

**STATE OF MICHIGAN  
SECRETARY OF STATE**

In re: Michigan Campaign Finance Complaint against  
Citizens for A Fair and Positive Government, and its registered agent,  
Yolanda Pendleton.

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**NOW COMES, ROBERT DAVIS**, a natural person, being first  
duly sworn and deposed, and under the penalty of perjury, states the  
following:

1. Pursuant to MCL 169.215(5),(6) of the Michigan Campaign  
Finance Act (MCFA), I, Robert Davis, hereby submit this  
complaint against **Citizens for A Fair and Positive  
Government, and its registered agent, Yolanda  
Pendleton, for violating MCL §§ 169.224, 169.224b,  
169.233, 169.235, and 169.247 of the MCFA.**
2. My address and telephone number are as follows: Robert Davis,  
180 Eason, Highland Park, MI 48203, (313) 523-7118.
3. The address for alleged violator **Citizens for A Fair and  
Positive Government is: 19706 Woodside St., Harper  
Woods, MI 48225.** Phone number is unknown.

4. The address for alleged violator **Yolanda Pendleton is: 19706 Woodside St., Harper Woods, MI 48225.** Phone number is unknown.
5. Citizens for A Fair and Positive Government is registered as a Michigan domestic nonprofit corporation. According to its articles of incorporation, the registered agent for the nonprofit corporation is Yolanda Pendleton. (**See Citizens for A Fair and Positive Government's articles of incorporation attached**).
6. According to Citizens for A Fair and Positive Government's articles of incorporation, the organization was officially incorporated as a nonprofit corporation on May 2, 2022. (**See Citizens for A Fair and Positive Government's articles of incorporation attached**).
7. According to Citizens for A Fair and Positive Government's articles of incorporation, the organization was "**established to ensure that the political process in our local communities are fair and just. We raise funds, host events to support candidates and legislative bills and**

**proposals that represent a fair and positive government.” (See Citizens for A Fair and Positive Government’s articles of incorporation attached).**

8. Sometime in June 2022, Citizens for a Fair and Positive Government and Yolanda Pendleton, as its registered agent, caused to be mailed out **county-wide** a salacious and defamatory flyer defaming the character of our esteemed Wayne County Sheriff Raphael Washington, while promoting the candidacy of Walter Epps. **(See Mailer Attached).**
9. After contacting the U.S. Postal Office, I was able to determine that the mailer was mailed using the bulk mail permit of Messenger Printing Service.
10. I contacted Messenger Printing Service and spoke to a Bob Herriman, who confirmed his company mailed the mailer on behalf of Citizens for a Fair and Positive Government and that they paid for the printing and mailing of the flyer.
11. I advised Mr. Herriman that Citizens for a Fair and Positive Government was NOT a registered political action committee with the Wayne County Clerk or the Secretary of State and

thus, could not have been the entity that paid for the mailer because they do not legally exist.

12. Mr. Herriman then advised me that he could not provide me with the name of the individual who paid for the printing and mailing of the flyer due to privacy restrictions.

13. In June 2022, I personally reviewed the public campaign finance databases of both the Wayne County Clerk and Secretary of State and neither database contained any information showing that Citizens for A Fair and Positive Government was a properly registered political action committee or independent expenditure committee under the MCFA.

14. Mr. Herriman would not provide me with the name of the individual who paid Messenger Printing Service to mail and print the defamatory mailer.

15. The mailer mailed by Messenger Printing Service did **not contain the address of Citizens for a Fair and Positive Government nor the address of Walter Epps**, whom the mailer promoted. **(See Mailer attached).**

16. Failing to provide the address of the committee or person(s) who paid for the mailer violates MCL 169.247 of the MCFA.
17. Additionally, because Citizens for a Fair and Positive Government has **NOT** properly registered as a political action committee or independent expenditure committee with the Wayne County Clerk or the Secretary of State, failure to properly file a statement of organization violates MCL 169.224 of the MCFA.
18. Pursuant to MCL 169.224 of the MCFA, Citizens for a Fair and Positive Government was required to file a statement of organization registering as a political action committee once the committee expended and/or received funds advocating and/or promoting a candidate for election to a particular office.
19. Pursuant to MCL 169.224(1), Citizens for a Fair and Positive Government and Yolanda Pendleton, its registered agent, **SHALL** be assessed a late filing fee in the amount of \$300 by the Wayne County Clerk's office and/or the Secretary of State for failing to file their statement of organization.

