



Michigan Department of State Campaign Finance and Financial Disclosure Complaint Form

This complaint form may be used to file a complaint alleging that someone violated the [Michigan Campaign Finance Act](#) (MCFA), the [Candidate for Office Financial Disclosure Act](#), or the [Public Officers Financial Disclosure Act](#) (financial disclosure acts). Electronic submission of the form to BOERegulatory@michigan.gov is strongly recommended. For instructions on how to complete this form, see the [Campaign Finance and Financial Disclosure Complaint Guidebook](#) document. All spaces are required unless otherwise indicated.

| Section 1. Complainant | | | |
|-----------------------------------------|-------------|----------------------------------------|--|
| Your name Bruce Fealk | | Daytime telephone number 2489208633 | |
| Mailing address 1474 Oakstone Dr | | | |
| City Rochester Hills | State MI | Zip 48307 | |
| Email (recommended) bfealk@gmail.com | | | |

| Section 2. Alleged Violator (Respondent) | | | |
|------------------------------------------------|-------------|--------------|--|
| Name Nesreen Sabbagh | | | |
| Mailing address 988 Michelson Rd | | | |
| City Rochester Hills | State MI | Zip 48307 | |
| Email (recommended) nesreen_s2000@gmail.com | | | |
| Committee ID (optional) 98384 | | | |

Please include email addresses to expedite processing time and mitigate mail delays.

Section 3. Allegations (use additional sheets if more space is needed)

I allege a violation of the following:

- MCFA
- Public officer disclosure
- Candidate disclosure

Identify the section(s) of the MCFA or relevant financial disclosure act section(s) alleged to be violated and explain how the section(s) were violated:

Section 47
See Attached

Evidence included with the submission of the complaint that supports the allegations:

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.

Signature of complainant

Barbara J. [Signature]

Date

8/3/24



Shelley Lauzon for RCS Board of Education

3h · 🌐



Here is an upcoming chance to meet the 4 of us at one location! Come on up, have some appetizers on us and enjoy the music! Facebook event coming soon.

Nesreen Sabbagh for RCS Kids
Johnathon Sesi for RCS Board Trustee
Trustee Andrew Weaver



Trustee Andrew Weaver and 26 others

5 7

Most relevant



Rachel Farhadson Baker



Comment as Bruce Fealk

| | | | |
|--|--------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | Street, Lansing, Michigan, 48933" | the name of the payer. Include paid for "with regulated funds" only if the group's registration is pending | Street, Lansing, Michigan, 48933" (<i>The address can be substituted by a phone number or other contact information.</i>) |
|--|--------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|

NO: Because the communication does not meet all of the requirements, no identifier/disclaimer is required.

Other Points to Consider

- Electronic media such as web sites, Facebook, Twitter, etc. are not specifically exempt from the requirements of [Section 47](#).
- Email communications are not paid political advertisements and are therefore are not covered under [Section 47](#).
- An individual other than a candidate is not subject to the identification requirement provision as it relates to **printed matter only** if the individual is acting independently and not acting as an agent for a candidate or any committee.
- The identification or disclaimer on printed matter must be in a place and in a print clearly visible to and readable by an observer.
- A ballot question petition and a recall petition must bear the identification statement. A candidate petition is exempt from this requirement. However, the detachable portion of a candidate petition must bear the identification statement.
- Committees participating in a joint fund raiser must include the appropriate identifier and the names and addresses of all of the committees participating in the joint fundraiser.
- A committee that has filed an amendment to its Statement of Organization to show a change of committee address is not required to note the change of address on printed matter it





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

August 12, 2024

Nesreen Sabbagh
988 Michelson Road
Rochester Hills, MI 48307

Re: *Fealk v. Sabbagh*
Campaign Finance Complaint No. 24-134

Dear Nesreen Sabbagh:

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 an identification statement on your flyer. A copy of the flyer was included with the complaint; a copy of the complaint is enclosed.

