



**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

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 <b>KATHLEEN WESTERN</b>		Daytime Telephone Number <b>586-246-6843</b>	
Mailing Address <b>51533 HICKORY LANE</b>			
City <b>MACOMB</b>	State <b>MI</b>	Zip <b>48042</b>	
Email (optional) <b>kwestern@comcast.net</b>			

Section 2. Alleged Violator			
Name <b>NANCY NEVERS</b>		<b>586-491-3206</b>	
Mailing Address <b>49699 LEHR DRIVE</b>			
City <b>MACOMB</b>	State <b>MI</b>	Zip <b>48044</b>	
Email (optional) <b>neversn@macomb-mi.gov</b>			

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

Section(s) of the MCFA alleged to be violated: SEC 169.226

Explain how those sections were violated:

① Ms. Nevers failed to disclose & properly report a \$3000. PAC donation on her filed reports, instead claiming it was her personal money. ② Ms. Nevers failed to identify the occupation, employer & business of a person who contributed \$1,000. to her.

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

ITEM #1 - campaign finance report from 1/1/20 to 7/19/20  
ITEM #2 - pic from SOS website showing donation from "Citizens for Honest Government" PAC for \$3000.00  
ITEM #3 - campaign finance report from 7/20/20 to 9/3/20

**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



MICHIGAN DEPARTMENT OF STATE  
BUREAU OF ELECTIONS

ITEM #1

CANDIDATE COMMITTEE  
COVER PAGE

FOR OFFICIAL USE ONLY

Report must be legible, typed or printed in ink and signed by the treasurer (or designated record keeper) and candidate.

3. This Statement covers From:

01/01/20 to 07/19/20

1. Committee I.D. Number

137-027

2. Committee Name

CTE Nancy Nevers

4. Candidate Last Name

Nevers

First Name

Nancy

M.I.

J.

4a. Office Sought Including District # or Community Served (If applicable)

Trustee Macomb Township

4b. County of Residence

MACOMB

5. Committee's Mailing Address

49699 Lehr Drive  
Macomb Twp. MI 48044

6. Treasurer's Name & Residential Address

Nancy Nevers  
49699 Lehr Drive  
Macomb, Michigan 48044

Area Code and Phone (586) 491-3206

If the address in this box is different from the committee mailing address on the Statement of Organization, mail may be sent to this address by the filing official.

Area Code & Phone (586) 491-3206

7. Treasurer's Business Address

49699 Lehr Drive  
Macomb, Michigan 48044

8. Designated Record Keeper's Name and Address (If the committee has a Designated Record Keeper)

Area Code and Phone (586) 491-3206

Area Code and Phone

9. TYPE OF STATEMENT

9a. ☒ Pre-Election OR 9b. ☐ Post-Election

Pre-Election or Post-Election Statement relates to:

☒ Primary

☐ General

☐ Convention

☐ Special

☐ School

☐ Caucus

Date of Election, Convention or Caucus

08/04/20

Required ONLY if candidate is not on the ballot for the current year:

☐ July Quarterly

☐ October Quarterly

9c. ☐ Annual Statement ( ) Coverage Year

9d. ☐ Amendment to Campaign Statement (Complete Item 9a, 9b, 9c or 9e to indicate which Statement is being amended.)

9e. Dissolution of Candidate Committee

☐ By checking this item I/We certify any outstanding debt by the committee to the candidate or his or her spouse is here by discharged and forgiven, and no longer collectible from the committee. The committee has no outstanding assets, owes no late fees or has any outstanding debt.

Further, if the dissolution cannot be granted, that this be considered a request for the Reporting Waiver.

Effective date of dissolution

Note: The disposition of residual funds must be reported on Schedule 1B and the Summary Page.

10. Verification: I/We certify that all reasonable diligence was used in the preparation of this statement and attached schedules (if any) and to the best of my/our knowledge and belief the contents are true, accurate and complete.

Current Treasurer or

Designated Record keeper

Nancy Nevers

Type or Print Name

Signature

Date

7-21-2020

Candidate

Nancy Nevers

Type or Print Name

Signature

Date

7-21-2020



ITEMIZED CONTRIBUTIONS  
SCHEDULE 1A

CANDIDATE COMMITTEE

1. Committee I.D. Number 137-027

2. Committee Name CTE Nancy Nevers

Enter contributor's name and address. If contribution is from an individual, enter last name, first name, middle initial. Check box to indicate if contribution is from a Political Committee or an Independent Committee (PAC) Report all contributions regardless of amount.