20. MCL 168.244(1) provides, in relevant part: “A person who fails to file a statement of organization required by this subsection shall pay a late filing fee of \$10.00 for each business day the statement remains not filed in violation of this subsection. The late filing fee must not exceed \$300.00. A person who violates this subsection by failing to file for more than 30 days after a statement of organization is required to be filed is guilty of a misdemeanor punishable by a fine of not more than \$1,000.00.”
21. Citizens for A Fair and Positive Government may also qualify as an “independent expenditure committee” as well.
22. MCL 169.224b(1) provides: “One or more persons may create an independent expenditure committee and shall file a statement of organization under section 24. **An independent expenditure committee shall file campaign statements under sections 33 and 35 and as otherwise provided in this act.**” (emphasis supplied).
23. MCL 169.209(3) defines “independent expenditure committee” to mean “a committee formed under section 24b for

the purpose of making independent expenditures under this act.”

24. MCL 169.209(2) defines “independent expenditure” to mean “an expenditure by a person if the expenditure is not made in cooperation, consultation, or concert with, or at the request or suggestion of, a ballot question committee or a candidate, a candidate committee or its agents, or a political party committee or its agents, and if the expenditure is not a contribution to a committee.”
25. The mailer was printed double sided and in color. It is believed the mailer was mailed out to over 100,000 registered voters county wide.
26. Upon information and belief, I believe candidate Walter Epps donated money to Citizens for a Fair and Positive Government to pay for the printing and postage for the defamatory and salacious mailer.
27. Upon information and belief, I believe Citizens for A Fair and Positive Government, and its registered agent, Yolanda Pendleton, are attempting to hide the names and true identities

of individuals who donated to the organization to pay for the printing and postage for the salacious mailer.

28. That Citizens for A Fair and Positive Government has failed to file various campaign finance reports required under MCL §§ 169.233 and 169.235 of the MCFA.

29. I am requesting the Secretary of State to advise and direct the Wayne County Clerk and her campaign finance compliance staff to assess late filing fees against Citizens for A Fair and Positive Government for failing to file a statement of organization in accordance with MCL 169.224.

30. I am requesting the Secretary of State to advise and direct the Wayne County Clerk and her campaign finance compliance staff to issue a letter to Citizens for A Fair and Positive Government, and its registered agent, Yolanda Pendleton, directing them to file campaign statements required under MCL 169.233 and 169.235 and assess the appropriate late filing fees, if necessary.

31. If called and sworn as a witness, I am competent to testify as to the facts stated herein.



32. 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.

**FURTHER AFFIANT SAYETH NOT.**


  
**ROBERT DAVIS**  
180 Eason  
Highland Park, MI 48203  
(313) 523-7118  
[Davisrobert854@gmail.com](mailto:Davisrobert854@gmail.com)

9-30-22

Subscribed and sworn to before me

On this 30 day of September, 2022

  
**Notary Public Signature**

  
Abigail M. Soper

**Printed Name of Notary Public**

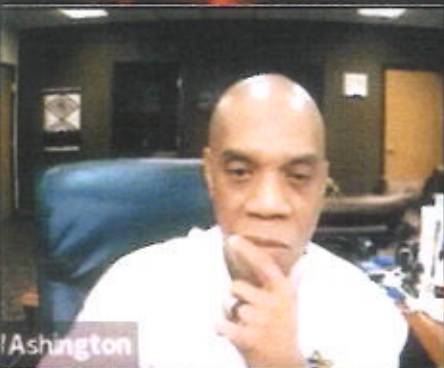
<b>ABIGAIL M SOPER</b> NOTARY PUBLIC - STATE OF MICHIGAN COUNTY OF OAKLAND My Commission Expires January 24, 2026 Acting in the County of <u>Oakland</u>
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State of Michigan, County of Oakland

My Commission Expires 1/24/2026

Acting in the County of Oakland

Cc: Hon. Cathy M. Garrett, Wayne County Clerk  
Greg Mahar, Director of Elections for Wayne County  
Gil Flowers, Wayne Co. Clerk's Office Campaign Finance Division



This is the current interim Sheriff of Wayne County, Raphael Washington. He was selected and not elected. Please research the facts of his appointment. He is a habitual sexual harasser. See the facts below.

