forgiven: No

Debt #6:

This item is a : Debt or obligation owed BY or forgiven the committee

Owed by Name: MICHELE HOITENGA  
Address: 226 ROBERTS STREET  
MANTON, MI 49663-0000

Corporation: No

Type of Obligation: LOAN TO CAMPAIGN BY CANDIDATE



Your Custom Normal Profile Card Business Card

Artwork designed by teepossible. Made by Zazzle Paper in San Jose, CA. Sold by Zazzle. Customized by You! Business, 3.5" x 2.0", 100 pack, White

Qty.	Price	Discount	Subtotal
10	\$28.95	-\$130.30	\$159.20

↑ boxes

Business Cards Purchased  
As reported on finance Reports

### Billing Summary

Subtotal:	\$159.20
Shipping:	\$6.89
Tax:	\$0.00
Discount:	-\$35.00
<b>Order Total:</b>	<b>\$131.09</b>
Paid With	
Paypal:	\$131.09

### Good information to know about your order:

#### Shipment Date

If your order is queued for shipment after standard shipping times (6PM PT) or on a weekend, then it will not be picked up by the courier until the following business day. UPS and the US Postal Service all consider business days to be Monday through Friday, not including holidays or scheduled service interruptions.

#### Multiple Packages

Many products are manufactured and shipped from different facilities. To ensure you get your products as quickly as possible, your order will be shipped in multiple packages if needed.

#### The Zazzle Promise

If you don't love it, we'll take it back. You can return purchases for a replacement or refund within 30 days of receipt. Some restrictions apply. Review our full return policy here.

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**Thank You! Your Order Number Is 131-16082001-1913144.**

1 message

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Zazzle Inc. <Zazzle@smtp.zazzle.com>  
Reply-To: emailresponse@zazzle.com  
To: Michele <michelehoitenga@gmail.com>

Fri, Mar 27, 2015 at 1:58 PM

[Shop](#)[Create](#)[Sell](#)

## *Thanks For Your Order!*

Hi michelehoitenga@gmail.com,

This email confirms we received your order on 3/27/2015. Our team is already hand-picking the items you requested and preparing to customize them to your exact specifications.

We'll let you know as soon as your order is ready for shipment, but you can also check the status of your order at anytime on your [Order Status Page](#).

You can also download the Zazzle iPhone App and get instant notifications for your order.

**Order ID 131-16082001-1913144**

Order Date: 3/27/2015

Sold by Zazzle

[Check Order Status](#)**Shipment 1 of 1****Ship To:**

Michele Hoitenga  
226 roberts  
Manton, MI, 49663  
United States

**Shipping Method:**

via Standard - With Tracking Shipping (4-7 Business  
Days After Manufacturing)

A GOOGLE SEARCH FOR MR. FARAGE BRINGS UP A PLETHORA OF FRIVOLOUS LAWSUITS AND POLITICAL BULLY TACTICS – THIS IS THE COMPLAINANT WHO HAS FILED AGAINST ME.

Search

- **Farage**

469,000 RESULTSAny time

AllPast 24 hoursPast weekPast month

1. [PDF]

**O'NEAL, in her capacity as Grand Rapids - MLive.com**

[media.mlive.com/grpress/news\\_impact/other/Streets lawsuit](http://media.mlive.com/grpress/news_impact/other/Streets_lawsuit) - GRTA...

**GRAND RAPIDS TAXPAYERS ASSOCIATION and MICHAEL FARAGE, Plaintiffs, v CITY OF GRAND RAPIDS, GRAND ... Lansing Schools Education Ass'n**

2. [PDF]

**STATE OF MICHIGAN - MLive.com**

[media.mlive.com/grpress/news\\_impact/other/Streets lawsuit](http://media.mlive.com/grpress/news_impact/other/Streets_lawsuit) - GRTA...

**STATE OF MICHIGAN IN THE CIRCUIT COURT ... ASSOCIATION and MICHAEL FARAGE, Plaintiffs, v CITY OF GRAND RAPIDS, GRAND ... Michael E. Farage . Title: STATE OF MICHIGAN ...**

3. **Michael Farage (Elias), 50 - Grand Rapids, MI | MyLife.com®**

<https://www.mylife.com/michael-farage/michaelfarage>

... info & photos on anyone like **Grand Rapids MI resident Michael Farage ... Michael Farage was born in 1966. Michael currently lives in ... {school .name}}** ...