6. Amount

7. Cumulative for  
Election Cycle for Each  
Contributor (Through  
date of receipt)

3. Contribution # 1 PAC Receipt? ☒ YES

4. Date of Receipt \_\_\_\_\_

Name & Address:

Nancy Nevers  
49699 Lehr Drive  
Macomb, Michigan 48044

\$ 3000

\$ \_\_\_\_\_

5. If over \$100.00 cumulative, please provide:

Occupation \_\_\_\_\_ Employer \_\_\_\_\_

[Click Here for Memo Itemization](#)

Business Address \_\_\_\_\_

Type of Contribution: ☒ Direct ☐ Loan from a person ☐ Fund Raiser

3. Contribution #2 PAC Receipt? ☐ YES

4. Date of Receipt \_\_\_\_\_

Name & Address \_\_\_\_\_

\$ \_\_\_\_\_ \$ \_\_\_\_\_

5. If over \$100.00 cumulative, please provide:

Occupation \_\_\_\_\_ Employer \_\_\_\_\_

[Click Here for Memo Itemization](#)

Business Address \_\_\_\_\_

Type of Contribution: ☐ Direct ☐ Loan from a person ☐ Fund Raiser

3. Contribution # 3 PAC Receipt? ☐ YES

4. Date of Receipt \_\_\_\_\_

Name & Address \_\_\_\_\_

\$ \_\_\_\_\_ \$ \_\_\_\_\_

5. If over \$100.00 cumulative, please provide:

Occupation \_\_\_\_\_ Employer \_\_\_\_\_

[Click Here for Memo Itemization](#)

Business Address \_\_\_\_\_

Type of Contribution: ☐ Direct ☐ Loan from a person ☐ Fund Raiser

3. Contribution # 4 PAC Receipt? ☐ YES

4. Date of Receipt \_\_\_\_\_

Name & Address \_\_\_\_\_

\$ \_\_\_\_\_ \$ \_\_\_\_\_

5. If over \$100.00 cumulative, please provide:

Occupation \_\_\_\_\_ Employer \_\_\_\_\_

[Click Here for Memo Itemization](#)

Business Address \_\_\_\_\_

Type of Contribution: ☐ Direct ☐ Loan from a person ☐ Fund Raiser

Page Subtotal

Grand Total of All Schedules 1A  
(Complete on last page of Schedule)

\$3,000.00

Enter this total on  
line 3a of Summary  
Page.