WAYNE

**Wayne County settled with women who sued 2 candidates to replace Sheriff Benny Napoleon**

WXYZ

**Misconduct claims against Wayne County Sheriff candidates receive new scrutiny**

WXYZ

**Wayne County Sheriff Raphael Washington ducks questions over harassment claims**

Deadline Detroit

**Sexual Harassment Allegations Surface in Wayne County ...**

**These are separate and real incidents backed by real police reports and investigations:**

- Peeping Tom investigation in the City of Southfield
- Sexual Assault investigation by DPD Internal Affairs that was referred to the Wayne County Prosecutor's office
- Sexual harassment investigation at Wayne County Sheriff's Department by Internal Affairs
- DEMOTED FROM CHIEF TO DEPUTY CHIEF FOR SEXUAL HARASSMENT
- Sexual Harassment case at Sheriff's Office that resulted in \$85,000 lawsuit and paid by Wayne County Taxpayers.

**This behavior does not stop until we vote him out!!!!**

In 2017, Raphael "Ray" Washington was accused by a Wayne County deputy of making unwanted sexual advances and requests.



0034603 000001 000047  
\*\*\*\*\*SCH 5-DIGIT 48212

PRESORT STANDARD  
U.S. POSTAGE  
**PAID**  
PERMIT #1927  
DETROIT, MI

OUR FRIENDS AT

**HIGHLAND PARK MI 48203-3356**



**Vote no to Sexual Harassment!! FIRE Raphael Washington!!**

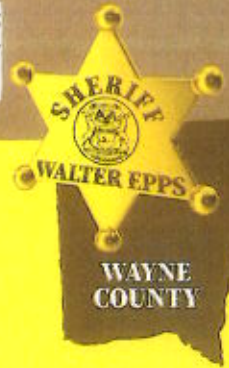
Front of Mailer



# Your Candidate for Wayne County Sheriff



## Walter Epps for Wayne County Sheriff



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

- Bachelors and MBA in Accounting
- FBI National Academy
- Certified Project Management Professional
- US Navy War College (Current)
- Employed with City of Detroit Finance Department
- Wayne County Sheriff's Dept. (Retired)
- Currently Serving in the U.S. Navy Reserve as a Naval Officer
- Navy Honor Guard

**Completed more than 1280 volunteer funeral honors for U.S. military veterans**



*Paid for by Citizens for a Fair and Positive Government*

*Back of Marker*

**LARA** Corporations  
Online Filing System  
Department of Licensing and Regulatory Affairs

Form Revision Date 07/2016

## ARTICLES OF INCORPORATION

For use by DOMESTIC NONPROFIT CORPORATION

*Pursuant to the provisions of Act 162, Public Acts of 1982, the undersigned corporation executes the following Articles:*

### ARTICLE I

The name of the corporation is:

CITIZENS FOR A FAIR AND POSITIVE GOVERNMENT

### ARTICLE II

The purpose or purposes for which the corporation is formed are:

Our organization is established to ensure that the political process in our local communities are fair and just. We raise funds, host events to support candidates and legislative bills and proposals that represent a fair and positive government.

### ARTICLE III

The Corporation is formed upon  basis.

If formed on a stock basis, the total number of shares the corporation has authority to issue is

If formed on a nonstock basis, the description and value of its real property assets are (if none, insert "none"):

"None"

The description and value of its personal property assets are (if none, insert "none"):

"None"

The corporation is to be financed under the following general plan:

Contributions / Donations / Gifts

The Corporation is formed on a  basis.

### ARTICLE IV

The street address of the registered office of the corporation and the name of the resident agent at the registered office (P.O. Boxes are not acceptable):

1. Agent Name: YOLANDA PENDLETON

2. Street Address: 19706 WOODSIDE ST.

Apt/Suite/Other:

City: HARPER WOODS

State: MI

Zip Code: 48225

3. Registered Office Mailing Address:

P.O. Box or Street Address: 19706 WOODSIDE ST.

Apt/Suite/Other:

City: HARPER WOODS

State: MI

Zip Code: 48225

ARTICLE V

The name(s) and address(es) of the incorporator(s) is (are) as follows:

Name	Residence or Business Address
YOLANDA PENDLETON	19706 WOODSIDE ST., HARPER WOODS, MI 48225 USA

Signed this 2nd Day of May, 2022 by the incorporator(s).

