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State of Florida  
**COMMISSION ON ETHICS**  
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*"A Public Office is a Public Trust"*

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## MEMORANDUM

TO: Commission Members

FROM: Virlindia Doss


SUBJECT: Consideration of Final Orders on Financial Disclosure Fines Where There Has Been No Timely Appeal and No Payment

DATE: July 12, 2017

You are familiar with the number of persons who have filed appeals of their financial disclosure late-filing fines. In addition, a large number of persons did not appeal the fine assessed under the law, or did not appeal in a timely manner. They either filed late, or not at all, and were sent fine notification letters advising of the right to appeal within 30 days of the notification letter.

Attached is a list of persons who have failed to bring a timely appeal and have not otherwise responded to our mailings. If we knew an individual had an incorrect address, that person was taken off the list. If we thought there might be some other problem with a particular case, we took the person's name off the list. Staff will work through cases that have address problems or other issues, and those cases likely will come before you in the future.

Also attached is a sample final order for these cases that will formally recognize the statutory fine and provide closure to the Commission's proceedings for a late filer (or non-filer) who has not timely appealed. With your approval, staff will render default orders in these cases. Filers who are currently receiving public funds will be referred for salary withholding. All others will be transmitted to the Department of Financial Services' contract collection agency, Transworld Systems Inc., for collection.

 Active Fined Filers Ready to Send to Collections

Name	PID	Title Organization Suborganization	Filing Info	Fine Amount	Final Notice Sent
<b>Filing Location: State</b>					
Thomas, Shawn	257951	Council Member Legal Affairs, Department Of Council on the Social Status of Black Men and Boys	2015 Form 1 Late Filer 14 Days Late	\$350.00	4/14/2017
<b>Count: 1</b>					
<b>Filing Location: Broward County (16)</b>					
Anthony, Evan	260200	Lazy Lake Mayor And Village Council	2015 Form 1 Non-Filer	\$1,500.00	5/23/2017
Aurigemma, Louis	234653	Executive Director Riviera Beach Employees	2015 Form 1 Non-Filer	\$1,500.00	5/23/2017
Camacho, Charles	254652	Alternate Member Dania Beach Planning And Zoning Board	2015 Form 1 Non-Filer	\$1,500.00	5/23/2017
Evans, M.	260426	Pompano Beach Planning/Zoning Board	2015 Form 1 Non-Filer	\$1,500.00	5/23/2017
Forester, Lisa	236109	Purchasing Division Broward County Employees	2015 Form 1 Non-Filer	\$1,500.00	5/23/2017
Hessing, Robert	254753	Deerfield Beach Unsafe Structures Board	2015 Form 1 Non-Filer	\$1,500.00	5/23/2017
Hickman, Christopher	250210	Board of Adjustment Oakland Park Board Of Adjustment	2015 Form 1 Non-Filer	\$1,500.00	5/23/2017
Kamm, Oliver	260201	Lazy Lake Mayor And Village Council	2015 Form 1 Non-Filer	\$1,500.00	5/23/2017
Palumbo, Tony	261076	Vice Chairperson Veranda Community Development District Board of Supervisors	2015 Form 1 Non-Filer	\$1,500.00	5/23/2017
Reyes, Ricardo	261212	Principal	2015 Form 1	\$1,500.00	5/23/2017

		Broward County Public Schools Employees	Non-Filer		
Saddler, Craig	261214	Principal Broward County Public Schools Employees	2015 Form 1 Non-Filer	\$1,500.00	5/23/2017
Thames, Michelle	262404	Seaport Miami-Dade County Employees	2015 Form 1 Non-Filer	\$1,500.00	5/23/2017

**Count: 12****Filing Location: Miami-Dade County (23)**

Chiverton, David	261680	Interim City Manager Opa-Locka Employees	2015 Form 1 Non-Filer	\$1,500.00	5/23/2017
Davis, Nehemiah	224435	Miami-Dade County Community Council	2015 Form 1 Non-Filer	\$1,500.00	5/23/2017
Engram, Michelle	252405	Principal Broward County Public Schools Employees	2015 Form 1 Non-Filer	\$1,500.00	5/23/2017
Green, Julia	254574	Board Member Florida City Zoning Board	2015 Form 1 Non-Filer	\$1,500.00	5/23/2017
McLean Cross, Laferne	261204	Principal Broward County Public Schools Employees	2015 Form 1 Non-Filer	\$1,500.00	5/23/2017
Sharpton, Darryl	73096	Board Member Miami-Dade County Public Health Trust Board of Trustees	2015 Form 1 Non-Filer	\$1,500.00	5/23/2017
Thomas-Hughes, Cheryl	241638	Water and Sewer Miami-Dade County Employees	2015 Form 1 Non-Filer	\$1,500.00	5/23/2017