MICHIGAN DEPARTMENT OF STATE  
BUREAU OF ELECTIONS

1. Committee I.D. Number 137-027

**SUMMARY PAGE  
CANDIDATE COMMITTEE**

2. Committee Name CTE Nancy Nevill

RECEIPTS		Column I This Period	Column II Cumulative this election cycle
<b>3. Contributions</b>			
a. Itemized (Schedule 1A - Column 6)	(3a.) \$	<u>3,000.00</u>	
b. Unitemized (less than \$20.01 each - no Schedule)	(3b.) \$	<u>NOT APPLICABLE</u>	
c. Subtotal of "Contributions"	(3c.) \$		(18.) \$
<b>4. Other Receipts (Schedule 1A -1, Column 6)</b>	(4.) \$		(19.) \$
<b>5. TOTAL CONTRIBUTIONS AND OTHER RECEIPTS</b> (Add Line 3c + Line 4)	(5.) \$		(20.) \$
<b>IN-KIND CONTRIBUTIONS &amp; EXPENDITURES</b>			
<b>6. In-Kind Contributions (Schedule 1-IK, Column 7)</b>	(6.) \$		(21.) \$
<b>7. In-Kind Expenditures (Schedule 1B-IK, Column 6)</b>	(7.) \$		(22.) \$
<b>EXPENDITURES</b>			
<b>8. Expenditures</b>			
a. Itemized (Schedule 1B, Column 6)	(8a.) \$		
b. Itemized Get-Out-the-Vote (Schedule 1B-G)	(8b.) \$		
c. Unitemized (less than \$50.01 each - no Schedule)	(8c.) \$		
<b>9. TOTAL EXPENDITURES (Add Line 8a + Line 8b + Line 8c)</b>	(9.) \$		(23.) \$
<b>INCIDENTAL EXPENSE DISBURSEMENTS</b> (Officeholders Only)			
<b>10. Disbursements</b>			
a. Itemized (Schedule 1C, Column 6)	(10a.) \$		
b. Unitemized (less than \$50.01 each - no Schedule)	(10b.) \$		
<b>11. TOTAL INCIDENTAL EXPENSE DISBURSEMENTS</b> (Add Line 10a + Line 10b)	(11.) \$		(24.) \$
<b>DEBTS AND OBLIGATIONS</b>			
<b>12. Debts and Obligations</b>			
a. Owed by the Committee (Schedule 1E)	(12a.) \$		
b. Owed to the Committee (Schedule 1E)	(12b.) \$		
<b>BALANCE STATEMENT</b>			
<b>13. Ending Balance of last report filed</b> (Enter zero if no previous reports have been filed.)	(13.) \$	<u>\$0.00</u>	
<b>14. Amount received during reporting period</b> (Line 5, Total Contributions & Other Receipts)	(14.) + \$	<u>\$3,000.00</u>	
<b>15. SUBTOTAL Add lines 13 and 14</b>	(15.) = \$		
<b>16. Amount expended during reporting period</b> (Add lines 9 and 11)	(16.) - \$	<u>\$0.00</u>	
<b>17. ENDING BALANCE</b> (Subtract line 16 from line 15)	(17.) \$	<u>\$3,000.00</u>	

ITEM #2 - FROM MI S.O.S. CAMPAIGN FINANCE WEBSITE

CITIZENS FOR HONEST  
GOVERNMENT  
517972-IND

DIRECT

NANCY NEVERS FOR  
TOWNSHIP TRUS  
49699 LEHR DR  
MACOMB, MI 48044-0000  
DI-DONATION

06/17/20

\$3,000.00

NANCY NEVERS  
for TOWNSHIP TRUSTEE MACOMB  
TOWNSHIP



MICHIGAN DEPARTMENT OF STATE  
BUREAU OF ELECTIONS

CANDIDATE COMMITTEE  
COVER PAGE

FOR OFFICIAL USE ONLY

Report must be legible, typed or printed in ink and signed by the treasurer (or designated record keeper) and candidate.

3. This Statement covers From: 07/20/20 to 09/03/20

1. Committee I.D. Number

137-027

2. Committee Name

CTE Nancy Nevers

5. Committee's Mailing Address

49699 Lehr Drive  
Macomb, MI 48044

Area Code and Phone (586) 491-3206

If the address in this box is different from the committee mailing address on the Statement of Organization, mail may be sent to this address by the filing official.

4. Candidate Last Name

Nevers

First Name

Nancy

M.I.

J.

4a. Office Sought Including District # or Community Served (If applicable)

Trustee Macomb Township

4b. County of Residence **MACOMB**

6. Treasurer's Name & Residential Address

Nancy Nevers  
49699 Lehr Drive  
Macomb, MI 48044

Area Code & Phone (586) 491-3206

7. Treasurer's Business Address

49699 Lehr Drive  
Macomb, MI 48044

Area Code and Phone (586) 491-3206

8. Designated Record Keeper's Name and Address (If the committee has a Designated Record Keeper)

Area Code and Phone

9. TYPE OF STATEMENT

9a. ☐ Pre-Election OR 9b. ☒ Post-Election

Pre-Election or Post-Election Statement relates to:

- ☐ Primary  
☐ General  
☐ Convention  
☐ Special  
☐ School  
☐ Caucus

Date of Election, Convention or Caucus

08/04/20

Required ONLY if candidate is not on the ballot for the current year:

- ☐ July Quarterly  
☐ October Quarterly

9c. ☐ Annual Statement ( ) Coverage Year

9d. ☐ Amendment to Campaign Statement (Complete Item 9a, 9b, 9c or 9e to indicate which Statement is being amended.)

9e. Dissolution of Candidate Committee

☐ By checking this item I/We certify any outstanding debt by the committee to the candidate or his or her spouse is here by discharged and forgiven, and no longer collectible from the committee. The committee has no outstanding assets, owes no late fees or has any outstanding debt.

Further, if the dissolution cannot be granted, that this be considered a request for the Reporting Waiver.