Signature	Title	Title if "Other" was selected
Yolanda Pendleton	Incorporator	

By selecting ACCEPT, I hereby acknowledge that this electronic document is being signed in accordance with the Act. I further certify that to the best of my knowledge the information provided is true, accurate, and in compliance with the Act.

 Decline

 Accept

***MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS***  
***FILING ENDORSEMENT***

***This is to Certify that the*** ARTICLES OF INCORPORATION  
***for***

CITIZENS FOR A FAIR AND POSITIVE GOVERNMENT

***ID Number:*** 802847557

***received by electronic transmission on*** May 02, 2022 ***, is hereby endorsed.***

***Filed on*** May 02, 2022 ***, by the Administrator.***

***The document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.***



***In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 2nd day of May, 2022.***

*Linda Clegg*

***Linda Clegg, Director***

***Corporations, Securities & Commercial Licensing Bureau***



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

October 11, 2022

Citizens for a Fair and Positive Government  
19706 Woodside St.  
Harper Woods, MI 48225

Yolanda Pendleton  
19706 Woodside St.  
Harper Woods, MI 48225

Re: *Davis v. Citizens for a Fair and Positive Government, Pendleton*  
Campaign Finance Complaint No. 2022 – 10 – 132 – 224, 233, 235, 247

Dear Citizens for a Fair and Positive Government and Yolanda Pendleton:

The Department of State (Department) has received a formal complaint filed against you by Robert Davis alleging that you violated the Michigan Campaign Finance Act (MCFA or Act). Specifically, the complaint alleges that Citizens for a Fair and Positive Government (Citizens) and its registered agent, Yolanda Pendleton, sent out a mailer without the required “paid for by” disclosure, and that the expenditures on the mailer qualified Citizens as a committee with the attendant filing requirements. A copy of the complaint is included with this notice.

By statutory definition, a committee is formed when “a person receives contributions or makes expenditures for the purpose of influencing or attempting to influence the action of the voters for or against [candidate, ballot question, etc.] if contributions received total \$500.00 or more in a calendar year or expenditures made total \$500.00 or more in a calendar year.” MCL 169.203(4). For purposes of determining whether a committee exists, the word “person” includes “a group of persons acting jointly.” 169.211(2).

Section 24 requires committees to file a statement of organization with the proper filing official within 10 days after the committee is formed. MCL 169.224(1). Section 24 details specific requirements for all statements of organization that must be filed. See MCL 169.224(2)-(3). A person who fails to file a timely statement is subject to a civil fine of up to \$1,000. MCL 169.221(13). A person who fails to file a statement of organization shall pay a late filing fee of \$10.00 per business day the report is not filed, not to exceed \$300. MCL 169.224(1). A person failing to file a statement of organization after 30 days is guilty of a misdemeanor punishable by a fine of up to \$1,000. *Id.*

The MCFA requires 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 or expends more than \$1,000 during any election to file campaign finance reports in compliance with the act. MCL 16.233(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).

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 process is included in the enclosed guidebook.

**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. Materials may be emailed to BOERegulatory@michigan.gov or mailed to the Department of State, Bureau of Elections, Richard H. Austin Building, 1<sup>st</sup> Floor, 430 West Allegan Street, Lansing, Michigan 48918. 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 Mr. Davis, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing 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.

If you have any questions concerning this matter, you may contact the Regulatory Section of the Bureau of Elections at BOERegulatory@michigan.gov.

Sincerely,

Regulatory Section  
Bureau of Elections  
Michigan Department of State



Yolanda Pendleton  
19706 Woodside St  
Harper Woods, MI 48225

Regulatory Section  
Bureau of Elections  
Michigan Department of State

Bureau of Elections,

After reviewing your letter dated October 12, 2022, regarding Davis v. Citizens for a Fair and Positive Government, Pendleton Campaign Finance Complaint number 2022 – 10 132 – 224, 233, 235, 247, I now understand the requirement to file the Statement of Organization form for the State of Michigan.

I understand that ignorance of the law is no excuse for not filing the statement of organization form, but it was my understanding that I was required to establish my organization with the State of Michigan through the Department of Licensing and Regulatory Affairs, which was completed when the organization began (please see attachment). I meant in no way or form to disregard any State laws.

