



Michigan Department of State Campaign Finance Complaint Form

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MICHIGAN DEPT OF STATE

2023 JUN 22 PM 2:15

ELECTIONS/GREAT SEAL

This complaint form may be used to file a complaint alleging that someone violated the Michigan Campaign Finance Act (MCFA). Electronic submission of the form to BOERegulatory@Michigan.gov is strongly recommended. 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

PAUL FOUST

Daytime telephone number

269-370-2185

Mailing address

8561 E D Ave

City

Richland

State

MI

Zip

49083

Email (recommended)

Section 2. Alleged Violator (Respondent)

Name

PAUL FOUST

Mailing address

8561 E D Ave

City

Richland

State

MI

Zip

49083

Email (recommended)

Committee ID (optional)

54645

Please include email addresses to expedite processing time and mitigate mail delays.

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

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

Section 24, and (possibly) Section 21.

Explain how these sections were violated:

I ran for the office of Richland Village Trustee in the September 2009 local village election, having not filed proper MCFA documentation beforehand. I eventually did file a "Statement of Organization" and related documents, but not until November 1, 2010, which was nearly 400 days too late. The Kalamazoo County Clerk at the time, Tim Snow, verbally declined to assess me a late filing fee. By the time that I ran for village office again, in September 2011, I believed I was in full compliance with the MCFA. This Committee has since been dissolved, and I have never sought village office again. I would like to get this matter resolved, ASAP. Thanks!

Paul Funt

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

S.O.O. - as filed in 2010 with the Kalamazoo County Clerk.

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.

Paul Funt

06/20/2023

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:

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 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, submit the complaint form with your evidence to BOERegulatory@Michigan.gov. Alternatively, you may 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

ORIGINAL OR AMENDED

Exhibit A

STATEMENT OF ORGANIZATION FORM FOR CANDIDATE COMMITTEES

1. Committee ID #: 54645

2. Type of Filing:
☒ Original
☐ Amendment to Items: _____ Eff. Date: _____

3. Full Name of Committee (must include Candidate's first and last name): The Village People 4 Paul Foust

4a. Candidate Full Name (Last, First, M.I.):
Foust, Paul, J.

4b. Political Party (if applicable): Non-Partisan

4c. County of Residence: Kalamazoo County

4d. Office Sought (Check one):
☐ Governor ☐ Lt. Governor ☐ State Senator
☐ State Rep. ☐ Sec. of State ☐ Attorney Gen.
☐ State Bd. of Ed. ☐ UofM Reg. ☐ MSU Trustee
☐ WSU Gov. ☐ Supreme Court ☐ Appeals Court
☐ Circuit Court ☐ District Court ☐ Probate Court
☐ Municipal Court
Local or other please specify: Richland Village Council Trustee

4e. District/Circuit # or Jurisdiction: Village of Richland

5. Date Committee was Formed: 11/01/10

6a. Committee Phone #: (269) 370-2185

6b. Committee Fax #: _____

6c. Committee E-mail Address: paul.j.foust@wmich.edu

6d. Committee Website Address: www.facebook.com/paul.foust

7a. Complete Comm. Mailing Address (May be PO Box):
P.O. Box 112
Richland, MI 49083-0112

7b. Complete Comm. Street Address (May not be PO Box):
8561 East D Avenue
Richland, MI 49083-9475

8. Treasurer Name and Complete Address:
Paul J. Foust
8561 East D Avenue
Richland, MI 49083-9475
Phone #: (269) 370-2185
E-mail Address: paul.j.foust@wmich.edu

9. Designated Record Keeper Name and Complete Address:
Paul J. Foust
8561 East D Avenue
Richland, MI 49083-9475
Phone #: (269) 370-2185
E-mail Address: paul.j.foust@wmich.edu

10. ☒ REPORTING WAIVER REQUEST: If the committee does not expect to receive or expend in excess of \$1,000 in an election and checks this box, the filing requirement of pre, post and annual campaign statements is waived. The Reporting Waiver will be automatically lost if the committee exceeds the \$1,000 threshold.

11. Name and Address of Depositories or Intended Depositories of committee funds. (Michigan Bank, Credit Union or Savings & Loan Association)
a. Official Depository
First Community F.C.U
8024 North 32nd Street
Richland, MI 49083
b. Secondary Depository
None.

12. ☐ This item applies only to Gubernatorial Candidate Committees: Check if this committee intends to seek qualifying contributions or make qualifying expenditures.