Effective date of dissolution

Note: The disposition of residual funds must be reported on Schedule 1B and the Summary Page.

10. Verification: I/We certify that all reasonable diligence was used in the preparation of this statement and attached schedules (if any) and to the best of my/our knowledge and belief the contents are true, accurate and complete.

Current Treasurer or  
Designated Record keeper

Nancy Nevers

Type or Print Name

*Nancy J. Nevers*

Signature

Date

9-3-2020

Candidate

Nancy Nevers

Type or Print Name

*Nancy J. Nevers*

Signature

Date

9-3-2020



ITEM #3

ITEMIZED CONTRIBUTIONS  
SCHEDULE 1A  
CANDIDATE COMMITTEE

1. Committee I.D. Number 137-027

2. Committee Name CTE Nancy Nevers

Enter contributor's name and address. If contribution is from an individual, enter last name, first name, middle initial. Check box to indicate if contribution is from a Political Committee or an Independent Committee (PAC) Report all contributions regardless of amount.

6. Amount

7. Cumulative for  
Election Cycle for Each  
Contributor (Through  
date of receipt)

3. Contribution # 1 PAC Receipt? ☐ YES 4. Date of Receipt 08/10/20

Name & Address:

Nancy Nevers  
49699 Lehr Drive  
Macomb, MI 48044

\$ 7,469.00

\$ \_\_\_\_\_

5. If over \$100.00 cumulative, please provide:

Occupation Trustee Employer Macomb Twp.

[Click Here for Memo Itemization](#)

Business Address 49699 Lehr Dr. Macomb, MI 48044

Type of Contribution: ☒ Direct ☐ Loan from a person ☐ Fund Raiser

3. Contribution #2 PAC Receipt? ☐ YES 4. Date of Receipt 08/10/20

Name & Address

Laura McLennan  
27331 El Capitan Drive  
Warren, MI 48092

\$ 1,000.00

\$ \_\_\_\_\_

5. If over \$100.00 cumulative, please provide:

Occupation Don't know her Employer ?

[Click Here for Memo Itemization](#)

Business Address ?

Type of Contribution: ☐ Direct ☐ Loan from a person ☐ Fund Raiser

3. Contribution #3 PAC Receipt? ☐ YES 4. Date of Receipt \_\_\_\_\_

Name & Address:

\$ \_\_\_\_\_ \$ \_\_\_\_\_

5. If over \$100.00 cumulative, please provide:

Occupation \_\_\_\_\_ Employer \_\_\_\_\_

[Click Here for Memo Itemization](#)

Business Address \_\_\_\_\_

Type of Contribution: ☐ Direct ☐ Loan from a person ☐ Fund Raiser

3. Contribution #4 PAC Receipt? ☐ YES 4. Date of Receipt \_\_\_\_\_

Name & Address

\$ \_\_\_\_\_ \$ \_\_\_\_\_

5. If over \$100.00 cumulative, please provide:

Occupation \_\_\_\_\_ Employer \_\_\_\_\_

[Click Here for Memo Itemization](#)

Business Address \_\_\_\_\_

Type of Contribution: ☐ Direct ☐ Loan from a person ☐ Fund Raiser

Page Subtotal

\$ 8,469.00

Grand Total of All Schedules 1A  
(Complete on last page of Schedule)

\$ 8,469.00

Enter this total on  
line 3a of Summary  
Page.



**ITEMIZED EXPENDITURES  
SCHEDULE 1B  
CANDIDATE COMMITTEE**

1. Committee I. D. Number 137-027  
2. Committee Name CTE Nancy Nevers

3. Name and address of person or vendor to whom paid	4. Purpose (Required Information)	5. Date	6. Amount
Expenditure #1 Name <b>Right Strategies, LLC</b> Address <b>2153 Wealthy St. SE, Suite 166 East Grand Rapids, MI 49506</b> <input type="checkbox"/> Fund Raiser	Purpose: <u>Mailer, Printing, Postage etc.</u> <input checked="" type="checkbox"/> Check box if this expenditure is payment of debt or obligation reported on previous statement	<u>08/02/20</u> Date	<u>\$ 11,469.00</u>
Expenditure #2 Name Address <input type="checkbox"/> Fund Raiser	Purpose: _____ <input type="checkbox"/> Check box if this expenditure is payment of debt or obligation reported on previous statement	_____ Date	\$ _____
Expenditure #3 Name Address <input type="checkbox"/> Fund Raiser	Purpose: _____ <input type="checkbox"/> Check box if this expenditure is payment of debt or obligation reported on previous statement	_____ Date	\$ _____
Expenditure #4 Name Address <input type="checkbox"/> Fund Raiser	Purpose: _____ <input type="checkbox"/> Check box if this expenditure is payment of debt or obligation reported on previous statement	_____ Date	\$ _____
Expenditure #5 Name Address <input type="checkbox"/> Fund Raiser	Purpose: _____ <input type="checkbox"/> Check box if this expenditure is payment of debt or obligation reported on previous statement	_____ Date	\$ _____

