STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

Matthew Eric Zinda,

Complainant,

vs.

Joshua Heintzeman,

Respondent.

ORDER FOR DISMISSAL

On July 10, 2025, Matthew Eric Zinda (Complainant) filed a Fair Campaign Practices Complaint (Complaint) with the Office of Administrative Hearings.[1] The Complaint was assigned to Administrative Law Judge Kimberly Middendorf that same day.

The Complaint alleges that Joshua Heintzeman (Respondent) violated Minn. Stat. § 211A.07 by improper billing and reporting.

Based upon the Complaint and the supporting filings, and for the reasons set out in the accompanying Memorandum, the Judge issues the following:

ORDER

The Complaint filed by Matthew Eric Zinda against Joshua Heintzeman is **DISMISSED** without prejudice.

Dated: July 16, 2025

KIMBERLY MIDDENDORF
Administrative Law Judge

[1] Complainant did not provide the initial filing fee but rather sought a waiver. The request for waiver of the filing fee was granted on July 14, 2025. Thus, Complainant's filing was not complete until July 14, 2025.

NOTICE

Under Minn. Stat. § 211B.36, subd. 5 (2024), this Order is the final decision in this matter and a party aggrieved by this decision may seek judicial review as provided in Minn. Stat. §§ 14.63-.69 (2024).

MEMORANDUM

I. Factual and Procedural Background

Respondent ran for the Minnesota State House of Representatives during the primary on August 8, 2024, and the general election on November 5, 2024.[2] Respondent made several campaign finance reports regarding this campaign to the Campaign Finance Board (CFB). In 2024, Complainant brought several challenges related to Respondent's campaign practices.[3]

On December 9, 2024, Respondent reported an unpaid estimate of $20,000 for legal services from Chalmers, Adams, Backer & Kauffman and an unpaid estimate of $9,000 for legal services on June 17, 2024, from Jacobson, Magnuson, Anderson, & Halloran, PC (Jacobson).[4] On January 31, 2025, Respondent reported to the Campaign Finance Board (CFB) an in-kind payment of $6,000 made on December 31, 2024, by the House Republican Campaign Committee (HRCC) for legal services.[5]

However, the HRCC did not report any payment of $6,000 made to Respondent on December 31, 2024, in its disclosure on January 30, 2025.[6] Instead, the HRCC reported receiving a cash payment of $20,000 from Respondent on October 21, 2024.[7] On February 21, 2025, the HRCC amended its report to clarify that $6,000 of the $13,015.86 that it initially reported paying to Jacobson was paid in-kind to the Respondent and directly to Jacobson.[8]

On May 5, 2025, Respondent amended his CFB report to change the $6,000 in-kind payment from the HRCC from December 31, 2024, to July 24, 2024, and stated the payment was for a portion of legal services related to a Crow Wing County district court case, number 18-CV-24-2821.[9] Complainant thought the timing odd because Case 18-CV-24-2821 was commenced August 8, 2024.[10] Respondent then amended the report to state that the $6,000 in-kind payment on July 24, 2024, was not for case 18-CV-24-

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[2] Complaint (Compl.) at 2 (July 10, 2025).
[3] Compl.; *see, e.g., In re Matthew Eric Zinda v. Joshua Heintzeman*, OAH No. 21-0320-40204 (Aug. 8, 2024)
[4] Compl. at 3.
[5] Compl. at 2. The Complainant referenced *In re Troy Kenneth Scheffler v. Joshua Heintzeman*, filed on February 11, 2025, but did not provide any related documents.
[6] Compl. at 2.
[7] Compl. at 3.
[8] Compl. at 3.
[9] Compl. at 4.
[10] Compl. at 4.

