

VIA FACSIMILE

February 17, 2009

John St. Croix  
Executive Director  
San Francisco Ethics Commission  
25 Van Ness Avenue, Suite 220  
San Francisco, CA 94102

**Re: Informal Opinion**

Dear Mr. St. Croix:

I write to you to seek an informal opinion regarding an apparent conflict in local laws.

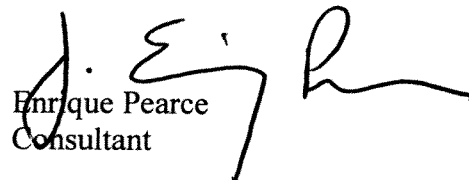
I am a vendor who provided campaign services to a candidate who received public funding in the November 2008 election cycle. While some of these services have been paid, there remains an outstanding balance.

It is my understanding that candidates and treasurers bear personal liability for outstanding campaign debts pursuant to Campaign and Governmental Conduct Code §1.118. However, section 1.140(a)(2)(D) requires that a candidate not contribute or loan him or herself more than \$5,000.00.

This sets up a quandary, it seems. If a candidate has already contributed the maximum he is permitted to contribute, yet there remain accrued expenses for which the campaign is unable to fundraise away, who is liable to repay the debt?

Your informal opinion on this situation is very much appreciated.

Very truly yours,

  
Enrique Pearce  
Consultant