Subtotal this page \$11,469.00  
Grand Total of all Schedules 1B  
(Complete on last page of Schedule)  
Enter this total  
on line 8a of  
Summary Page



MICHIGAN DEPARTMENT OF STATE  
BUREAU OF ELECTIONS

1. Committee I.D. Number 137-027

**SUMMARY PAGE  
CANDIDATE COMMITTEE**

2. Committee Name CTE Nancy Nevers

RECEIPTS		Column I This Period	Column II Cumulative this election cycle
<b>3. Contributions</b>			
a. Itemized (Schedule 1A - Column 6)	(3a.) \$	<u>8,469.00</u>	
b. Unitemized (less than \$20.01 each - no Schedule)	(3b.) \$	<u>NOT APPLICABLE</u>	
c. Subtotal of "Contributions"	(3c.) \$		(18.) \$
<b>4. Other Receipts (Schedule 1A -1, Column 6)</b>	(4.) \$		(19.) \$
<b>5. TOTAL CONTRIBUTIONS AND OTHER RECEIPTS</b> (Add Line 3c + Line 4)	(5.) \$	<u>8,469.00</u>	(20.) \$
<b>IN-KIND CONTRIBUTIONS &amp; EXPENDITURES</b>			
<b>6. In-Kind Contributions (Schedule 1-IK, Column 7)</b>	(6.) \$		(21.) \$
<b>7. In-Kind Expenditures (Schedule 1B-IK, Column 6)</b>	(7.) \$		(22.) \$
<b>EXPENDITURES</b>			
<b>8. Expenditures</b>			
a. Itemized (Schedule 1B, Column 6)	(8a.) \$	<u>11,469.00</u>	
b. Itemized Get-Out-the-Vote (Schedule 1B-G)	(8b.) \$		
c. Unitemized (less than \$50.01 each - no Schedule)	(8c.) \$		
<b>9. TOTAL EXPENDITURES (Add Line 8a + Line 8b + Line 8c)</b>	(9.) \$	<u>11,469.00</u>	(23.) \$
<b>INCIDENTAL EXPENSE DISBURSEMENTS</b> (Officeholders Only)			
<b>10. Disbursements</b>			
a. Itemized (Schedule 1C, Column 6)	(10a.) \$		
b. Unitemized (less than \$50.01 each - no Schedule)	(10b.) \$		
<b>11. TOTAL INCIDENTAL EXPENSE DISBURSEMENTS</b> (Add Line 10a + Line 10b)	(11.) \$		(24.) \$
<b>DEBTS AND OBLIGATIONS</b>			
<b>12. Debts and Obligations</b>			
a. Owed by the Committee (Schedule 1E)	(12a.) \$		
b. Owed to the Committee (Schedule 1E)	(12b.) \$		
<b>BALANCE STATEMENT</b>			
<b>13. Ending Balance of last report filed</b> (Enter zero if no previous reports have been filed.)	(13.) \$		
<b>14. Amount received during reporting period</b> (Line 5, Total Contributions & Other Receipts)	(14.) + \$	<u>8,469.00</u>	
<b>15. SUBTOTAL</b> Add lines 13 and 14	(15.) = \$	<u>8,469.00</u>	
<b>16. Amount expended during reporting period</b> (Add lines 9 and 11)	(16.) - \$	<u>—</u>	
<b>17. ENDING BALANCE</b> (Subtract line 16 from line 15)	(17.) \$	<u>8,469.00</u>	



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

May 28, 2021

**SECOND NOTICE**

Nancy Nevers  
49699 Lehr Drive  
Macomb, MI 48044

*Via Certified mail*

Re: *Western v. Nevers*  
Campaign Finance Complaint  
No. 2020-8-146-26

Dear Ms. Nevers:

By correspondence dated October 7, 2020, the Department of State (Department) advised you of its intention to investigate a complaint filed against you by Kathleen Western concerning alleged violations of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 et seq. A copy of the Department's notice is enclosed with this letter.