To date, I have filed the Statement of Organization with the Wayne County Clerk's Office on October 27, 2022. I was able to inquire directly to the Wayne County Clerk's Office about their filing requirements and will continue the process of completing all financial statements and reports as informed and required.

Thank you for your attention to this response.

Respectfully,

*Yolanda Pendleton*

Yolanda Pendleton



MICHIGAN DEPARTMENT OF STATE  
BUREAU OF ELECTIONS

ORIGINAL OR AMENDED  
STATEMENT OF ORGANIZATION FORM FOR LOCAL INDEPENDENT, POLITICAL AND INDEPENDENT EXPENDITURE COMMITTEES (PACS)

FILED WITH THE COUNTY CLERK

Information on this form is made public

1. Committee ID #:	*2. Type of Filing: <input checked="" type="checkbox"/> Original: <input type="checkbox"/> Amendment to items: Eff. Date:		
Committee Type (Check one): For more information regarding committee types, please see <a href="#">Appendix H</a> of the committee manual.			
*3a <input checked="" type="checkbox"/> Independent Committee: I/We acknowledge that the committee must meet certain requirements before being legally qualified to make contributions at a limit that is 10 times greater than the applicable contribution limit for an individual.			
*3b <input type="checkbox"/> Political Committee: I/We acknowledge that the committee is not legally qualified to make contributions at a limit that is greater than the applicable contribution limit for an individual.			
Is this a Separate Segregated Fund (SSF)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If Yes, the sponsor is a <input type="checkbox"/> Corporation <input type="checkbox"/> Labor Organization <input type="checkbox"/> D.D.S The sponsor's name is:			
*3c <input type="checkbox"/> Independent Expenditure Committee: I/We recognize this committee is organized exclusively for the purpose of making independent expenditures that are not in any way made in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, a candidate committee or its agents, or political party committee or its agents. An IEC/Super PAC must not make a contribution to a candidate committee, independent committee, political committee, or house or senate political party caucus committee. Independent Expenditure committees are commonly referred to as Super PACS.			
*4a. Full Name of Committee (Must include affiliate or sponsors if Independent or Political Committee only): <b>Citizens for a Fair and Positive Government</b>			
4b. Acronym or Abbreviation (if any):			
*5a. Complete Committee Mailing Address (May be PO Box): <b>19709 Woodside Street, Harper Woods, MI 48225</b>			
*5b. Complete Committee Street Address (May not be PO Box): <b>19709 Woodside Street, Harper Woods, MI 48225</b>			
*6. Date Committee was Formed in MI: <b>05/02/2022</b>			
*7a. Committee Phone: <b>(313) 575-0981</b>		*7c. Committee E-mail Address: <b>myyoyo1970@aol.com</b>	
7b. Committee Fax:		7d. Committee Website Address: <b>NA</b>	
*8. Treasurer Name and Complete Address: <b>Yolanda Pendleton</b>			
Phone #: <b>(313) 575-0981</b> Email Address: <b>myyoyo1970@aol.com</b>			
<input type="checkbox"/> OUT OF STATE COMMITTEE TREASURER IRREVOCABLE WRITTEN STIPULATION: I/We stipulate and agree that any legal process affecting this committee served on the Secretary of State or an agent designated by the Secretary of State shall have the same effect as if personally served on me and all other principals of this committee. I/We further agree that this appointment shall remain in force as long as any liability of this committee remains outstanding within the State of Michigan.			
9. Designated Record Keeper Name and Complete Address: <b>Yolanda Pendleton</b>			
Phone #: <b>(313) 575-0981</b> Email Address: <b>myyoyo1970@aol.com</b>			
10. REPORTING WAIVER REQUEST:			
<input type="checkbox"/> YES, I/WE WANT TO APPLY FOR THE REPORTING WAIVER. The committee does not expect to spend or receive in excess of \$1,000.00 in a calendar year. I/We understand that if the committee does not spend or received in excess of \$1,000.00 in a calendar year, the committee does not owe detailed campaign statements. I/We further understand that the Reporting Waiver will be automatically lost if the committee exceeds the \$1,000.00 threshold and all required campaign statements must be filed. <b>A Reporting Waiver does not exempt a committee from filing Late Contribution Reports.</b>			
<input checked="" type="checkbox"/> NO, I/WE DO NOT WANT TO APPLY FOR THE REPORTING WAIVER. The committee expects to spend or receive in excess of \$1,000.00 in a calendar year. I/We understand that the committee owes detailed campaign statements even if the committee does not spend or receive in excess of \$1,000.00 in a calendar year. <b>I/We further understand that the Reporting Waiver cannot be requested retroactively to avoid filing requirements and to avoid paying late filing fees.</b> Further information regarding Reporting Waivers can be found in Appendix C of the Committee Manual.			
*11. Name and Address of Depositories or Intended Depositories of committee funds. (Michigan Bank, Credit Union or Savings & Loan Association)			
*Official Depository (name and address): <b>Bank of America</b>			
Secondary Depository (name and address):			
*12. Verification: I/We certify that all reasonable diligence was used in the preparation of the above statement and that the contents are true, accurate and complete to the best of my/our knowledge or belief. If filing campaign statements electronically, I/we further agree that the signatures below shall serve as the signatures that verify the accuracy and completeness of each statement filed electronically by the committee. I/We certify that all reasonable diligence will be used in the preparation of each statement electronically filed by this committee and that the contents of each statement will be true, accurate and complete to the best of my/our knowledge or belief. (Sign Name and Date below)			
*Current Treasurer <i>Yolanda Pendleton</i>		*Designated Record Keeper (If Applicable) <i>Yolanda Pendleton</i>	
Date: <b>10/26/2022</b>		Date: <b>10/26/2022</b>	

