

BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In re DWAYNE E. INGRAM,)
)
)
)
)
)
Appellant.)

)

Financial Disclosure Appeal No. FD 16-033

Final Order No.

FINAL ORDER

This matter came before the Commission on Ethics, meeting in public session on April 21, 2017, on the timely appeal of Dwayne E. Ingram, pursuant to Section 112.3145(7)(f), Florida Statutes, which assesses an automatic fine of \$25 per day on a person who fails to timely file a required CE Form 1, Statement of Financial Interests. The Commission may waive the fine in whole or in part for good cause shown, based on "unusual circumstances" surrounding the failure to file by the designated date. There are no matters in dispute. Appellant did not request a hearing before the Commission.

Findings of Fact

1. According to information provided to the Commission, Appellant served as a member of the Board of Directors of CareerSource Florida, a position requiring the filing of a CE Form 1, Statement of Financial Interests, for the year 2015. In 2016, the designated due date for submitting a 2015 CE Form 1 annual filing was July 1, 2016, with a grace period ending on September 1, 2016.

2. On May 10, 2016, the Commission on Ethics sent Appellant a 2015 CE Form 1. This mailing was sent to 17820 Willow Lake Drive, Odessa, FL 33556-4724.

3. On July 28, 2016, the Commission sent Appellant a Notice of Delinquency by certified mail. This notice was sent to the 17820 Willow Lake Drive address. The notice was returned to the Commission by the Post Office marked "Return to Sender, Unclaimed."

4. On August 16, 2016, the Commission mailed Appellant a postcard intended to remind him of his obligation to file a 2015 CE Form 1. The Commission mailed the postcard to the 17820 Willow Lake Drive address.

5. On September 7, 2016, six days after the grace period expired, the Commission mailed Appellant a courtesy notice informing him that an automatic fine had begun to accrue. The Commission mailed this notice to the 17820 Willow Lake Drive address.

6. On September 14, 2016, Commission staff called Appellant and left a message for him reminding him of his financial disclosure obligation.

7. On September 15, 2016, Appellant submitted his 2015 CE Form 1 to the Commission.

8. The amount of fine automatically assessed against Appellant was \$350.

9. On January 31, 2017, the Commission mailed a Notice of Assessment of Automatic Fine to the 17820 Willow Lake Drive address. This mailing indicated the total of Appellant's accrued automatic fine. The mailing also included a notice of his right to appeal the fine.

10. On February 21, 2017, Appellant submitted his appeal to the Commission. In his appeal, Appellant requests that his fine be waived stating that he left his position prior to December 31, 2015. Appellant states that he resigned from his office at the end of the year and took time "to process."

11. On March 9, 2017, a Commission attorney contacted the Financial Disclosure Coordinator requesting that she provide the Commission with the date that Appellant resigned from the Board of CareerSource Florida. The Financial Disclosure Coordinator provided the Commission with Appellant's letter of resignation from the Board of CareerSource Florida dated March 1, 2016.

12. Financial disclosure is required for designated persons who hold public office or public employment on December 31 of the form year.

Conclusions of Law

13. The Commission has jurisdiction over the subject matter of this proceeding pursuant to Section 112.3145, Florida Statutes.

14. Financial disclosure is required of public officials and employees because it enables the public to evaluate potential conflicts of interest, deters corruption, and increases public confidence in government. In order to increase compliance, beginning in 2001 the Legislature provided for an automatic fine of \$25 per day, up to a cap of \$1,500, on persons who do not timely file their financial disclosure statements. Under the law, the Legislature permitted the Commission to waive a fine only "based upon unusual circumstances surrounding the failure to file on the designated due date"

15. Commission Rule 34-8.215, F.A.C., defines "unusual circumstances" as follows:

uncommon, rare or sudden events over which the reporting individual has no control and which directly result in the failure to act in accordance with the filing requirement. Circumstances which allow for time in which to take those steps necessary to assure compliance with the filing requirement shall be deemed not to constitute unusual circumstances.

16. Appellant's basis for the appeal of his fine is that is he had left his public position prior to December 31, 2015. Documentation provided to the Commission by the Financial

Disclosure Coordinator, however, did not support Appellant's claim that he left his position prior to December 31, 2015. In fact, the documentation provided to the Commission reveals that Appellant did not resign his position until March 2016. As such, Appellant was required to file a 2015 CE Form 1 with the Commission. Appellant, therefore, has not pointed out to any "uncommon, rare or sudden events" that prevented him from filing the 2015 CE Form 1 in a timely manner. Therefore, Appellant has not identified any "unusual circumstance" that would justify waiver of the \$350 fine.