The notice informed you that, pursuant to section 15(5) of the MCFA, MCL 169.215(5), the Department is reviewing whether you failed to comply with the requirements of the Act. The Committee was provided an opportunity to respond to these allegations within 15 business days of your receipt of the notice, but to date no response has been filed on your behalf.

**By this letter, the Department is providing you a final opportunity to submit a written response to the enclosed notice.** Your response may include any documentary evidence you wish to submit and must be received by the Department on or before **June 21, 2021**. All materials must be sent to the Bureau of Elections, Michigan Department of State, Richard H. Austin Building, 430 West Allegan Street, Lansing, Michigan 48918.

Failure to submit a written response to this second notice will leave the Department no alternative but to make its determination based solely on the documentation furnished by Ms. Western.

Sincerely,

Adam Fracassi  
Bureau of Elections  
Michigan Department of State



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

October 7, 2020

Nancy Nevers  
49699 Lehr Drive  
Macomb, MI 48044

Re: *Western v. Nevers*  
Campaign Finance Complaint  
No. 2020-8-146-26

Dear Ms. Nevers:

The Department of State (Department) received a formal complaint filed by Kathleen Western against you alleging violations of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* A copy of the complaint and supporting documentation is enclosed with this letter.

The MCFA requires candidates and committees file contributions and expenditures with the appropriate filing official by specific dates. MCL 169.233(1) – (3). The MCFA requires a committee that receives or expends more than \$1,000 during any election to file campaign finance reports in compliance with the Act. MCL 169.233(6). A person who knowingly omits or underreports expenditures required to be disclosed by the Act is subject to a civil fine of not more than \$1,000 or the amount of the expenditures omitted or underreported, whichever is greater. MCL 169.233(11).

Ms. Western alleges that you accepted a \$3,000 contribution from a PAC but did not properly record it in your preprimary campaign finance statement.

The purpose of this letter is to inform you of the Department's examination of these matters and your right to respond to the allegations before the Department proceeds further. It is important to understand that the Department is neither making this complaint nor accepting the allegations as true. The investigation and resolution of this complaint is governed by section 15 of the Act and the corresponding administrative rules, R 169.51 *et seq.* An explanation of the investigation process is enclosed with this letter and a copy is available on the Department's website.

**If you wish to file a written response to this complaint, you are required to do so within 15 business days of the date of this letter.** Your response may include any written statement or additional documentary evidence you wish to submit. Due to the ongoing public health emergency, the Department asks that all materials be submitted via email to [Elections@Michigan.gov](mailto:Elections@Michigan.gov) to my attention. If you fail to submit a response, the Department will render a decision based on the evidence furnished by the complainant.

A copy of your answer will be provided to Ms. Western, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing all of the statements and materials provided by the parties, the Department will determine whether "there may be reason to believe that a violation of [the MCFA] has occurred [.]" MCL 169.215(10). Note that the Department's enforcement powers include the possibility of entering a conciliation agreement, conducting an administrative hearing, or referring this matter to the Attorney General for enforcement of the criminal penalty provided in section 33(11) of the Act.

If you have any questions concerning this matter, you may contact me via email.

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

c: Kathleen Western

MICHIGAN DEPARTMENT OF STATE  
BUREAU OF ELECTIONS  
RICHARD H. AUSTIN BUILDING – 1<sup>ST</sup> FLOOR  
430 WEST ALLEGAN STREET  
LANSING, MI 48918

KATHLEEN WESTERN

Complainant,

No. 2020-8-146-26

v.

NANCY NEVERS,

Respondent.