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 the materials fall within the ambit of the MCFA. Because the materials explicitly advocate for the election or defeat of a candidate, or for the passage or defeat of a ballot proposal, the materials contain express advocacy as defined by the Act. MCL 169.206(2)(j). As explained above, such materials must contain a "paid for by" statement listing the name and address of the committee purchasing the materials. However, the evidence shows that the materials at issue here omit part or all of that required statement. That absence supports the conclusion that a potential violation of the MCFA 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 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 to BOERegulatory@Michigan.gov 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,

Regulatory Section
Bureau of Elections
Michigan Department of State

Enclosure
c: Bruce Fealk

From: [Nesreen Sabbagh](#)
To: [MDOS-BOERegulatory](#)
Subject: Re: Response to Campaign Finance Complaint No. 24-134
Date: Thursday, August 22, 2024 1:11:01 PM

CAUTION: This is an External email. Please send suspicious emails to abuse@michigan.gov

Dear Regulatory Section, Bureau of Elections, Michigan Department of State:

I am writing to respond to the formal complaint(Complaint No. 24-134) filed against my campaign regarding an alleged violation of the Michigan Campaign Finance Act(MCFA) related to a Facebook event my fellow candidate created to announce an upcoming fundraiser.

After carefully reviewing the complaint and the relevant provisions of the MCFA, I believe that the complaint is based on a misunderstanding of the law. The Facebook event in question was created organically, with no expenditure or paid promotion involved. It was not a paid or sponsored ad but a simple, cost-free event announcement posted on a social media platform.

According to my understanding, free social media posts, including events created on platforms such as Facebook, are exempt from requiring a "paid for by" disclaimer unless they involve financial expenditure. As no money was spent to boost or sponsor the event, it should not fall under the ambit of MCL 169.247(1) or R 169.36(2), which govern the requirements for disclaimers on paid political communications.

Given that the event was a purely organic post without any associated costs, it is not subject to the disclaimer requirements specified in MCFA. Therefore, I respectfully submit that the complaint does not substantiate violation of campaignfinance laws.

Please consider this response as my formal rebuttal to the conclusions drawn in your letter. I request that the complaint be reviewed in light of this information and that it be dismissed accordingly.

Thank you for your attention to this matter.

Sincerely,
Nesreen Sabbagh
Nesreen4RCSKIDS
586-354-5990



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

September 4, 2024

Bruce Fealk
1474 Oakstone Drive
Rochester Hills, MI 48309

Re: *Fealk v. Sabbagh*
Campaign Finance Complaint No. 24-134

Dear Bruce Fealk:

The Department of State received a response from Nesreen Sabbagh to the complaint you filed against them alleging a violation of the Michigan Campaign Finance Act, 1976 P.A. 388, MCL 169.201 *et seq.* A copy of the response is provided with this letter.

You may file a rebuttal statement after reviewing the response. If you elect to file a rebuttal statement, you are required to do so within 10 business days of the date of this letter. The rebuttal statement may be emailed to BOERegulatory@Michigan.gov or mailed to the Department of State, Bureau of Elections, Richard H. Austin Building, 1st Floor, 430 West Allegan Street, Lansing, Michigan 48918.

Sincerely,

Regulatory Section
Bureau of Elections
Michigan Department of State

Attachment
c: Nesreen Sabbagh



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

October 7, 2024

Nesreen Sabbagh
988 Michelson Rd.
Rochester Hills, MI 48307

Re: *Fealk v. Sabbagh*
Campaign Finance Complaint No. 24-134

Dear Nesreen Sabbagh:

The Department of State (Department) has finished investigating the campaign finance complaint filed against you by Bruce Fealk alleging that you violated the Michigan Campaign Finance Act (MCFA or Act). This letter concerns the disposition of that complaint.

The complaint alleged that you failed to include an identification statement on your flyer.

You responded to the complaint. In your response, you claimed an identification statement was not necessary because no money was spent on the Facebook post.

Bruce Fealk did not provide a rebuttal statement.

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 Department has reviewed the evidence submitted in this matter and finds that insufficient evidence has been presented to support a finding of a potential violation of the MCFA. Because no money was spent on the Facebook post, it is not required to have the identification statement.

Because the violation of the MCFA alleged in the complaint has not been substantiated by

Fealk v. Sabbagh

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sufficient evidence, the Department dismisses the complaint and will take no further enforcement action. If you have any questions concerning this matter, you may contact me at BOERegulatory@Michigan.gov.

Sincerely,

A handwritten signature in black ink that reads "James Biehl". The signature is written in a cursive style with a large initial "J" and "B".

James Biehl, Regulatory Attorney
Regulatory Division
Bureau of Elections
Michigan Department of State

c: Bruce Fealk