**Count: 7****Filing Location: Lee County (46)**

Ford, Orié	72184	Member Fort Myers Planning Board	2015 Form 1 Late Filer 20 Days Late	\$500.00	4/14/2017
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Count: 1

Filing Location: Palm Beach County (60)

Powell, Wendy	238225 Resident Commissioner Boca Raton Housing Authority Board of Commissioners	2015 Form 1 \$1,500.00 Non-Filer	4/14/2017
Rodis, Peter	249396 Member Highland Beach Board Of Adjustment	2015 Form 1 \$275.00 Late Filer 11 Days Late	4/18/2017

Count: 2

Filing Location: Volusia County (74)

Ames, Tammy	252607 Board member Oak Hill Planning & Land Devlp. Regulation Commission	2015 Form 1 \$1,500.00 Non-Filer	4/14/2017
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Count: 1

**BEFORE THE  
STATE OF FLORIDA  
COMMISSION ON ETHICS**

**In re** Evan Anthony, )  
 )  
 )  
 )  
\_\_\_\_\_ )

**2015 CE Form 1**

**DEFAULT FINAL ORDER**

This matter comes before the Commission on Ethics for the failure of Evan Anthony to pay the assessed fine. Pursuant to Section 112.3145(7)(f), Florida Statutes, the Florida Commission on Ethics is charged with assessing automatic fines of \$25 per day up to a maximum of \$1500 for persons who are required to file financial disclosure but who either file late, or not at all.

**FINDINGS OF FACT**

1. Evan Anthony, Lazy Lake, Mayor And Village Council, was on the list of persons required to file a Statement of Financial Interests for the year 2015.
2. Pursuant to Section 112.3145(7)(f), Florida Statutes, Evan Anthony was mailed a copy of the 2015 CE Form 1 no later than June 1, 2016, and was mailed a delinquency notice by certified mail no later than July 31, 2016. Additional attempts to contact Evan Anthony were also made by Commission staff.
3. However, Evan Anthony did not file a 2015 CE Form 1 by the designated due date. Evan Anthony was sent a notice of payment due advising of the statutory rights to appeal or dispute the automatic fine in a hearing before the Commission if such appeal was received within 30 days of the notice of payment due. No timely appeal was received from Evan Anthony.

4. More than 60 days have elapsed since the notice of payment due was transmitted without Evan Anthony paying the fine.

5. On its own motion, the Commission voted to affirm that a fine in the amount of \$1500 has accrued in this matter.

#### CONCLUSIONS OF LAW

6. The Commission has jurisdiction over the parties to and subject matter of this case, pursuant to Section 112.3145, Florida Statutes.

7. Evan Anthony's failure to timely appeal the assessed fine constitutes a waiver of the entitlement to an appeal, pursuant to Rule 34-8.215(2), Florida Administrative Code.

#### ORDER

8. Pursuant to Section 112.3145(7) and 112.31455, Florida Statutes, the Commission on Ethics shall attempt to determine whether Evan Anthony is currently a public officer or public employee receiving salary or wages from a governmental entity. If so, the matter will be referred to either the Chief Financial Officer for the State of Florida or the governing body for Lazy Lake, as appropriate, for withholding of salary until the debt is satisfied.

9. If Evan Anthony is no longer a public officer or employee, or if the Commission cannot determine filer's status, the matter will be referred to the Florida Department of Financial Services for collection or wage garnishment.

WHEREFORE, the automatic fine that Evan Anthony accrued in the amount of \$1500 is affirmed. The fine shall be paid to the Florida Commission on Ethics within 30 days of the date this Default Final Order is entered. After that date, nonpayment will result in collection as provided for in Section 112.3145(7) and 112.31455, Florida Statutes.

ORDERED by the State of Florida Commission on Ethics meeting in public session on July 28, 2017.

\_\_\_\_\_  
Date Rendered

\_\_\_\_\_  
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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 SECTIONS 112.3241 AND 120.68, 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, BY U.S. MAIL AT P.O. DRAWER 15709, TALLAHASSEE, FLORIDA 32317-5709 (OR BY DELIVERY TO 325 JOHN KNOX ROAD, BUILDING E, SUITE 200, TALLAHASSEE, FLORIDA 32303); AND BY FILING A COPY OF 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.

Copy Furnished to:

Evan Anthony  
2150 Lazy Ln  
Lazy Lake FL 33305 -1032

XXX/kh

cc: Sandra H. Demarco