13. ELECTRONIC FILING: This item applies to committees that file with the Michigan Department of State Bureau of Elections only and does not apply to Candidate Committees that file with the County Clerk's office.

The Campaign Finance Act requires any committee that files with the Secretary of State and spends or receives \$20,000 in the preceding calendar year OR expects to spend or receive \$20,000 in the current calendar year to file campaign statements electronically. MERTS Plus software is provided to you free of charge to assist you in meeting this requirement.

☐ Committee spent or received or expects to spend or receive in excess of \$20,000 and is required to file electronically.

** OR **

☐ Committee did not spend or receive or does not expect to spend or receive in excess of \$20,000 and would like to file electronically voluntarily.

14. 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 electronically, 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)

Paul Foust 11/01/10
Candidate

Paul Foust 11/01/10
Current Treasurer

Paul Foust 11/01/10
Designated Record Keeper (Required only if filing electronically)

RECEIVED
2010 NOV - 1 PM 12:58
COUNTY OF KALAMAZOO



Michigan Department of State Campaign Finance Complaint Form

RECEIVED/FILED
MICHIGAN DEPT OF STATE
2023 JUN 22 PM 2: 15

ELECTIONS/GREAT SEAL

This complaint form may be used to file a complaint alleging that someone violated the Michigan Campaign Finance Act (MCFA). Electronic submission of the form to BOERegulatory@Michigan.gov is strongly recommended. 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 Paul Foust		Daytime telephone number 2693702185
Mailing address 8561 East D Avenue		
City Richland	State MI	Zip 49083
Email (recommended)		

Section 2. Alleged Violator (Respondent)

Name Paul Foust		
Mailing address 8561 East D Avenue		
City Richland	State MI	Zip 49083
Email (recommended)		

Committee ID (optional)
54692

Please include email addresses to expedite processing time and mitigate mail delays.

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

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

Section 21 and Section 24

Explain how these sections were violated:

I ran for the office of Richland Township Trustee in the August 2010 and November 2008 elections. I was not in compliance with the MCFA at the time that my name was printed on these ballots. I eventually filed a "Statement of Organization" on November 5, 2011, which was over 600 days too late. The Kalamazoo County Clerk at the time, Tim Snow, said he was going to "forgive" my late filing fee, whatever that means. To my knowledge, I have never been assessed, nor paid, a late filing fee. I currently hold office, as Richland Township Trustee, and I am eager to see this matter resolved. My Campaign Committee (#54692) is still open, although I do not plan on seeking re-election in 2024. I am available to answer any questions/concerns that the Bureau of Elections might have. Thanks!

Paul Zunt

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

Statement of Organization for Committee #54692, as filed with Kalamazoo County in 2011.
August 2010 Kalamazoo County Official Election Results.
November 2008 Kalamazoo County Official Election Results.

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.

Paul Zunt

6/21/23

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:

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 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.

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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

