1	STACEY FULHORST, Executive Director
2	City of San Diego Ethics Commission 1010 Second Avenue, Suite 1530
3	San Diego, CA 92101 Telephone: (619) 533-3476
4	Facsimile: (619) 533-3448
5	Petitioner
6	
7	BEFORE THE CITY OF SAN DIEGO
8	ETHICS COMMISSION
9	
10	In re the Matter of:  ) Case No.: No. 2004-04
11	EQUITY RESIDENTIAL PROPERTIES  MANAGEMENT CORP.,  STIPULATION, DECISION AND  ORDER
12	Respondent. )
13	) )
14	THE PARTIES STIPULATE AS FOLLOWS:
15	1. Petitioner Stacey Fulhorst is the Executive Director of the City of San Diego Ethics
16	Commission [Ethics Commission]. The Ethics Commission is charged with a duty to administer,
17	implement, and enforce local governmental ethics laws contained in the San Diego Municipal
18	Code [SDMC] relating to, among other things, the making of campaign contributions and the
19	filing of campaign statements as required by the City's Election Campaign Control Ordinance
20	[ECCO].
21	2. Respondent Equity Residential Properties Management Corp. [Respondent] is an
22	organization registered with the California Secretary of State as a major donor committee
23	(Identification No. 1253939) that made contributions to state and local committees of \$10,000 or
24	more in a calendar year.
25	3. This Stipulation, Decision and Order [Stipulation] will be submitted for
26	consideration by the Ethics Commission at its next scheduled meeting, and the agreements
27	contained herein are contingent upon the approval of the Stipulation and the accompanying
28	Decision and Order by the Ethics Commission.
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- SDMC section 27.2931 requires committees to file campaign statements in the time
- controlled committees by anyone other than an individual.
- Respondent filed a Major Donor and Independent Expenditure Committee 10. Statement [Form 461] with the City of San Diego, Office of the City Clerk, on January 30, 2004, covering the time period from January 1 through December 31, 2003.

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with all provisions of ECCO in the future.

1	FACTORS IN AGGRAVATION
2	18. Respondent's contribution was made in an envelope provided by the Friends of
3	Dick Murphy committee, and that envelope explicitly states that corporate and business
4	contributions are not allowed.
5	19. Before filing its amended Form 461 on March 1, 2004, Respondent failed to
6	exercise due diligence to determine whether or not it had reimbursed its employee for the
7	contribution to the Friends of Dick Murphy committee.
8	FACTORS IN MITIGATION
9	20. Petitioner has determined that the Respondent's contribution to a City candidate
10	was an isolated instance and was not part of a broader scheme to undermine the contribution
11	source prohibitions set forth in ECCO.
12	21. By reporting the \$150 contribution on its January 30, 2004, Form 461, Respondent
13	demonstrated an intent to fully disclose the fact that it had made a contribution to a City
14	candidate.
15	22. Respondent has cooperated fully with the Commission's investigation.
16	CONCLUSION
17	23. Respondent shall pay a fine in the amount of \$1,500 for violations of SDMC
18	sections 27.2947 and 27.2931 (Counts 1 and 2). This amount must be paid no later than April 2,
19	2004.
20	24. This Stipulation shall not become effective until Respondent has provided to the
21	Ethics Commission the amount set forth in paragraph 23, by check or money order made payable
22	to the City Treasurer.
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24	DATED: Stacey Fulhorst, Executive Director
25	ETHICS COMMISSION, Petitioner
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27	DATED: Denise Boklach Beihoffer, Vice President
28	EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP., Respondent
	-4-

DECISION AND ORDER  The Ethics Commission has considered the above Stipulation at its meeting on April 8, 2004. The Ethics Commission hereby approves the Stipulation and orders that, in accordance with the Stipulation, Respondent pay a fine in the amount of \$1,500.  DATED: DOROTHY L.W. SMITH, Chair SAN DIEGO ETHICS COMMISSION  DATED: DOROTHY L.W. SMITH, Chair SAN DIEGO ETHICS COMMISSION  DATED: DOROTHY L.W. SMITH, Chair SAN DIEGO ETHICS COMMISSION  DATED: DOROTHY L.W. SMITH, Chair SAN DIEGO ETHICS COMMISSION  DATED: DOROTHY L.W. SMITH, Chair SAN DIEGO ETHICS COMMISSION		
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