



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

BUREAU OF ELECTIONS • RICHARD H. AUSTIN BUILDING - 1<sup>st</sup> Floor  
430 W. ALLEGAN STREET • LANSING, MICHIGAN 48918

RECEIVED/FILED  
MICHIGAN DEPT OF STATE  
2021 JUN 22 AM 11:34  
ELECTIONS/GREAT SEAL

This complaint form may be used to file a complaint alleging that someone violated the Michigan Campaign Finance Act (MCFA). For instructions on how to complete this form, see the Campaign Finance Complaint Guidebook & Procedures document. All spaces are required unless otherwise indicated.

Section 1. Complainant			
Your Name <u>Matthew Hayer</u>		Daytime Telephone Number <u>908-783-9228</u>	
Mailing Address <u>15115 University</u>			
City <u>Allen Park</u>	State <u>MI</u>	Zip <u>48101</u>	
Email (optional)			

Section 2. Alleged Violator			
Name <u>Khalil Othman</u>			
Mailing Address <u>5138 Kenilworth</u>			
City <u>Dearborn</u>	State <u>MI</u>	Zip <u>48126</u>	
Email (optional)			

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

Section(s) of the MCFA alleged to be violated: MCL 169.247

Explain how those sections were violated:

Khalil is running for City Council and does not  
have "paid for by" disclaimer or identifier on  
the lawn signs, huge banner or stickers.

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

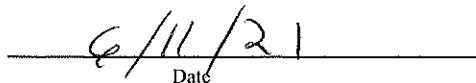
Pictures of lawn signs, banner, bumper stickers  
are attached. Signs/pictures are posted on his social  
media page as well.

**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**

  
Signature of Complainant

  
Date

**Section 5. Certification without Evidence (Supplemental to Section 4)**

If, after a reasonable inquiry under the circumstances, you are unable to certify that certain factual contentions are supported by evidence as indicated above, you may 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:*

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**X**

\_\_\_\_\_  
Signature of Complainant

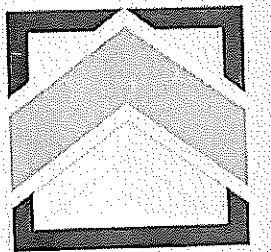
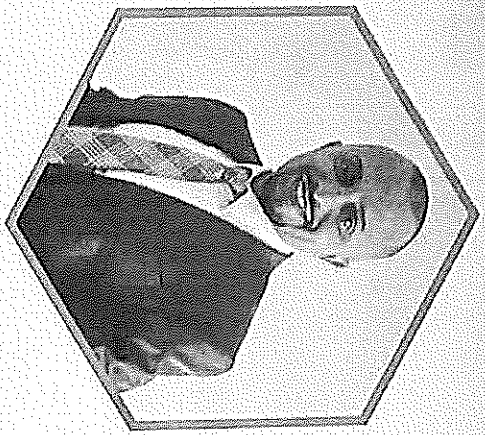
\_\_\_\_\_  
Date

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.

**Section 6. Submission**

Once completed, mail or hand deliver the complaint form with your evidence to the address below. The complaint is considered filed upon receipt by the Bureau of Elections.

Michigan Department of State  
Bureau of Elections  
Richard H. Austin Building – 1st Floor  
430 West Allegan Street  
Lansing, Michigan 48918