**INSTRUCTIONS FOR COMPLETING THE STATEMENT OF ORGANIZATION FOR LOCAL INDEPENDENT,  
POLITICAL AND INDEPENDENT EXPENDITURE COMMITTEES  
STATE LEVEL COMMITTEES FILE THIS FORM ELECTRONICALLY**

Michigan's Campaign Finance Act (MCFA), P.A. 388 of 1976, covers a "person" operating within Michigan or out-of-state as soon as it receives or spends \$500.00 or more in a calendar year to influence voters for or against the nomination or election of one or more candidates in Michigan, the qualification, passage or defeat of one or more ballot questions in Michigan or assists a political party to obtain ballot access in Michigan. The term "person" means a business, individual, proprietorship, limited liability company, firm, partnership, joint venture, syndicate business trust, labor organization, company, corporation, association, committee, or any other organization or group of persons acting jointly. As soon as a person reaches the \$500.00 threshold, they have 10 calendar days to form and register a "committee" under the MCFA. A person that is covered by the MCFA, registers a committee by filing this form with the appropriate filing official.

**COMMITTEE TYPES**

Before registering an Independent Committee, Political Committee, or IEC/Super PAC, the differences between the three committee types must be given careful consideration. For further information regarding committee types please see Appendix H of the Committee Manual.

**Political Committees:** Formed to directly support or oppose one or more candidates; may support or oppose ballot questions. A Political Committee must observe the same contribution limits that apply to individuals.

**Independent Committees:** Formed to directly support or oppose one or more candidates; may support or oppose ballot questions. An Independent Committee that meets the following three criteria may give a candidate ten times the amount a Political Committee is permitted to give the candidate: (1) registers as an Independent Committee at least six months before the election (2) received contributions from at least 25 persons and (3) in the same calendar year that the 25 contributions are received, expends funds to support or oppose three candidates for elective office. An Independent Committee must adhere to contribution limits applicable to Political Committee until the committee meets the criteria detailed above.

**Independent Expenditure/Super PAC Committees:** Formed exclusively for the purpose of making independent expenditures that are not in any way made in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, a candidate committee or its agents, or political party committee or its agents. An IEC/Super PAC must not make a direct or indirect contribution to a candidate committee, independent committee, political committee, or house or senate political party caucus committee.

**WHERE TO FILE THIS FORM**

**Offices that file with the County Clerk's Office:**

- If the districts of all of the candidates supported or opposed are located wholly within the same county, the committee files with the clerk of that county.

**Offices that file with the Michigan Department of State Bureau of Elections must file this form electronically using the assigned Internet application:**

- If the districts of any of the candidates supported or opposed are not located wholly within the same county, the committee files with the Bureau of Elections.

**NOTE: The information contained on the Statement of Organization must be kept up-to-date. If a change in the information takes place, an amendment to the form must be filed no later than the due date of the first campaign statement required of the committee after the change. The treasurer serving at the time of the change must sign the amendment.**

**INSTRUCTIONS**

Type or clearly print in ink all information requested on the Statement of Organization form. Each entry on the form is discussed below.