Order

Based on the foregoing facts and conclusions of law, the Commission hereby affirms the assessed fine of \$350 and denies the appeal. The fine shall be paid to the Commission on Ethics, P.O. Drawer 15709, Tallahassee, FL 32317-5709, within 30 days of the date this order is rendered, unless other payment arrangements are made by contacting Kimberly Holmes, Financial Disclosure Coordinator, at the address below or by telephone at (850) 488-7864.

ORDERED by the State of Florida Commission on Ethics meeting in public session on Friday, April 21, 2017.

Date Rendered

Matthew F. Carlucci
Chair, Florida Commission on Ethics

THIS ORDER CONSTITUTES FINAL AGENCY ACTION. ANY PARTY WHO IS ADVERSELY AFFECTED BY THIS ORDER HAS THE RIGHT TO SEEK JUDICIAL REVIEW UNDER SECTION 120.68, AND SECTION 112.3241, FLORIDA STATUTES, BY FILING A NOTICE OF ADMINISTRATIVE APPEAL PURSUANT TO RULE 9.110 FLORIDA RULES OF APPELLATE PROCEDURE, WITH THE CLERK OF THE COMMISSION ON ETHICS, AT EITHER 325 JOHN KNOX ROAD, BUILDING E, SUITE 200, TALLAHASSEE, FLORIDA 32303 OR P.O. DRAWER 15709, TALLAHASSEE, FLORIDA 32317-5709; AND BY FILING A COPY OF THE NOTICE OF APPEAL ATTACHED TO WHICH IS A

CONFORMED COPY OF THE ORDER DESIGNATED IN THE NOTICE OF APPEAL ACCOMPANIED BY THE APPLICABLE FILING FEES WITH THE APPROPRIATE DISTRICT COURT OF APPEAL. THE NOTICE OF ADMINISTRATIVE APPEAL MUST BE FILED WITHIN 30 DAYS OF THE DATE THIS ORDER IS RENDERED.

MFC:jmk

Copy furnished to:

Mr. Dwayne Ingram
17820 Willow Lake Drive
Odessa, FL 33556

FORM 1

STATEMENT OF FINANCIAL INTERESTS

2015
 FLORIDA
 COMMISSION ON ETHICS
 FILING OFFICE ONLY:

SEP 19 2016
 RECEIVED

PROCESSED

*****AUTO**3-DIGIT 335 T83 P167

Dwayne E Ingram
 Board Member
 Economic Opportunity, Department Of
 Board of Directors, CareerSourceFlorida
 17820 Willow Lake Dr
 Odessa FL 33556-4724



ID Code



ID No. 222220

Conf. Code

Ingram, Dwayne E

You are not limited to the space on the lines on this form. Attach additional sheets, if necessary.

CHECK ONLY IF CANDIDATE OR NEW EMPLOYEE OR APPOINTEE

**** **BOTH PARTS OF THIS SECTION MUST BE COMPLETED** ****

DISCLOSURE PERIOD:

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR THE PRECEDING TAX YEAR, WHETHER BASED ON A CALENDAR YEAR OR ON A FISCAL YEAR. PLEASE STATE BELOW WHETHER THIS STATEMENT IS FOR THE PRECEDING TAX YEAR ENDING EITHER (must check one):

DECEMBER 31, 2015 OR SPECIFY TAX YEAR IF OTHER THAN THE CALENDAR YEAR: _____

MANNER OF CALCULATING REPORTABLE INTERESTS:

FILERS HAVE THE OPTION OF USING REPORTING THRESHOLDS THAT ARE ABSOLUTE DOLLAR VALUES, WHICH REQUIRES FEWER CALCULATIONS, OR USING COMPARATIVE THRESHOLDS, WHICH ARE USUALLY BASED ON PERCENTAGE VALUES (see instructions for further details). CHECK THE ONE YOU ARE USING (must check one):

COMPARATIVE (PERCENTAGE) THRESHOLDS OR DOLLAR VALUE THRESHOLDS

PART A -- PRIMARY SOURCES OF INCOME [Major sources of income to the reporting person - See instructions]

(If you have nothing to report, write "none" or "n/a")

NAME OF SOURCE OF INCOME	SOURCE'S ADDRESS	DESCRIPTION OF THE SOURCE'S PRINCIPAL BUSINESS ACTIVITY
Kyra Solutions	4454 Florida National Drive Lakeland, FL	Information Technology
IT Capital Services	17820 Willow Lake Dr Odessa, FL 33556	Information Technology

PART B -- SECONDARY SOURCES OF INCOME

[Major customers, clients, and other sources of income to businesses owned by the reporting person - See instructions]

(If you have nothing to report, write "none" or "n/a")

NAME OF BUSINESS ENTITY	NAME OF MAJOR SOURCES OF BUSINESS' INCOME	ADDRESS OF SOURCE	PRINCIPAL BUSINESS ACTIVITY OF SOURCE
N/A			

PART C -- REAL PROPERTY [Land, buildings owned by the reporting person - See instructions]

(If you have nothing to report, write "none" or "n/a")

N/A

FILING INSTRUCTIONS for when and where to file this form are located at the bottom of page 2.

