



H A U L K & H E R R E R A L L P

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April 9, 2026

VIA ONLINE SUBMISSION

Labor & Workforce Development Agency
Attn: PAGA Administrator
455 Golden Gate Avenue, 9th Floor
San Francisco, California 94102

Re: **Private Attorney General Act Notice**

Dear PAGA Administrator:

This firm represents Mirna Yesenia Cienfuegos (“**Plaintiff**”) with respect to Plaintiff’s claims against FPI Management, Inc. (“**Defendant**”).

The purpose of this letter is to comply with Labor Code section 2699.3, which requires an aggrieved employee to notify their employer and the Labor & Workforce Development Agency (“**LWDA**”) of the provisions of the Labor Code that the employer has allegedly violated before filing a civil claim under California’s Labor Code Private Attorneys General Act (“**PAGA**”).

As used herein, the term “**Aggrieved Employees**” refers to Plaintiff and to all current and former employees of Defendant who have worked for Defendant in the State of California. Plaintiff has suffered each of the Labor Code and Wage Order violations asserted herein.

SUMMARY OF FACTS

Plaintiff Mirna Yesenia Cienfuegos began her employment on or about May 8, 2023, as a Community Director overseeing a residential property of approximately 90 units in California. Throughout her employment, Plaintiff’s primary duties consisted of day-to-day property management tasks, including handling tenant communications, coordinating maintenance and repairs, assigning and following up on work orders, managing vendors, processing invoices, overseeing unit turnovers, and leasing vacant units. Plaintiff also performed administrative work, including responding to emails, maintaining records, and addressing ongoing operational issues at the property. Plaintiff regularly worked in excess of 10 to 12 hours per day and approximately 65 hours per week.



Plaintiff was initially paid on an hourly basis. While paid hourly, Plaintiff routinely worked overtime hours. In or around March 2025, Plaintiff was reclassified to a salaried exempt employee. Plaintiff's job duties and workload did not materially change following the reclassification, and she continued performing the same non-managerial, day-to-day operational tasks. Plaintiff did not customarily and regularly exercise independent judgment or discretion in matters of significance and spent the vast majority of her time performing routine, production-level work necessary to keep the property running.

Following her conversion to salary, Plaintiff regularly worked more than eight hours per day and forty hours per week but was not paid overtime compensation. Defendants did not maintain accurate records of Plaintiff's hours worked while she was classified as salaried and did not compensate her for all hours worked.

Throughout her employment, Plaintiff was frequently unable to take compliant meal or rest breaks due to workload demands. Plaintiff regularly worked through her meal periods and did not receive uninterrupted, duty-free meal breaks. Plaintiff also did not receive all required rest periods.

Plaintiff was not reimbursed for all necessary business expenses. Plaintiff used her personal vehicle to travel to assist other properties and was only sometimes reimbursed for mileage. Plaintiff remains employed and has not been paid all wages owed, including overtime wages, meal and rest period premiums, unreimbursed business expenses, and other compensation due.

SUMMARY OF CLAIMS

Plaintiff alleges that Defendant engaged in a pattern of knowingly violating numerous Labor Code sections. In particular, Defendant has violated California's wage and hour laws by:

a) **Unpaid Wages:** Failing to pay Aggrieved Employees for all hours worked (including overtime), in violation of the applicable Wage Order and Labor Code sections 204, 510, 1194 et seq.

b) **Meal/Rest Breaks (Failure to Provide):** Failing to permit Aggrieved Employees to take timely rest/meal breaks in violation of Labor Code section 226.7, 512, and the applicable Wage Order.

c) **Meal/Rest Breaks (Failure to Pay Premium Pay):** Failing to pay premium pay to Aggrieved Employees for missed or untimely rest/meal breaks, in violation of Labor Code sections 226.7 and 512.



d) **Failure to Pay Wages (Intervals):** Failing to pay all earned wages (including overtime compensation, and premium pay for missed meal and rest breaks), to Aggrieved Employees at least twice a month in violation of Labor Code section 204.

e) **Wage Statement Violations:** Failing to maintain and furnish to Aggrieved Employees accurate, itemized statements of hours worked, gross and net wages earned all applicable hourly rates in effect during the pay period and the number of hours worked at each hourly rate, and deductions in violation of the applicable Wage Order and Labor Code sections 226 and 226.3.

f) **Waiting Time Penalties:** Failing to pay all earned wages (including overtime compensation, and premium pay for missed meal breaks) at the time of termination or within 72 hours of resignation to Aggrieved Employees in violation of Labor Code sections 201, 202, 203, 206, and 227.3.

g) **Failure to Reimburse:** Failing to reimburse Aggrieved Employees for business expenses in violation of Labor Code section 2802.

h) **Violation of IWC Wage Order:** As set forth above, Plaintiff's violations of the Labor Code are also violations of the applicable IWC Wage Order, including those Paragraphs identified as "Hours and Days of Work," "Minimum Wages," "Reporting Time Pay," "Records," "Meal Periods," and "Rest Periods."

Plaintiff has suffered the violations alleged herein. This notice is based on the facts currently known to Plaintiff and is made without prejudice to Plaintiff's right to seek all available remedies for any and all additional violations that may subsequently be discovered or identified.

Please advise this office within 65 days of the post-mark date of this notice whether the Labor & Workforce Development Agency intends to investigate the above-noted Labor Code and Wage Order violations. Thank you for your attention to this matter.

Very truly yours,

Jose M. Herrera

cc: FPI Management, Inc. - *via Certified Mail/Return Receipt Requested*