- ITEM 1:** On the original Statement of Organization, leave Item 1 blank. An identification number will be assigned to the committee by the filing official. For an amendment enter the assigned identification in Item 1.
- \*ITEM 2:** Indicate whether the Statement of Organization is an original or an amendment. If this is an amendment, list all item number(s) and the effective date of the change.
- \*ITEM 3:** Check one box (3a, 3b, or 3c) to indicate the type of committee being registered. Independent and Political Committee types (3a & 3b) must designate whether or not the committee is a Separate Segregated Fund (SSF). If yes indicate whether the sponsor forming the committee is a corporation, labor organization or a domestic dependent sovereign (DDS). Enter the sponsor's name. Independent Expenditure Committee/Super PAC check 3c.
- \*ITEM 4:** Enter the committee's official name. Do not use initials or abbreviations. An Independent Committee and Political Committee is required to include in the name of the committee the name of the person or persons that sponsor the committee, if any, or with whom the committee is affiliated. A person, other than an individual or a committee, sponsors or is affiliated with an Independent Committee or Political Committee if that person establishes, directs, controls, or financially supports the administration of the committee. A person does not financially support the administration of a committee by merely making a contribution to the committee. If the committee plans to use an abbreviated name or an acronym, enter it in Item 4b.

- \*ITEM 5:** Enter the committee's mailing address. A post office box is acceptable as a mailing address. All mail from the filing official will be directed to the committee's mailing address shown in Item 5a. Enter the committee's street address in Item 5b. A post office box is not acceptable. (List the treasurer's home address if no other address is available.)
- \*ITEM 6:** Enter the date the committee was formed in Michigan. The original Statement of Organization form must be received by the filing official within **10 calendar days** after the committee's formation date. Late filing fees are assessed at a rate of \$10.00 per business day if the form is filed late.
- \*ITEM 7:** Enter the committee's phone number including the area code and e-mail address.
- \*ITEM 8:** Enter the full name and mailing address of the committee's treasurer. Include a phone number where the treasurer can be reached during business hours. The committee's treasurer must be registered to vote in Michigan if the committee conducts business through an office or facility located in Michigan. The committee treasurer does not have to be a Michigan resident if the committee does not conduct business through an office or facility located in Michigan. A committee that wishes to have a treasurer who is not a Michigan resident is required to file an "irrevocable written stipulation". The committee does this by checking the box titled OUT-OF-STATE COMMITTEE TREASURER IRREVOCABLE WRITTEN STIPULATION.
- ITEM 9:** List the name, mailing address, area code and phone number of the person who will be responsible for the committee's records and campaign statement filings. If the committee treasurer will personally handle these responsibilities, leave this item blank. A person designated in this item may sign campaign statements but does not have the authority to sign the Statement of Organization forms in place of the treasurer.
- ITEM 10: Reporting Waiver Request**
- Select **"YES, I/WE WANT TO APPLY FOR THE REPORTING WAIVER"** if the committee does not expect to receive or spend more than \$1,000.00 for a calendar year. The committee does not owe the detailed campaign statements as long as the committee does not receive or spend more than \$1000.00 in a calendar year.
  - Select **"NO I/WE DO NOT WANT TO APPLY FOR THE REPORTING WAIVER"** if the committee expects to receive or expend in excess of \$1,000.00 in a calendar year. This means that the committee owes detailed campaign statements even if the committee does not spend or receive in excess of \$1,000.00 in a calendar year.
- \*ITEM 11:** In Item 11, enter the name and address of the Michigan bank, savings and loan association or credit union that the committee now uses or intends to use as its "official depository." The committee's official depository must be located in Michigan if the committee conducts business through an office or facility located in Michigan. The committee depository does not have to be located in Michigan if the committee does not conduct business through an office or facility located in Michigan. List the names and addresses of any "secondary depository" the committee currently uses or intends to use. A secondary depository may be used only for the deposit of contributions (for example, as a temporary holding place for receipts from a joint fund raiser); it may not be used for committee expenditures.
- \*ITEM 12:** This form **must** be signed and dated by the active committee treasurer and designated recordkeeper if applicable. This form serves as an electronic signature for electronically filing campaign statements and reports.