INSTRUCTIONS on who must file this form and how to fill it out begin on page 3.

PART D — INTANGIBLE PERSONAL PROPERTY [Stocks, bonds, certificates of deposit, etc. - See instructions]
 (If you have nothing to report, write "none" or "n/a")

TYPE OF INTANGIBLE	BUSINESS ENTITY TO WHICH THE PROPERTY RELATES
N/A	

PART E — LIABILITIES [Major debts - See instructions]
 (If you have nothing to report, write "none" or "n/a")

NAME OF CREDITOR	ADDRESS OF CREDITOR
N/A	

PART F — INTERESTS IN SPECIFIED BUSINESSES [Ownership or positions in certain types of businesses - See instructions]
 (If you have nothing to report, write "none" or "n/a")

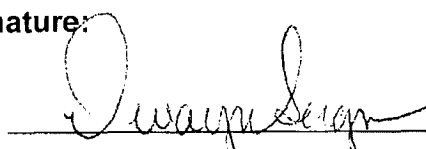
	BUSINESS ENTITY # 1	BUSINESS ENTITY # 2
NAME OF BUSINESS ENTITY	N/A	
ADDRESS OF BUSINESS ENTITY		
PRINCIPAL BUSINESS ACTIVITY		
POSITION HELD WITH ENTITY		
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS		
NATURE OF MY OWNERSHIP INTEREST		

PART G — TRAINING
 For elected municipal officers required to complete annual ethics training pursuant to section 112.3142, F.S.

I CERTIFY THAT I HAVE COMPLETED THE REQUIRED TRAINING.

IF ANY OF PARTS A THROUGH G ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE

SIGNATURE OF FILER:

Signature: 

Date Signed: 9/12/2016

CPA or ATTORNEY SIGNATURE ONLY

If a certified public accountant licensed under Chapter 473, or attorney in good standing with the Florida Bar prepared this form for you, he or she must complete the following statement:

I, _____, prepared the CE Form 1 in accordance with Section 112.3145, Florida Statutes, and the instructions to the form. Upon my reasonable knowledge and belief, the disclosure herein is true and correct.

CPA/Attorney Signature: _____

Date Signed: _____

FILING INSTRUCTIONS:

<p>WHAT TO FILE:</p> <p>After completing all parts of this form, including signing and dating it, send back only the first sheet (pages 1 and 2) for filing.</p> <p>If you have nothing to report in a particular section, you must write "none" or "n/a" in that section(s).</p> <p>NOTE: MULTIPLE FILING UNNECESSARY: A candidate who previously filed Form 1 because of another public position must file a copy of his or her Form 1 when qualifying. A candidate who files a Form 1 with a qualifying officer is not required to file with the Commission or Supervisor of Elections.</p> <p>Facsimiles will not be accepted.</p>	<p>WHERE TO FILE:</p> <p>If you were mailed the form by the Commission on Ethics or a County Supervisor of Elections for your annual disclosure filing, return the form to that location.</p> <p>Local officers/employees file with the Supervisor of Elections of the county in which they permanently reside. (If you do not permanently reside in Florida, file with the Supervisor of the county where your agency has its headquarters.)</p> <p>State officers or specified state employees file with the Commission on Ethics, P.O. Drawer 15709, Tallahassee, FL 32317-5709; physical address: 325 John Knox Road, Building E, Suite 200, Tallahassee, FL 32303.</p> <p>Candidates file this form together with their qualifying papers.</p> <p>To determine what category your position falls under, see page 3 of instructions.</p>	<p>WHEN TO FILE:</p> <p>Initially, each local officer/employee, state officer, and specified state employee must file within 30 days of the date of his or her appointment or of the beginning of employment. Appointees who must be confirmed by the Senate must file prior to confirmation, even if that is less than 30 days from the date of their appointment. Candidates must file at the same time they file their qualifying papers.</p> <p>Thereafter, file by July 1 following each calendar year in which they hold their positions.</p> <p>Finally, file a final disclosure form (Form 1F) within 60 days of leaving office or employment. Filing a CE Form 1F (Final Statement of Financial Interests) does <u>not</u> relieve the filer of filing a CE Form 1 if the filer was in his or her position on December 31, 2015.</p>
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22220 16-033