4. **Appeal denied on Grand Rapids streets tax proposal | MLive.com**

[www.mlive.com/news/grand-rapids/index.ssf/2014/03/appeal\\_denied\\_on...](http://www.mlive.com/news/grand-rapids/index.ssf/2014/03/appeal_denied_on...)

**Grand Rapids streets tax lawsuit.JPG. ... and Jason Miller, of the Grand Rapids Taxpayers Association, ... Michael Farage and the Grand Rapids Taxpayers ...**

5. **Robocalls urging no vote on GRPS bond denounced as false ...**

[www.mlive.com/news/grand-rapids/index.ssf/2015/10/superintendent...](http://www.mlive.com/news/grand-rapids/index.ssf/2015/10/superintendent...)

Oct 21, 2015 · Robocalls urging no vote on GRPS **bond denounced as false, misleading. ... Michael Farage, president of the the Grand ... Monica Scott is the Grand Rapids ...**

6. **GR sued over tax extension ballot question | WOODTV.com**

[woodtv.com/2014/03/12/gr-sued-over-tax-extension-ballot-question](http://woodtv.com/2014/03/12/gr-sued-over-tax-extension-ballot-question)

**The City of Grand Rapids will fight a lawsuit ... GR sued over tax extension ballot question. ... The Grand Rapids Taxpayers Association and Michael Farage on ...**

8. Finally, there was a Right to Life event in which my father-in-law was in charge of the golf outing and I never received the bill. Anything else contributed to Right to Life was done by our personal doing and not related to my campaign in any way. We have always contributed to RTL and do NOT use the RTL organization to promote my campaign during their annual dinner events.

Please understand there is a group of individuals who would like to see my campaign fail and are diligently working towards hurting me in any way they can. However, this campaign apologizes for any errors it has made and looks forward to a successful candidacy without future issues.

Best,

Michele Hoitenga  
Friends to Elect Michele Hoitenga for State Rep  
226 Roberts Street  
Manton, MI 49663  
(231) 878-3888

6. Envelopes and Business cards: These were the very first items I purchased when I decided to run for State Rep. and was reported as a LOAN TO CAMPAIGN BY CANDIDATE. This is a copy and paste from my actual finance report. (See attached receipts separate from this statement)

<u>FRIENDS TO ELECT</u> <u>MICHELE HOITENGA</u> 517242-CAN	DIRECT	ALPHA PRESS 4333 SILVERSTAR RD ORLANDO, FL 32808-0000 PA-LOAN TO CAMPAIGN BY CANDIDATE	03/27/15 \$89.22
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<u>FRIENDS TO ELECT</u> <u>MICHELE HOITENGA</u> 517242-CAN	DIRECT	KEL GRAPHICS 110 RIVER ST CADILLAC, MI 49601-0000 PA-LOAN TO CAMPAIGN BY CANDIDATE	06/25/15 \$226.35
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t #5:

See Enclosure/Attached  
Itemized Receipts

This item is a :

Debt or obligation owed BY or forgiven the Committee

Owed by Name:  
Address:

MICHELE HOITENGA  
226 ROBERTS STREET  
MANTON, MI 49663-0000

Corporation:

No

Type of Obligation:

LOAN TO CAMPAIGN BY CANDIDATE (ZAZZLE)

← Business Cards

Date debt was incurred:

03/12/2015

Original amount:

\$131.09

Cumulative payment to date on debt:

\$0

Outstanding balance at close of this period:

\$131.

(Also, New business cards have been ordered with <sup>Full</sup> disclaimer!)

7. All videos produced had a "Paid for by Michele Hoytenga" disclaimer but, again, may not have had the additional words "for state rep". This has been corrected on all videos and can be viewed on my Youtube channel. (See Youtube.com Michele Hoytenga)



August 4, 2016

Bureau of Elections  
Richard Austin Building – 1<sup>st</sup> Floor  
430 West Allegan  
Lansing, MI 48918

Dear Ms. Bourbanais:

Thank you for contacting me regarding alleged campaign violations placed by Mr. Farage against my campaign. I will respond to these allegations to the best of my ability. Please note, I have attached a Mr. Farages (well documented) history of frivolous complaints against individuals and government entities. Please keep this in mind... he has told a mutual friend he is sending in more complaints against me. He is also being given 'evidence' by a couple of locals who have actively worked against my campaign.