Exhibit A

ORIGINAL OR AMENDED

STATEMENT OF ORGANIZATION FORM FOR CANDIDATE COMMITTEES

<p>1. Committee ID #: <u>54692</u></p> <p>2. Type of Filing: <input checked="" type="checkbox"/> Original <u>COUNTY OF KALAMAZOO</u> <input type="checkbox"/> Amendment to Items: _____ Eff. Date: _____</p> <p>3. Full Name of Committee (must include Candidate's first and last name): <u>Elect Paul Foust Richland 2012 Committee</u></p> <p>4a. Candidate Full Name (Last, First, M.I.): <u>Foust, Paul, J.</u></p> <p>4b. Political Party (if applicable): <u>No Party Affiliation</u></p> <p>4c. County of Residence: <u>KALAMAZOO</u></p> <p>4d. Office Sought (Check one):</p> <table border="0"><tr><td><input type="checkbox"/> Governor</td><td><input type="checkbox"/> Lt. Governor</td><td><input type="checkbox"/> State Senator</td></tr><tr><td><input type="checkbox"/> State Rep.</td><td><input type="checkbox"/> Sec. of State</td><td><input type="checkbox"/> Attorney Gen.</td></tr><tr><td><input type="checkbox"/> State Bd. of Ed.</td><td><input type="checkbox"/> UoM Reg.</td><td><input type="checkbox"/> MSU Trustee</td></tr><tr><td><input type="checkbox"/> WSU Gov.</td><td><input type="checkbox"/> Supreme Court</td><td><input type="checkbox"/> Appeals Court</td></tr><tr><td><input type="checkbox"/> Circuit Court</td><td><input type="checkbox"/> District Court</td><td><input type="checkbox"/> Probate Court</td></tr><tr><td><input type="checkbox"/> Municipal Court</td><td></td><td></td></tr></table> <p>Local or other please specify: <u>Richland Township Trustee</u></p> <p>4e. District/Circuit # or Jurisdiction: <u>Richland Township</u></p> <p>5. Date Committee was Formed: <u>11/05/11</u></p> <p>6a. Committee Phone #: <u>(269) 370-2185</u></p> <p>6b. Committee Fax #: _____</p> <p>6c. Committee E-mail Address: <u>paul.j.foust@wmich.edu</u></p> <p>6d. Committee Website Address: <u>www.facebook.com/paul.foust</u></p> <p>7a. Complete Comm. Mailing Address (May be PO Box): <u>P.O. Box 112</u> <u>Richland, MI 49083-0112</u></p> <p>7b. Complete Comm. Street Address (May not be PO Box): <u>8561 East D Avenue</u> <u>Richland, MI 49083-9475</u></p> <p>8. Treasurer Name and Complete Address: <u>Paul Foust</u> <u>P.O. Box 112</u> <u>Richland, MI 49083-0112</u></p> <p>Phone #: <u>(269) 370-2185</u></p> <p>E-mail Address: <u>paul.j.foust@wmich.edu</u></p> <p>9. Designated Record Keeper Name and Complete Address: <u>Paul Foust</u> <u>P.O. Box 112</u> <u>Richland, MI 49083-0112</u></p> <p>Phone #: <u>(269) 370-2185</u></p> <p>E-mail Address: <u>paul.j.foust@wmich.edu</u></p>	<input type="checkbox"/> Governor	<input type="checkbox"/> Lt. Governor	<input type="checkbox"/> State Senator	<input type="checkbox"/> State Rep.	<input type="checkbox"/> Sec. of State	<input type="checkbox"/> Attorney Gen.	<input type="checkbox"/> State Bd. of Ed.	<input type="checkbox"/> UoM Reg.	<input type="checkbox"/> MSU Trustee	<input type="checkbox"/> WSU Gov.	<input type="checkbox"/> Supreme Court	<input type="checkbox"/> Appeals Court	<input type="checkbox"/> Circuit Court	<input type="checkbox"/> District Court	<input type="checkbox"/> Probate Court	<input type="checkbox"/> Municipal Court			<p>10. <input checked="" type="checkbox"/> REPORTING WAIVER REQUEST: If the committee does not expect to receive or expend in excess of \$1,000 in an election and checks this box, the filing requirement of pre, post and annual campaign statements is waived. The Reporting Waiver will be automatically lost if the committee exceeds the \$1,000 threshold.</p> <p>11. Name and Address of Depositories or Intended Depositories of committee funds. (Michigan Bank, Credit Union or Savings & Loan Association)</p> <p>a. Official Depository <u>First Community F.C.U.</u> <u>8224 North 32nd Street</u> <u>Richland, MI 49083</u></p> <p>b. Secondary Depository <u>N/A</u></p> <p>12. <input type="checkbox"/> This item applies only to Gubernatorial Candidate Committees: Check if this committee intends to seek qualifying contributions or make qualifying expenditures.</p> <p>13. ELECTRONIC FILING: This item applies to committees that file with the Michigan Department of State Bureau of Elections only and does not apply to Candidate Committees that file with the County Clerk's office.</p> <p>The Campaign Finance Act requires any committee that files with the Secretary of State and spends or receives \$20,000 in the preceding calendar year OR expects to spend or receive \$20,000 in the current calendar year to file campaign statements electronically. MERTS Plus software is provided to you free of charge to assist you in meeting this requirement.</p> <p><input type="checkbox"/> Committee spent or received or expects to spend or receive in excess of \$20,000 and is required to file electronically.</p> <p style="text-align: center;">** OR **</p> <p><input type="checkbox"/> Committee did not spend or receive or does not expect to spend or receive in excess of \$20,000 and would like to file electronically voluntarily.</p> <p>14. 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 electronically, 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)</p> <p><u>Paul Foust</u> <u>11/05/11</u> Candidate</p> <p><u>Paul Foust</u> <u>11/05/11</u> Current Treasurer</p> <p>Designated Record Keeper (Required only if filing electronically)</p>
<input type="checkbox"/> Governor	<input type="checkbox"/> Lt. Governor	<input type="checkbox"/> State Senator																	
<input type="checkbox"/> State Rep.	<input type="checkbox"/> Sec. of State	<input type="checkbox"/> Attorney Gen.																	
<input type="checkbox"/> State Bd. of Ed.	<input type="checkbox"/> UoM Reg.	<input type="checkbox"/> MSU Trustee																	
<input type="checkbox"/> WSU Gov.	<input type="checkbox"/> Supreme Court	<input type="checkbox"/> Appeals Court																	
<input type="checkbox"/> Circuit Court	<input type="checkbox"/> District Court	<input type="checkbox"/> Probate Court																	
<input type="checkbox"/> Municipal Court																			