STATE OF FLORIDA COMMISSION ON ETHICS

325 John Knox Road
Building E, Suite 200
Tallahassee, FL 32303
Telephone: (850) 488-7864
Fax: (850) 488-3077
Email: disclosure@leg.state.fl.us

FLORIDA
COMMISSION ON ETHICS

FEB 21 2017

RECEIVED

APPEAL OF AUTOMATIC FINE FOR FORM YEAR 2015

DIRECTIONS: The information you provide in this form is critical for processing your appeal in a timely manner.

In Part A, please provide current contact information. If your contact information changes while your appeal is being processed, please notify us.

In Part B, please check any boxes that specify the general reason(s) for your appeal.

In Part C, please explain in detail the reason(s) for your appeal. In addition to your written explanation in Part C, you may attach any documents that support your appeal.

IMPORTANT: TO PRESERVE YOUR RIGHT TO APPEAL, THIS FORM OR OTHER WRITTEN APPEAL (AND ANY ATTACHMENTS) MUST BE FILED WITH (RECEIVED BY) THE COMMISSION ON ETHICS WITHIN THIRTY (30) DAYS OF THE DATE THE NOTICE OF ASSESSMENT OF AUTOMATIC FINE WAS MAILED TO YOU.

PLEASE SEND YOUR COMPLETED FORM TO ONE OF THE FOLLOWING:

Mailing Address: Commission on Ethics
P.O. Drawer 15709
Tallahassee, FL 32317-5709

Physical Address: Commission on Ethics
325 John Knox Road
Building E, Suite 200
Tallahassee, FL 32303

Fax: (850) 488-3077

Email: disclosure@leg.state.fl.us

PART A: YOUR INFORMATION

Name: Dwayne Ingram

Address: 17820 Willow Lake Dr. City: Odessa State: FL Zip: 33556

Daytime Tel.: (813) 495-5299 Cell: same

Email: deingram8@gmail.com Filer ID# (if known): 22220

Public Employer: _____

Public Position: Career Source Florida

CONTINUED ON REVERSE SIDE



Formerly known as *Kyra InfoTech*

March 1, 2016

Governor Rick Scott
Governor's Appointments Office
The Capitol Building
Lower Level
Suite LL-10
Tallahassee, FL 32399

Governor Scott:

Thank you so much for the opportunity to serve on the CareerSource Florida board for the past eight years and as its Chairman during your first term. It was a great honor and I so much appreciate the opportunity. Your Business and Jobs agenda has been great for the state and I enjoyed being a small part of it.

It is with mixed emotions that I tender my resignation from the board. It has been a wonderful experience working with Chris Hart, the CareerSource Florida system and other distinguished business leaders on the board. I have now taken a role as COO for Kyra Solutions, which is a Florida-based IT company that does work for the state as well as for local governments and municipalities. In this vein, I do not want there to be any conflicts of interest, nor any perception of it.

On another note, Kyra Solutions has added many jobs to Florida over the past 5 years as we have been growing at double digits. Thank you for all you have done to help focus on economic development and job growth for our state!

Sincerely,

A handwritten signature in black ink, appearing to read 'Dwayne Ingram', with a long horizontal flourish extending to the right.

Dwayne Ingram
Senior Vice President of Business Operations
Kyra Solutions

cc: Chris Hart, CareerSource Florida
Kim Yablonski, CareerSource Florida
Piyush Patel, CEO, Kyra Solutions



Financial Disclosure Management System
THE FLORIDA COMMISSION ON ETHICS

Filer - Fines and Appeals - PID 222220 - Mr Dwayne E Ingram

Filer Information

Org Membership

Forms

Communications

Fines and Appeals >

View All

Filer Flags

[2000](#) [2001](#) [2002](#) [2003](#) [2004](#)
[2005](#) [2006](#) [2007](#) [2008](#) [2009](#)
[2010](#) [2011](#) [2012](#) [2013](#) [2014](#)
[2015\(S\)](#) [2016](#)

<<2016 Form Year

Status

Filing: INACTIVE
 Fine: No Fine

Flags

Public Address
 Filing Extensions
 Indefinite: None
 Temporary:
 None

Eligible for Fines

Update Flags

The filer has fines for: [2016 \(Appeal\)](#)


2016 Fines and Appeals


Form Year 2015 Filed Forms					
Received Date	Form Type	Form Signed	Filing Location	Updated	Comments
09/15/16	Form 1	Yes	COE	AZIER on 09/19/2016	

