



# 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](mailto: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		Daytime telephone number
Ricky J Loper		269-303-0851
Mailing address		
36511 39th Ave		
City	State	Zip
Paw Paw	Mi	49079
Email (recommended)		
loperpawpaw@gmail.com		

## Section 2. Alleged Violator (Respondent)

Name		
Tony Millek		
Mailing address		
44939 35th st		
City	State	Zip
paw paw	mi	49079
Email (recommended)		
clerk@waverlytownship.com		
Committee ID (optional)		

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:

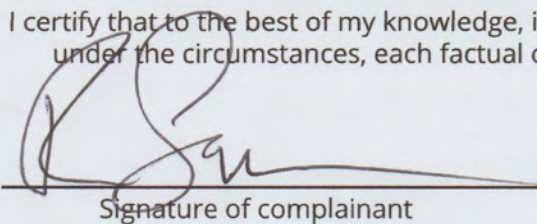
MCL-section 169.247. In this subsection and subject to subsections (3) (4), a billboard, placard, poster, pamphlet, or other printed matter having reference to an election, a candidate, or a ballot question, must display an identification that contains the name and address of the person paying for the matter. Candidate's billboards and yard signs do not contain the entity paying for the advertisement.

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

Included in the email are examples of 5 different billboards and one yard sign to prove the candidate has not followed election law policy. Candidate has multiple signs throughout the township that all reflect the examples provided. Publications are missing "paid for" disclaimer.

#### **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

07-31-24

Date



**TONY MILLEK  
WAVERLY  
SUPERVISOR**

**CAPTAIN BOOM  
FIREWORKS**

Jul 31, 2024 17:44:01  
31358 Michigan 40  
Paw Paw  
Van Buren County  
Michigan



**TONY MILLEK  
WAVERLY  
SUPERVISOR**

Jul 31, 2024 17:33:52





Jul 31, 2024 17:27:38  
37282 County Road 665  
Paw Paw  
Van Buren County  
Michigan





Jul 31, 2024 17:25:21  
31890 County Road 665  
Paw Paw  
Van Buren County  
Michigan



*Tony*

***Millek***



*Waverly Supervisor*



***Vote August 6th, 2024***





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

August 12, 2024

Tony Millek  
44939 35th Street  
Paw Paw, MI 49079

Re: *Loper v. Millek*  
Campaign Finance Complaint No. 24-115

Dear Tony Millek

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 campaign signs. Photos of the signs were 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](mailto: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: Ricky J. Loper