---

KATHLEEN WESTERN  
51533 Hickory Lane  
Macomb, MI 48042  
(586) 246-6843  
[kwestern@comcast.net](mailto:kwestern@comcast.net)

---

NANCY NEVERS  
49699 Lehr Drive  
Macomb, MI 48044  
(586) 491-3206  
[neversn@macomb-mi.gov](mailto:neversn@macomb-mi.gov)

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**RESPONDENT NANCY NEVERS' ANSWER TO COMPLAINANT'S COMPLAINT**

NOW COMES Respondent, NANCY NEVERS, ("Respondent") and for her Answer to Complainant's Complaint, states as follows:

This Answer is given in accordance with the statutory provisions of the Michigan Campaign Finance Act, 1976 PA 388; MCL 169.201 *et seq.* ("MCFA"), and in particular, pursuant to MCL 169.215 and its corresponding subdivisions.

Complainant Kathleen Western ("Complainant") asserts that violations of the MCFA occurred due to lack of absolutely strict adherence to MCL 169.226 because Respondent allegedly "failed to disclose...\$3,000." [**Complainant's Complaint**, p. 1]. Nothing could be further from the truth. Respondent never failed to "disclose" this money as Complainant contends. Indeed, in Complainant's own "Item #1"—which Complainant relies upon—it is clear that Respondent *has* disclosed the \$3000.00 contribution on the Itemized Contributions Schedule 1A. [*See*

**Complainant's Item #1 Attachment to Complaint]**. Therefore, Complainant's very first allegation is completely false. As such, Complainant is liable for State Department expenses, Respondent's attorney's fees, and a civil fine of up to \$1000.00, as delineated by the MFCA and the Michigan Department of State thus:

Section 15(8) of the MCFA (MCL 169.215) provides that a person who files a complaint with a false certification is responsible for a ~~civil violation of the MCFA. Under section 15(14) of the MCFA~~ (MCL 169.215), the Secretary of State may require a person who files a complaint with a false certification to:

Pay the Department some or all of the expenses incurred by the Department as a direct result of the filing of the complaint.

Pay the alleged violator some or all of the expenses, including, but not limited to, reasonable attorney fees, incurred by that person as a direct result of the filing of the complaint.

Pay a civil fine of up to \$1,000.00.<sup>1</sup>

Additionally, Complainant asserts that Respondent claimed the \$3000.00 was her personal money and that Complainant failed to properly report the origin of the donation. [**Complainant's Complaint, p. 1**]. However, this was an innocent mistake, and one that can easily be remedied by correcting the record. Indeed, this is a mere paperwork error, and no malice or nefarious intent was ever present on Respondent's part. Respondent has been in local politics for 16 years, and during that time, has never personally filled out the campaign finance documents until now. As a result, confusion regarding the paperwork occurred. Notwithstanding a small and completely innocent paperwork error, the very fact that Respondent *did* report this money is enough to illustrate the innocent nature of this plain and simple *mistake*. As such, Complainant's Count 1 should be dismissed with prejudice.


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<sup>1</sup> *Michigan Secretary Of State*, "Campaign Finance Complaint Process with Form" available at <[https://www.michigan.gov/sos/0,4670,7-127-1633\\_11473-35151--,00.html](https://www.michigan.gov/sos/0,4670,7-127-1633_11473-35151--,00.html)>

As to Count 2 of Complainant's Complaint, Complainant argues that Respondent "failed to identify the occupation, employer, and business of a person who contributed \$1000. [sic] to her" [Complainant's Complaint, p. 1]. Once again, a simple check of "Item #3" attached to the Complaint—which Complainant relies upon—clears everything up. Respondent clearly wrote "Don't know her" in reference to donor Laura McLennan and therefore Respondent is unable to ~~confirm her occupation, employer, and business address, though better to state do as such~~ (it is believed she is a homemaker). [See Complainant's Item #3 Attachment to Complaint]. Moreover, the fact that Respondent clearly indicated who the donor is by name and address illustrates a desire to properly disclose. In short, looking at the totality of the itemized contributions schedules, it is apparent that a good faith effort was made to properly disclose all monies, but that some very small and completely innocent errors were made, for which Respondent should not be held liable. In fact, because Respondent attempted to do all that she could—including marking the Laura McLennan "employer" and "business address" sections with a "?"—shows that there was no intent to violate the MFCA. As such, Count 2 of Complainant's Complaint should be dismissed with prejudice. [*Id.*].

WHEREFORE, Respondent NANCY NEVERS respectfully requests that Complainant's entire Complaint be dismissed with prejudice.