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

November 1, 2022

Robert Davis  
180 Eason  
Highland Park, MI 48203

Re: *Davis v. Citizens for a Fair and Positive Government, Yolanda Pendleton*  
Campaign Finance Complaint No. 2022 – 10 – 132 – 224, 233, 235, 247

Dear Mr. Davis:

The Department of State received a response from Yolanda Pendleton to the complaint you filed against her and Citizens for a Fair and Positive Government 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 as an enclosure with this letter.

You may file a rebuttal statement after reviewing the enclosed 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](mailto:BOERegulatory@michigan.gov) or mailed to the Department of State, Bureau of Elections, Richard H. Austin Building, 1<sup>st</sup> Floor, 430 West Allegan Street, Lansing, Michigan 48918.

Sincerely,

Regulatory Section  
Bureau of Elections  
Michigan Department of State



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

February 3, 2023

Citizens for a Fair and Positive Government  
19706 Woodside St.  
Harper Woods, MI 48225

Yolanda Pendleton  
19706 Woodside St.  
Harper Woods, MI 48225

Re: *Davis v. Citizens for a Fair and Positive Government, Pendleton*  
Campaign Finance Complaint No. 2022 – 10 – 132 – 224, 233, 235, 247

Dear Citizens for a Fair and Positive Government and Yolanda Pendleton:

The Department of State (Department) has finished investigating the campaign finance complaint filed against you by Robert Davis on July 5, 2022. The complaint alleges that you violated the Michigan Campaign Finance Act (MCFA or Act). Specifically, the complaint alleges that Citizens for a Fair and Positive Government (Citizens) and its registered agent, Yolanda Pendleton, sent out a mailer without the required “paid for by” disclosure, and that the expenditures on the mailer qualified Citizens as a committee with the attendant filing requirements.

You responded to the complaint on October 28, 2022. In your response you indicated that you were unaware of the requirement to file a Statement of Organization form for Citizens, instead believe that you were required to establish the organization through the Department of Licensing and Regulatory Affairs. You further state that on October 27, 2022, you filed a Statement of Organization with the Wayne County Clerk’s Office.

Mr. Davis was notified of your response on November 3, 2022, but did not provide a rebuttal.

By statutory definition, a committee is formed when “a person receives contributions or makes expenditures for the purpose of influencing or attempting to influence the action of the voters for or against [candidate, ballot question, etc.] if contributions received total \$500.00 or more in a calendar year or expenditures made total \$500.00 or more in a calendar year.” MCL 169.203(4). For purposes of determining whether a committee exists, the word “person” includes “a group of persons acting jointly.” 169.211(2).

Section 24 requires committees to file a statement of organization with the proper filing official within 10 days after the committee is formed. MCL 169.224(1). Section 24 details specific requirements for all statements of organization that must be filed. See MCL 169.224(2)-(3). A person who fails to file a timely statement is subject to a civil fine of up to \$1,000. MCL 169.221(13). A person who fails to file a statement of organization shall pay a late filing fee of \$10.00 per business day the report is not filed, not to exceed \$300. MCL 169.224(1). A person failing to file a statement of organization after 30 days is guilty of a misdemeanor punishable by a fine of up to \$1,000. *Id.*

The MCFA requires 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 or expends more than \$1,000 during any election to file campaign finance reports in compliance with the act. MCL 16.233(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).

The Department has reviewed your response and finds that the evidence provided, together with the admission in your response, establish that there may be reason to believe that a violation has occurred.

When the Department finds that there may be reason to believe a violation has occurred, the Act requires the Department to use “informal methods such as a conference [or] conciliation” to correct the potential violation or to prevent further violation. MCL 169.215(10). Statute provides 90 business days for the Department to engage this resolution process. *Id.*

Upon review of the Wayne County Campaign Finance Information System and the document provided in your response, the Department is satisfied that you have subsequently filed a Statement of Organization form for Citizens and paid the late filing fee to the appropriate filing officials. You should continue to work with the Wayne County Clerk’s Office to ensure that all required statements are filed. Please note that you may be assessed late filing fees by the County for any statements that were not timely filed. 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 County Clerk’s office.

Please be advised that this notice has served to remind you of your obligation under the Act to disclose contributions and expenditures and may be used in future proceedings as evidence that tends to establish a knowing violation of the Act.

Sincerely,



Adam Fracassi, Regulatory Manager  
Bureau of Elections  
Michigan Department of State

c: Robert Davis