2016 Fine Information					Update Fine Information		
					Assign Agency Contact		
Fine Balance	Fine Status	Fine Date	Original Assessment	Fine Amount	Last Payment Date	Payment Plan Start Date	Payment Plan Amount
\$350.00	Appeal	1/31/2017	\$350.00	\$350.00			
Fine Address 17820 Willow Lake Dr Odessa FL 33556-4724 Org/Suborg Economic Opportunity, Department of-Board of Directors, CareerSourceFlorida							

2016 Fine Payment History						
Date Posted	Description	Amount	Method	Payment ID	Comments	
1/31/2017	Fine Levied	+ \$350.00			Fined \$350.00	
Current Balance: \$350.00						



 Add a New Filer

 Jump To A Filer
 PID:


 Quick Filer Search
 First Name:

 Last Name:


2016 Fine Year Event
 Chronology

 Date	Type	Description	Reference
 05/10/2016	Letter Sent	Form 1 Official List - Form 1 Official Filers List	Print Queue: 5/10/2016 1:43 PM Printing Confirmed: 5/10/2016 1:43 PM

Letter Sent To:
 Mr Dwayne E Ingram
 17820 Willow Lake Dr
 Odessa, FL 33556 -4724


 07/28/2016	Letter Sent	Certified Letter Sent	Print Queue: 7/28/2016 Printing Confirmed: 7/28/2016
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Letter Sent To:
 Mr Dwayne E Ingram
 17820 Willow Lake Dr
 Odessa, FL 33556 -4724

 08/16/2016	Postcard Sent	Courtesy Postcard Reminder	Print Queue: 8/16/2016 Printing Confirmed: 8/16/2016
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Letter Sent To:
 Mr Dwayne E Ingram
 17820 Willow Lake Dr
 Odessa, FL 33556 -4724

08/18/2016 Filer Certified/unclaimed Emily Prine
 Communication:
 Letter

 09/7/2016	Letter Sent	Courtesy Notice of Fines Accruing	Print Queue: 9/7/2016 Printing Confirmed: 9/7/2016
---	-------------	--------------------------------------	---

Letter Sent To:
 Mr Dwayne E Ingram
 17820 Willow Lake Dr
 Odessa, FL 33556 -4724

09/14/2016 Filer Courtesy fines reminder Azie Russell
 Communication: call. Left voicemail on
 Phone corporate line.

09/15/2016 Form Received Form 1 Received, Signed Form 1 Received by
 Azie Russell at COE

Form Received By: Azie Russell
Filing Location: COE
Record Created By: Azie Russell on 09/19/2016

01/31/2017 Fine Levied Fined \$350.00 Journal: 1/31/2017
 9:40 AM

01/31/2017 Notice of Initial Fine Notice Journal: 1/31/2017
 Assessed Fine 9:45 AM

01/31/2017 Letter Sent Notice of Assessed Fine - Print Queue:
 Filer 1st Fine Letter 1/31/2017
 Printing Confirmed:
 1/31/2017

Letter Sent To:
 Mr Dwayne E Ingram
 17820 Willow Lake Dr
 Odessa, FL 33556 -4724

02/24/2017 Fine Appeal FD 16-033 Journal: 2/24/2017
 8:56 AM

02/27/2017 Letter Sent Fine Appeal Print Queue:
2/27/2017
 Printing Confirmed:
 2/27/2017

Letter Sent To:
 Mr Dwayne E Ingram
 17820 Willow Lake Dr
 Odessa, FL 33556 -4724

* * *

2016 Fine Appeal – FD 16-033	<table border="1"> <tr> <td data-bbox="889 247 1143 289">Update Appeal</td> <td data-bbox="1143 247 1442 289">Withdraw Appeal</td> </tr> <tr> <td data-bbox="846 289 1122 331">Assign Attorney</td> <td data-bbox="1122 289 1442 331">Request More Info</td> </tr> <tr> <td colspan="2" data-bbox="1019 331 1442 380">Record Appeal Outcome</td> </tr> </table>	Update Appeal	Withdraw Appeal	Assign Attorney	Request More Info	Record Appeal Outcome	
Update Appeal	Withdraw Appeal						
Assign Attorney	Request More Info						
Record Appeal Outcome							
Appeal Status: Active Appeal Receipt Date: 02/21/2017 Timely Filed: Yes Print Appeal Letter: Yes Hearing Requested: No Appeal Reason: Left Public Position Appeal Notes: Appeal Number: FD 16-033 Appeal Analyst Assigned: Final Order Number: Final Order Date:	No Hearing Requested						