Respectfully submitted,

  
/s/ Nancy Nevers  
NANCY NEVERS  
49699 Lehr Drive  
Macomb, MI 48044  
(586) 491-3206  
[neversn@macomb-mi.gov](mailto:neversn@macomb-mi.gov)

Dated: October 16, 2020



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

February 18, 2022


Kathleen Western  
51533 Hickory Lane  
Macomb, MI 48042

Dear Ms. Western:

The Department of State received a response to the complaint you filed against Nancy Nevers, which concerns an alleged violation of the Michigan Campaign Finance Act (MCFA), 1976 P.A. 388, MCL 169.201 *et seq.* A copy of the response is provided as an enclosure with this letter.

If you elect to file a rebuttal statement, you are required to send it within 10 business days of the date of this letter to the Bureau of Elections, Richard H. Austin Building, 1<sup>st</sup> Floor, 430 West Allegan Street, Lansing, Michigan 48918.

Sincerely,

  
Adam Fracassi  
Bureau of Elections  
Michigan Department of State

c: Nancy Nevers



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

July 15, 2022

Nancy Nevers  
49699 Lehr Drive  
Macomb, MI 48044

Re: *Western v. Nevers*  
Campaign Finance Complaint No. 2020-8-146-26

Dear Ms. Nevers:

The Department of State (Department) has finished investigating the campaign finance complaint filed against you by Kathleen Western 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 accepted a \$3,000 contribution from a PAC but did not properly record it in your preprimary campaign finance statement. The complaint further alleged that you failed to identify the occupation, employer, and business of a person who contributed \$1,000 to your campaign in your postelection campaign finance statement.

You responded to the complaint. In your response, you claimed there was no intent to conceal information. Instead, the error in recording the PAC contribution was an honest mistake resulting from not having filled out the forms yourself before, and the error in recording the individual contribution resulted from not knowing those details about the contributor. You noted the question marks on those lines showed that the information was not purposefully concealed, but simply unknown.

Ms. Western provided a rebuttal statement. In that statement, Ms. Western argued that mistakes or lack of knowledge do not excuse a candidate from the requirements of the MCFA.

The MCFA requires candidates and committees file contributions and expenditures with the appropriate filing official by specific dates. MCL 169.233(1) – (3). The Act requires a committee that receives more than \$1,000 during any election to file campaign finance reports in compliance with the Act. MCL.233(6). A person who knowingly omits or underreports expenditures requires to be disclosed by the Act is subject to a civil fine of not more than \$1,000 or the amount of the expenditures omitted or underreported, whichever is greater. MCL 169.233(11).

In particular, the MCFA requires that candidates and committees record the full name, street address, amount contributed, and date of contribution for each individual from whom contributions are received. MCL 169.226(1)(e). Further, if the individual's cumulative contributions are more than \$100.00, the candidate or committee must also report the individual's occupation, employer, and principal place of business. *Id.* For each person other than an individual (such as a PAC), candidates and committees need not include the additional employment information but must provide all other contributor information previously listed. MCL 169.226(1)(g).

The Department has reviewed the evidence submitted in this matter and finds that sufficient evidence has been presented to support a finding of a potential violation of the MCFA. You failed to include the required address information for the contributing PAC, and the required occupation information for the individual contributor. However, the Department does not find any intent to conceal information.

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.*

The Department has found amended forms filed with the Macomb County Clerk's Office that include the required information for both contributions.<sup>1</sup> Given this, the Department concludes that a formal warning is a sufficient resolution to the complaint and is hereby advising you that MCFA Sections 226 and 233 require you to file campaign finance reports that include all the listed information about each contributor.

The Department notes that your committee may be assessed a late-filing fee by the Macomb County Clerk for any statement that was not timely filed. MCL 169.233(7). Late-filing fees are assessed and collected by the filing official with whom the statements are filed. MCL 169.217(1). Any questions regarding these late-filing fees should be directed to the Macomb County Clerk.

Please be advised that this notice has served to remind you of your obligation under the Act to include this information in future filings and may be used in future proceedings as evidence that tends to establish a knowing violation of the Act. A knowing violation is subject to the civil fines previously described. MCL 169.233(11).

Sincerely,

Regulatory Division  
Bureau of Elections  
Michigan Department of State

c: Kathleen Western

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<sup>1</sup> [470882468.pdf \(campaignfinance.us\)](#), [470882470.pdf \(campaignfinance.us\)](#)