



Michigan Department of State
Campaign Finance Complaint Form
 BUREAU OF ELECTIONS • RICHARD H. AUSTIN BUILDING - 1st Floor
 430 W. ALLEGAN STREET • LANSING, MICHIGAN 48918

REC'D/FILED
 MICHIGAN DEPT OF STATE

2022 NOV 16 PM 2:41

CLERK/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 Katherine Brink		Daytime Telephone Number 616 218 2055	
Mailing Address 6234 Woodcliff Street			
City Holland	State MI	Zip 49423	
Email (optional) Kbrinkangels3@charter.net			

Section 2. Alleged Violator			
Name Lois Mulder			
Mailing Address 611 Lawndale Ct.			
City Holland	State MI	Zip 49423	
Email (optional)			

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

Section(s) of the MCFA alleged to be violated: Section 169.247 (section 47)

Explain how those sections were violated:

The address of the person paying for the matter is missing. The required address of the committee is omitted

(I had contacted Holland City Clerk and Katie Sims the election coordinator of Ottawa County but the signs still remained without addresses)

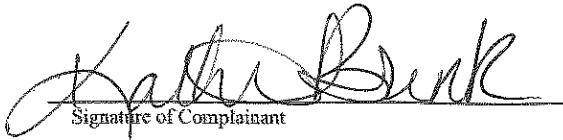
Evidence included with the submission of the complaint that supports the allegations:

pictures enclosed

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

11/11/22
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:

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

LOIS

MULDER

FOR ★ **HOLLAND SCHOOL BOARD**

HOLLAND SCHOOL BOARD



OL BOARD

PAID FOR BY: COMMITTEE TO ELECT LOIS MULDER
HOLLAND CITY SCHOOL BOARD



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

November 22, 2022

Lois Mulder
611 Lawndale Ct.
Holland, MI 49423

Re: *Brink v. Mulder*
Campaign Finance Complaint No. 2022 - 11 – 212 - 47

Dear Ms. Mulder:

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 campaign yard signs. Pictures 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

Lois Mulder

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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 at the address below or 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: Katherine Brink

2022 DEC -1 PM 3:41

RECEIVED/FILED SEAL

Lois F. Mulder
611 Lawndale Ct.
Holland, MI 49423

November 27, 2022

Bureau of Elections
Richard H. Austin Building
1st Floor
430 W. Allegan
Lansing, M 48918

Brink v. Mulder
Campaign Finance Complaint No. 2022-11-212-47

Dear Ladies/Gentlemen:

This letter is in response to the Department of State (Department) notification of a violation of MCL 169.247(1), R 169.36(2) by failing to "state the address of the committee purchasing the materials" on my yard signs. I admit that my signs failed to state the address of the committee; however, my signs did properly state the name of the committee.

As further clarification, I wanted the Department to know that I hired a sign vendor which is well experienced in the preparation of political

signs. I provided the general narrative on the signs but I relied on the knowledge and expertise of the vendor to include the address of my committee. Enclosed is a copy of the invoice for yard signs in the amount of \$858.60. In addition, I have filed all of the required campaign finance reports and have listed this vendor and the expenditure as required by law.

The background stated above clearly indicates that there was not a knowing violation of the Act on my part. I support the purpose of the legislation to encourage transparency of the funding of the election process.

If there are questions regarding this letter, please feel free to contact me at 616 403-3594 or at loisfmulder@gmail.com. Thank you.

Very truly yours,

A handwritten signature in cursive script that reads "Lois F. Mulder". The signature is written in black ink and is followed by a horizontal line.

Lois F. Mulder

THE ZEELAND RECORD

Digital Graphics Specialists

16 South Elm • Zeeland, MI 49464
phone - 616.772.2131

INVOICE

DATE INVOICE #

8/17/2022 1036690

BILL TO:

Lois Mulder

SHIP TO:

P.O. NUMBER	TERMS	REP	SHIP	VIA	F.O.B.	JOB NUMBER
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8/17/2022

QUANTITY	ITEM CODE	DESCRIPTION	PRICE EACH	AMOUNT
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100	Sign	yard signs	6.75	675.00T
100	Sign	sign stakes	1.35	135.00T
		MI Sales Tax	6.00%	48.60

Notice effective Nov. 15, 2021 - All Debit/Credit Card Payments will be subject to a 3% Convenience Fee

ACCOUNTS ARE DUE ON RECEIPT UNLESS TERMS HAVE BEEN APPROVED. FAILURE TO PAY ACCORDINGLY WILL BE SUBJECT TO FINANCE CHARGES. FINANCE CHARGE IS COMPUTED BY A PERIODIC RATE OF 2% PER MONTH (OR MINIMUM CHARGE OF \$5.00) WHICH IS AN ANNUAL PERCENTAGE RATE OF 24% APPLIED TO THE PREVIOUS BALANCE WITHOUT DEDUCTING CURRENT PAYMENTS AND/OR.

TOTAL \$858.60