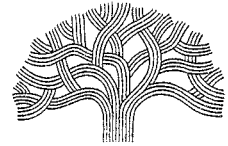


# CITY OF OAKLAND



ONE FRANK H. OGAWA PLAZA • SUITE 104 • OAKLAND, CALIFORNIA 94612

Public Ethics Commission  
September 13, 2016

(510) 238-3593  
FAX (510) 238-3315  
TDD (510) 238-3254

Jean Quan  
Jean Quan for Mayor of Oakland 2010

**Re: PEC Complaint No. 10-26; Warning Letter**

Dear Ms. Quan:

This letter is in response to a complaint filed with the City of Oakland Public Ethics Commission (PEC) in 2010 alleging that Juan Quan for Mayor of Oakland 2010 (Quan for Mayor 2010) violated the Oakland Campaign Reform Act (OCRA) by accepting loans in excess of the contribution limit. The PEC has completed its investigation into the allegations and found that Quan for Mayor 2010 violated OCRA section 3.12.090B by failing to timely file a copy of written agreements for three loans, totaling \$155,000, it received from you in 2010.

OCRA section 3.12.090B requires that all loans made to a candidate's campaign, whether from the candidate or a third party, be recorded in a written agreement, and that the written agreement be filed with the campaign statement that covers the period in which the loan was made to the campaign.

Our investigation found that Quan for Mayor 2010 failed to timely file a copy of a written agreement for each loan it received in 2010 with the campaign statement it filed with the City Clerk for the particular reporting period in which it received the loan, in violation of OCRA section 3.12.090B.

However, Quan for Mayor 2010 was cooperative with our investigation and attempted to come into compliance with OCRA by amending its campaign statement for the July 1 through September 30, 2010, reporting period to include a copy of a written agreement for a significant amount of the loans it received in 2010. Additionally, all of the loans at issue were loans from you to your own campaign, rather than loans from an outside source, and at the time of the violation, you and Quan for Mayor 2010 had not been the subject of any prior enforcement actions by the PEC.

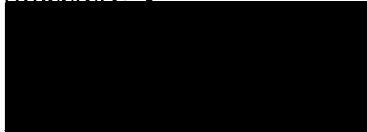
In lieu of issuing a fine, the PEC is closing this matter with this warning letter. The information in this case will be retained and may be used against you and Quan for Mayor 2010 should an

enforcement action become necessary due to newly discovered information or failure to comply with the requirements of OCRA section 3.12.090B in the future. Failure to comply with the requirements of OCRA section 3.12.090B in the future will result in the imposition of administrative fines by the PEC of up to \$2,000 per violation or three times the amount not properly reported, whichever is greater.

This warning letter is a PEC case resolution without a monetary penalty, but does not provide Quan for Mayor 2010 with an opportunity for a full hearing before the PEC. If Quan for Mayor 2010 wishes to avail itself to a full hearing process by requesting that this case proceed with further enforcement rather than a warning, please notify me in writing within 10 days from the date of this letter. If I do not receive such notification within 10 days in writing, this warning letter will remain in effect and the matter will be closed.

If you would like further information or have additional information regarding this matter, you can reach me at (510) 238-4976 or [mdalju@oaklandnet.com](mailto:mdalju@oaklandnet.com).

Sincerely,



Milad Dalju  
Deputy Director/Chief of Enforcement