Michigan August 2010 Primary Election

OFFICIAL RESULTS

Township Officials

are now available! Current returns
are with 121 of 121 precincts
reporting-- 100.00% --accounting
for 20.56% of the 187208
registered voters.

Reload page for most recent
results (press the reload button on
your browser).



Use the above navigation icons to quickly jump to other results.

Up-to-Date results summaries for...

- [Brady Township Trustee](#)
- [Prairie Ronde Township Clerk](#)



- [Richland Township Trustee](#)

Brady Township Trustee

1 position per party

Precincts Reporting	 <u>Republican</u>
2 of 2 Precincts	Randy Smith
TOTAL	546


[Detailed Results](#) are available.

[|Brady Township Trustee](#) [|Prairie Ronde Township Clerk](#) [|Richland Township Trustee](#) |



Prairie Ronde Township Clerk

1 position per party

Precincts Reporting	 Republican
1 of 1 Precincts	Paula Craig
TOTAL	325


Detailed Results are available.

[|Brady Township Trustee](#) [|Prairie Ronde Township Clerk](#) [|Richland Township Trustee](#) |



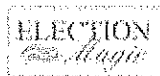
Richland Township Trustee

1 position per party

Precincts Reporting	 <u>Democrat</u>	
3 of 3 Precincts	Paul Foust	Deborah Robinson
TOTAL	66	161

Detailed Results are available.

[|Brady Township Trustee](#) [|Prairie Ronde Township Clerk](#) [|Richland Township Trustee](#) |



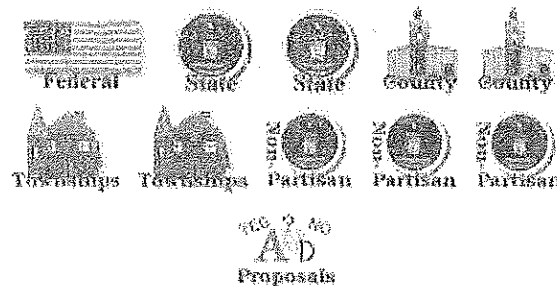


Michigan November 2008 General Election

OFFICIAL RESULTS

are now available! Current returns are with 112 of 112 precincts and 13 of 13 AVCBs reporting-- 100.00% --accounting for 68.75% of the 191351 registered voters. Reload page for most recent results (press the reload button on your browser).

Township Officials Oshtemo - Wakeshma



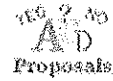
Use the above navigation icons to quickly jump to other results.

Up-to-Date results summaries for...

- [Oshtemo Charter Township Supervisor](#)
- [Oshtemo Charter Township Clerk](#)
- [Oshtemo Charter Township Treasurer](#)
- [Oshtemo Charter Township Trustee](#)
- [Pavilion Township Supervisor](#)
- [Pavilion Township Clerk](#)
- [Pavilion Township Treasurer](#)
- [Pavilion Township Trustee](#)
- [Prairie Ronde Township Supervisor](#)
- [Prairie Ronde Township Clerk](#)
- [Prairie Ronde Township Treasurer](#)
- [Prairie Ronde Township Trustee](#)
- [Richland Township Supervisor](#)
- [Richland Township Clerk](#)
- [Richland Township Treasurer](#)
- [Richland Township Trustee](#)



- [Ross Township Supervisor](#)
- [Ross Township Clerk](#)
- [Ross Township Treasurer](#)
- [Ross Township Trustee](#)
- [Schoolcraft Township Supervisor](#)
- [Schoolcraft Township Clerk](#)
- [Schoolcraft Township Treasurer](#)
- [Schoolcraft Township Trustee](#)
- [Texas Charter Township Supervisor](#)
- [Texas Charter Township Clerk](#)
- [Texas Charter Township Treasurer](#)
- [Texas Charter Township Trustee](#)
- [Wakeshma Township Supervisor](#)
- [Wakeshma Township Clerk](#)
- [Wakeshma Township Treasurer](#)
- [Wakeshma Township Trustee](#)



Richland Township Trustee

4 positions

Precincts Reporting		<u>Republican</u>				<u>U.S.</u> <u>Taxpayers</u>
3 of 3 Precincts	1 of 1 AVCBs	Jeannie K. Byrne	Teressa Stafford	Robert VanPeenan	David Wendzel	Paul Foust
TOTAL		2423	2539	2363	2522	735

Detailed Results are available.

