



April 15, 2026

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Mr. Suresh Malkani  
Town of Apple Valley  
14955 Dale Evans Parkway  
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*And Parties, Interested Parties, and Interested Persons (See Mailing List)*

**RE: Notice of Complete Incorrect Reduction Claim, Schedule for Comments, and Notice of Tentative Hearing Date**

*Identity Theft, 25-0308-I-03*

Statutes 2000, Chapter 956 (AB 1897); Penal Code Section 530.6(a)

Fiscal Years: 2002-2003, 2003-2004, 2004-2005, 2005-2006, 2006-2007, 2007-2008, 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013

Town of Apple Valley, Claimant

Dear Ms. Chinn, Ms. Kato, and Mr. Malkani:

On February 18, 2026, the Town of Apple Valley (claimant) filed the above-named Incorrect Reduction Claim (IRC) that included a Notice of Intent to Join a Consolidated Incorrect Reduction Claim, [Identity Theft, 25-0308-I-01](#), also on the above-named program with the Commission on State Mandates (Commission) based on the State Controller's (Controller's) reductions to its reimbursement claims for costs incurred under the *Identity Theft* program for fiscal years 2002-2003, 2003-2004, 2004-2005, 2005-2006, 2006-2007, 2007-2008, 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013 in accordance with Government Code section 17551(d). Upon review, Commission staff found the IRC to be incomplete and on February 27, 2026, notified the claimant that the IRC was incomplete and that the deadline to join [Identity Theft, 25-0308-I-01](#) was 30 days from the service of the Notice of Claimant's Intent to Consolidate and Opportunity for Eligible Claimants to Join the Consolidated Claim on November 7, 2025, therefore December 8, 2025, and had passed.<sup>1</sup> (Cal. Code Regs., tit. 2 § 1185.4(a).)

On March 23, 2026 and on March 30, 2026, the claimant filed documents to cure the IRC. Upon review, Commission staff finds that this IRC is complete and that it retains the filing date of February 18, 2026, in accordance with section 1185.2(a) and 1181.2(e) of the Commission's regulations (California Code of Regulations, Title 2).

**Controller's Review and Response.** The Controller's written comments and supporting documentation regarding this claim are due no later than **July 14, 2026** in accordance with Government Code section 11020 and sections 1181.2(e), 1185.2(d),

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<sup>1</sup> Notice of Claimant's Intent to Consolidate and Opportunity for Eligible Claimants to Join the Consolidated Claim, *Identity Theft, 25-0308-I-01*, page 2, <https://www.csm.ca.gov/matters/25-0308-I-01/doc5.pdf> (accessed on April 15, 2026).

and 1187.5 of the Commission's regulations. Please include an explanation of the reasons for the reductions and the computation of reimbursements.

The failure of the Controller to respond within this 90-day timeline shall not cause the Commission to delay consideration of this IRC. (Gov. Code § 17553(d)).

**Claimant's Rebuttal.** Upon receipt of the Controller's Comments, the claimant and interested persons may file rebuttals. The rebuttals are due 30 days from the service date of the comments. (Gov. Code § 11020 and Cal. Code. Regs., tit. 2 § 1185.2(e).) If new written representations of fact are made, they must be supported with documentary evidence filed with the rebuttal. (Cal. Code. Regs., tit. 2 §§ 1181.3, 1185.2(e), and 1187.5.)

**Requirements for All Filings and Testimony.** All oral or written representations of fact made to the Commission offered by any person shall be under oath or affirmation and signed under penalty of perjury by persons who are authorized and competent to do so and must be based on the declarant's personal knowledge, information or belief. (Cal. Code. Regs., tit. 2 §§ 1185.2(e) and 1187.5.) The Commission's ultimate findings of fact must be supported by substantial evidence in the record.<sup>2</sup> Hearsay evidence (such as declarations not based on personal knowledge but information and belief alone) may be used for the purpose of supplementing or explaining other evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions.<sup>3</sup>

**Filing Written Materials.** The Commission's regulations require that written materials filed with the Commission be electronically filed (e-filed) in an unlocked legible and searchable PDF file, using the Commission's Dropbox. (Cal. Code Regs., tit. 2, § 1181.3(d)(2), (e), and (f).) Refer to <https://www.csm.ca.gov/dropbox.shtml> on the Commission's website for electronic filing instructions. If e-filing would cause the filer undue hardship or significant prejudice, filing may occur by first class mail, overnight delivery or personal service only upon prior approval of a request to the executive director. (Cal. Code Regs., tit. 2, § 1181.3(j).)

If you would like to request an extension of time, please refer to section 1187.9(a) of the Commission's regulations.

**Informal Conference.** An informal conference may be scheduled if requested. Refer to section 1187.4 of the Commission's regulations.

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<sup>2</sup> Government Code section 17559(b), which provides that a claimant or the state may commence a proceeding in accordance with the provisions of section 1094.5 of the Code of Civil Procedure to set aside a decision of the Commission on the ground that the Commission's decision is not supported by substantial evidence in the record.

<sup>3</sup> California Code of Regulations, Title 2, section 1187.5.

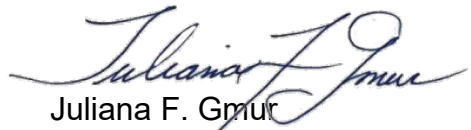
Ms. Chinn, Ms. Kato, and Mr. Malkani

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**Public Hearing and Draft Proposed Decision.** The public hearing on this Incorrect Reduction Claim has been tentatively scheduled for **February 12, 2027**. The Draft Proposed Decision will be issued for comment at least eight weeks prior to the public hearing.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Juliana F. Gmur".

Juliana F. Gmur  
Executive Director

## DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On April 15, 2026, I served the:

- **Current Mailing List dated April 15, 2026**
- **Notice of Complete Incorrect Reduction Claim, Schedule for Comments, and Notice of Tentative Hearing Date issued April 15, 2026**
- **Incorrect Reduction Claim filed by the Town of Apple Valley on February 18, 2026**

*Identity Theft, 25-0308-I-03*

Statutes 2000, Chapter 956 (AB 1897); Penal Code Section 530.6(a)  
Fiscal Years: 2002-2003, 2003-2004, 2004-2005, 2005-2006, 2006-2007,  
2007-2008, 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013  
Town of Apple Valley, Claimant

by making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on April 15, 2026 at Sacramento, California.



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Jill Magee  
Commission on State Mandates  
980 Ninth Street, Suite 300  
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# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 4/15/26

**Claim Number:** 25-0308-I-03

**Matter:** Identity Theft

**Claimant:** Town of Apple Valley

### TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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