Also, please note: I have never spoken with or met the complainant, Michael Farage. He lives 2 hours away from me and is not even in my district. If he truly wrote this complaint, then he has outright lied to you in the statement ...***"She told me she was spending 8K for mailers...."*** (see complaint). Since this conversation never took place with him, he has outright lied to a government agency and signed his name stating that the allegations were true to his knowledge. I would ask that this be documented that Mr. Farage has provided a state agency with a (signed) false statement. A Google search provided at the end of this document gives insight into Mr. Farage's credibility and tactics.

The majority of the complaint(s) are with no merit, false information, or outright lies used in an effort to hurt my campaign in which I won the Primary on August 2, 2016. With that said, I am new to the political process and this is my first campaign. My district is a 'safe' republican seat so I anticipate I will be a legislator soon, therefore, I would like to deal with this complaint immediately and move forward.

1. Mr. Farage complains that a disclaimer was not used on the very first candidacy announcement back in 2015. The web page used was SMORE.com and is a FREE website. You are able to see it was free because the SMORE icon is on the blog. An upgraded or paid blog site would have not had the SMORE icon. There was no expense involved and even further, the Bureau of Elections does not require a disclaimer on this social media site.
2. Campaign committee names: There is no denial that several variations of my campaign name were used with the committee name 'shortened', however, the main wording (Friends to Elect Michele Hoitenga) was always used...on occasion it did not have the wording "for state rep" or it used the wording "for state representative". This was due to using several different people for the design/production and printing process with the different literature. There was no fraudulent intent involved whatsoever.
3. Campaign signs: Again, the committee name was printed on all my signs however the complete address was not (initially). My campaign was not aware that the address needed to be included...as long as the committee name was present. A member of the Republican caucus

contacted me regarding this and within 12 hours, we immediately spent an entire day placing water resistant stickers (with the address) on all the signs throughout the district and placed labels on the existing brochures. The purchase for the labels is noted on the expense report from Allegra printing. Several thousand sticker labels were made to be placed on all brochures and signs. Please note, it is possible some smaller signs taken to properties in which we were unaware of may not have stickers but all the 100 large (4 X 8) signs have proper committee wording and full addresses as well as the majority of small signs. I reported back to the caucus as soon as this was rectified. Again, there was no fraudulent intent whatsoever.

FRIENDS TO ELECT MICHELE  
HOITENGA  
517242-CAN

*ALLEGRA PRINTING*  
1215 N. MITCHELL  
DIRECT CADILLAC, MI 49601- 06/24/16 \$132.50  
0000  
PA-LABELS & BROCHURE

4. Now for the famous "red envelope". The history of the 'red envelope' and why it is not documented is as follows: My son is a Marine veteran and we sent care packages over Christmas time to deployed military troops while he was in Afghanistan in 2013-14. The envelopes and patriotic themed paper were items in my home that I purchased over 3 years ago. That is why the envelopes are (Christmas) RED. In fact, the red envelopes are so old, they have a slight 'fade' on the tops of them. The patriotic paper used is not even in print any longer and has not been for a couple of years. The red envelope and patriotic paper were not purchased for my campaign and were only used to send out letters to approximately 50 to 60 people in an effort to get seed money from a very few select people in local politics to get the campaign started prior to even forming the committee. Therefore, there is no expense to report except the stamps (see below). These were mailed over a year and half ago, therefore, why wasn't this complaint issued when it was mailed? (See #5 below for proof of stamp purchases as LOAN TO COMMITTEE)
5. Mr. Farage alleges there is no purchase of stamps reported, yet on my finance report, there are clearly USPO expenditures reported.

FRIENDS TO ELECT MICHELE  
HOITENGA  
517242-CAN

*UNITED STATES POSTAL*  
*SERVICE*  
128 W. MAIN  
DIRECT MANTON, MI 49663-0000 06/27/15 \$49.00  
MA-LOAN TO CAMPAIGN BY  
CANDIDATE