[Oshtemo Charter Township Supervisor](#)
[Oshtemo Charter Township Clerk](#)
[Oshtemo Charter Township Treasurer](#)
[Oshtemo Charter Township Trustee](#)
[Pavilion Township Supervisor](#)
[Pavilion Township Clerk](#)
[Pavilion Township Treasurer](#)
[Pavilion Township Trustee](#)
[Prairie Ronde Township Supervisor](#)
[Prairie Ronde Township Clerk](#)
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[Ross Township Supervisor](#)
[Ross Township Clerk](#)
[Ross Township Treasurer](#)
[Ross Township Trustee](#)
[Schoolcraft Township Supervisor](#)
[Schoolcraft Township Clerk](#)
[Schoolcraft Township Treasurer](#)
[Schoolcraft Township Trustee](#)
[Texas Charter Township Supervisor](#)
[Texas Charter Township Clerk](#)
[Texas Charter Township Treasurer](#)
[Texas Charter Township Trustee](#)
[Wakeshma Township Supervisor](#)
[Wakeshma Township Clerk](#)
[Wakeshma Township Treasurer](#)
[Wakeshma Township Trustee](#)



Ross Township Supervisor

1 position

Precincts Reporting		<u>Republican</u>
2 of 2 Precincts	1 of 1 AVCBs	Jeffrey Bither
TOTAL		2119

Detailed Results are available.

[Oshtemo Charter Township Supervisor](#)
[Oshtemo Charter Township Clerk](#)
[Oshtemo Charter Township Treasurer](#)
[Oshtemo Charter Township Trustee](#)
[Pavilion Township Supervisor](#)
[Pavilion Township Clerk](#)
[Pavilion Township Treasurer](#)
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[Schoolcraft Township Supervisor](#)
[Schoolcraft Township Clerk](#)
[Schoolcraft Township Treasurer](#)
[Schoolcraft Township Trustee](#)
[Texas Charter Township Supervisor](#)
[Texas Charter Township Clerk](#)
[Texas Charter Township Treasurer](#)
[Texas Charter Township Trustee](#)
[Wakeshma Township Supervisor](#)
[Wakeshma Township Clerk](#)
[Wakeshma Township Treasurer](#)
[Wakeshma Township Trustee](#)





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

July 5, 2023

Paul Foust
8561 E D Ave
Richland, MI 49083

Re: *Foust v. Foust*
Campaign Finance Complaint No. 23-042

Foust v. Foust
Campaign Finance Complaint No. 23-043

Dear Mr. Foust:

The Department of State (Department) has finished investigating the campaign finance complaints you self-reported against yourself, disclosing that you violated the Michigan Campaign Finance Act (MCFA or Act). This letter concerns the disposition of that complaint.

In your first complaint, you disclosed that you ran for the office of Richland Township trustee in the August 2010 and November 2008 elections, that you were not in compliance with MCFA at that time, and that you did not file your Statement of Organization or related documents until November 5, 2011. Further, you stated that you have never been assessed a late filing fee for your Statement of Organization or other reports you failed to file timely during that period. You currently hold office as Richland Township trustee, although you indicate that you do not intend to seek re-election in 2024.

Your second complaint is substantially the same. In it, you disclose that you ran for Richland Village trustee in the September 2009 village election, that you were not in compliance with MCFA at that time, and that you did not file your Statement of Organization until November 1, 2010. You state that you were not assessed a late filing fee and your committee has since been dissolved.

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.*

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).

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 timely file your two Statements of Organization once you became a candidate and did not file those documents until at least one year after they were due.

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.*

You indicate that you have since filed the required documents and fulfilled all subsequent filing requirements under the MCFA. Given this, the Department concludes that a formal warning is a sufficient resolution to the complaint and considers this matter closed.

Sincerely,

Regulatory Section
Bureau of Elections
Michigan Department of State