2821 but rather for legal services related to a Minnesota Court of Appeals case, number A24-1001.[11]

On July 10, 2025, Complainant filed the Complaint with the Office of Administrative Hearings.[12] Complainant alleged that Respondent violated Minn. Stat. § 211A.07 because Respondent did not receive an itemized bill for the legal services within 60 days of when the services were provided; thus, Respondent attempted to get the bills paid through the HRCC outside of the timeframe established by Minn. Stat. § 211A.07.[13] Complainant further alleged that Respondent's payment to HRCC, who subsequently paid for Respondent's legal services, constituted a "money laundering scheme" and was "fraudulent."[14]

II. Standard for Prima Facie Determinations

To establish a prima facie violation of the Fair Campaign Practices Act, a complainant must allege sufficient facts to show that a violation of law has occurred.[15] The complaining party must submit evidence or allege facts that, if accepted as true, would be sufficient to prove a violation of Minn. Stat. §§ 211A.01-.14,or 211B.01-.37.[16]

For purposes of a prima facie determination, this court must accept the facts that are alleged in the Complaint as true, without independent substantiation, provided that those facts are not patently false or inherently incredible.[17] In determining whether a complaint alleges sufficient facts to state a prima facie case, reasonable inferences must be drawn in the light most favorable to the Complainant.[18]

A complaint must be dismissed if it does not include evidence or allege facts that, if accepted as true, would be sufficient to prove a violation of Minn. Stat. §§ 211A.01-.14, 211B.01-.37.[19]

III. Bills When Rendered and Paid (Minn. Stat. § 211A.07)

Pursuant to Minn. Stat. § 211A.07 (2024), a person who has a bill, charge, or claim against a candidate or a committee must render it in writing to the candidate or committee within 60 days after the material or service is provided. A bill, charge, or claim that is not presented within 60 days after the material or service is provided must not be paid.[20]

Complainant alleges that Respondent violated Minn. Stat. § 211A.07 because Respondent did not receive an itemized bill for the legal services within 60 days of when

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[11] Compl. at 4.
[12] Compl.
[13] Compl. On July 14, 2025, Respondent filed a Motion to Dismiss the Complaint. This type of motion practice is not contemplated by Minn. Stat. ch. 211B at the prima facie stage and is, accordingly, not considered in the Court's analysis.
[14] Compl.
[15] *See* Minn. Stat. § 211B.32, subd. 3.
[16] *Barry v. St. Anthony-New Brighton Indep. Sch. Dist. 282*, 781 N.W.2d 898, 902 (Minn. Ct. App. 2010).
[17] *Id*.
[18] *Abrahamson v. St. Louis Cty. Sch. Dist*., 819 N.W.2d 129, 136 (Minn. 2012).
[19] *Barry,* 781 N.W.2d at 902.
[20] Minn. Stat. § 211A.07 (2024).

the services were provided. As a result, Complainant claims that Respondent attempted to have the bills paid via fraud through the HRCC.[21]

The legislature has adopted two statutory schemes to regulate campaign financing. One is set forth in Chapter 10A, which is under the jurisdiction of the Campaign Finance Board. The other is found in Chapter 211A, and subject to the Office of Administrative Hearings' jurisdiction. Minn. Stat. § 10A.01, subd. 10, defines a "candidate" as "an individual who seeks nomination or election as a state constitutional officer, legislator, or judge." Individuals meeting this definition must satisfy the various obligations of Minn. Stat. ch. 10A. Minn. Stat. ch. 211A, for its purposes, defines a candidate as an individual who seeks nomination or election to a county, municipal, school district, or other political subdivision office.[22] By its plain language, Minn. Stat. ch. 211A does not apply to candidates for the state legislature like Respondent.

Because Respondent was a candidate for the Minnesota House of Representatives, Minn. Stat. § 211A.07 is not applicable to him or his committee. Consequently, the Complaint fails to establish any prima facie violations of Minn. Stat. § 211A.07. Therefore, this Complaint must be dismissed.

Complainant is cautioned to exercise greater diligence in commencing actions in the proper forum. Nevertheless, the allegations regarding Respondent and the HRCC's reporting practices are serious and Complainant's concern appears to be genuine. Both Chapters 10A and 211A are intended to increase transparency and the voting public's understanding of the interests funding campaigns. A review of the allegations does not permit a conclusion that Complainant's concerns are wholly devoid of merit, despite clearly having been brought to the wrong forum.[23]

IV. Conclusion

Minn. Stat. § 211A.07 does not apply to Respondent's campaign for state representative. The Judge finds that Complainant has not set forth a prima facie violation of Minn. Stat. § 211A.07 by the Respondent. Accordingly, the Complaint is **DISMISSED** without prejudice.

K. J. M.

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[21] *Id.*

[22] Minn. Stat. § 211A.01, subd. 3

[23] *See* Minn. R. Gen. Prac. 9.06(b).