



San Francisco Ethics Commission

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Lobbying Audit Report: **CA Hotel & Lodging Association** **Lobbyist ID: SFO-155582** **January 1, 2021 – December 31, 2021**

Introduction

Public disclosure of the identity and extent of efforts of lobbyists to influence decision-making regarding local legislative and administrative matters is essential to protect public confidence in the responsiveness and representative nature of government officials and institutions. The San Francisco Lobbyist Ordinance (San Francisco Campaign & Governmental Conduct Code [SFC&GCC] Section [Sec.] 2.100 et seq.) was established to impose reasonable registration and disclosure requirements to reveal information about lobbyists' efforts to influence decision-making regarding local legislative and administrative matters. By restricting gifts, campaign contributions, and bundled campaign contributions by lobbyists, the law is designed to increase public confidence that governmental decisions are not, and do not appear to be, influenced by the giving of personal benefits to City officers by lobbyists, or by lobbyists' financial support of City officers' political interests.

To promote lobbyists' compliance with the law, the San Francisco Ethics Commission conducted an audit of **CA Hotel & Lodging Association: SFO-155582** (hereinafter "the Lobbyist") covering the audit period January 1, 2021, through December 31, 2021. This Audit Report summarizes the results for the audit.

Authority

Under SFC&GCC Sec. 2.135(c), the Executive Director of the Commission shall initiate audits of one or more lobbyists selected at random on an annual basis and undertake any other audits or investigations of a lobbyist authorized by law or regulation.

Objectives and Scope

The objective of the audit was to reasonably determine whether the Lobbyist substantially complied with requirements of SFC&GCC Sec. 2.100 et seq. and supporting regulations.

The audit was performed based on a review of the Lobbyist's filings and records covered by the audit period to determine, among other things:

- Compliance with disclosure and record-keeping requirements pertaining to lobbyist registration, monthly disclosure reporting, and training; and
- Compliance with applicable restrictions on lobbyist activity.

The Lobbyist was randomly selected for audit from a population of registered lobbyists who filed disclosure statements with the Ethics Commission for the period January 1, 2021, through December 31, 2021.

Nothing in this report shall be interpreted to prevent an enforcement action by the Ethics Commission or another appropriate agency for conduct in violation of the law, whether or not that conduct is covered by this report.

This report will be posted to the Commission's website and forwarded to the Commission's Enforcement Division for review to determine whether any further action may be warranted.

Auditee Information

Background

At all times relevant to the audit, the Lobbyist was an expenditure lobbyist representing the interest of the California lodging industry. It registered in 2020, prior to the audit period, to advocate against Ordinance No. 208-20. This ordinance amended the Health Code to establish cleaning and disease prevention standards and practices in tourist hotels and large commercial office buildings to help contain COVID-19 or other contagious public health threats.

Lobbyist Reported Activity

| | |
|------------------------------|----------|
| Total Payments to Influence | \$89,050 |
| Total Campaign Contributions | \$0 |

The lobbyist financial activity totals were taken from disclosure statements filed with the San Francisco Ethics Commission for the period January 1, 2021, through December 31, 2021.

Audit Respondent

The Audit Respondent identified below was the primary audit contact during the audit and responded to audit inquiries and requests on behalf of the Lobbyist.

Hilary Gibson
Nielsen Merksamer Parrinello Gross & Leoni, LLP
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San Rafael, CA 94901

Audit Findings

Under SFC&GCC Sec. 2.110(c), lobbyists shall report information to the Ethics Commission for each calendar month no later than the fifteenth calendar day following the end of the month. Under SFC&GCC Sec. 2.110(c)(2)(C), expenditure lobbyists shall report information related to payments made during the reporting period to influence local legislative or administrative action.

The following finding was noted during the audit:

Monthly Disclosure Statements

Payments to influence made to Singer Associates totaling \$5,050 on August 9, 2021, were disclosed late on the Disclosure Report for Expenditure Lobbyist (SFEC Form 2110B) filed for September 2021. Disclosure was required on the report filed for August 2021.

Conclusion

Except as indicated in the **Audit Findings** section above, and in our opinion, the Lobbyist substantially complied with the requirements of SFC&GCC Sec. 2.100 et seq. and supporting regulations.

Auditee Response

The Audit Respondent stated it was a clerical error and the month of the payment was simply inadvertently mismarked. Amendments to the August and September 2021 Disclosure Report for Expenditure Lobbyist (SFEC Form 2110B) were filed on December 28, 2022, to correct the error.