KHALIL  
OTHMAN

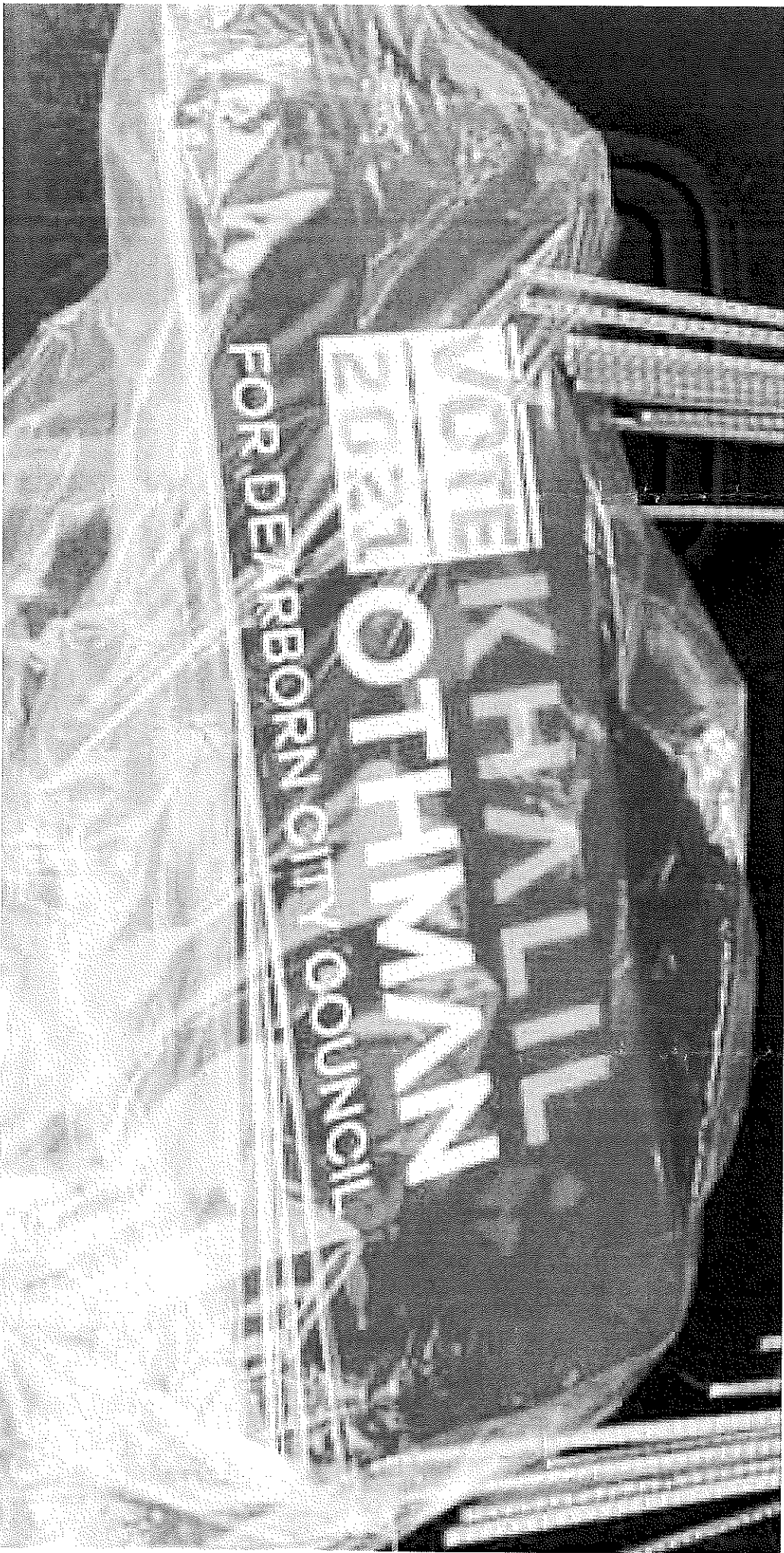
FOR DEARBORN CITY COUNCIL

[www.votekhalil.com](http://www.votekhalil.com)

2021

FIRST PRINT  
312-920-1136







# VOTER KHALIL OTHMAN

For Dearborn City Council





**For Dearborn City Council**

**VOTE  
KHALIL  
OTHMAN**





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

June 23, 2021

Khalil Othman  
5138 Kenilworth Avenue  
Dearborn, Michigan 48126

Re: *Hayes v. Othman*  
Campaign Finance Complaint  
No. 2021-6-15-47

Dear Mr. Othman:

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 June 22, 2021 and alleges that you have distributed a banner, yard signs, and bumper stickers that did not include a proper paid for by statement. Pictures of the banner, yard signs, and bumper stickers are 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 materials specifically state "Khalil Othman for Dearborn City Council" and "Vote Khalil Othman for Dearborn City Council," which use words of express advocacy as defined by the Act. MCL 169.206(2)(j). Because they urge voters to vote for you using words of express advocacy and were published by your committee, the materials are covered by the ambit of the Act and must include the paid for by statement outlined under section 47. MCL 169.206(2)(j). However, the banner, signs, and bumper stickers 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.

Khalil Othman  
June 23, 2021  
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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 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", with a stylized flourish at the end.

Adam Fracassi  
Bureau of Elections  
Michigan Department of State

Enclosure  
c: Matthew Hayes