

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

In re KATIE MCFARLAND,)

Appellant.)

) Financial Disclosure Appeal No. FD 15-045

) Final Order No.

FINAL ORDER

This matter came before the Commission on Ethics, meeting in public session on Friday, June 3, 2016, on the timely appeal of Katie McFarland, 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 due date. There are no material facts in dispute. Appellant did not request a hearing before the Commission.

Findings of Fact

1. During the year 2014, Appellant served as a member of the Apalachicola Board of Adjustment, a position that required the annual filing of financial disclosure. She was late filing the required CE Form 1, Statement of Financial Interests, for the year 2014. The designated date for submitting 2014 CE Form 1 was July 1, 2015, with a grace period ending September 1, 2015.

2. On or before June 1, 2015, the Supervisor of Elections mailed the Appellant a copy of 2014 CE Form 1 and filing instructions. This mailing was sent to 5051 NE 16th Court, Okeechobee, Florida 34972-0653.

3. On or before July 31, 2015, the Supervisor of Elections mailed Appellant a Notice of Delinquency. This mailing was sent certified to the 5051 NE 16th Court address; it was signed for by a person named "Brad."

4. On August 21, 2015, the Commission mailed the Appellant a courtesy postcard reminding of the filing obligation. This postcard was sent to 242 Atlantic Avenue, Apalachicola, Florida 32320-1836.

5. On September 4, 2015, the Commission mailed the Appellant a letter to inform her that an automatic fine had begun to accrue as she had yet to file a proper 2014 CE Form 1. This letter was sent to the 242 Atlantic Avenue address.

6. On January 20, 2016, the Commission mailed the Appellant a Notice of Assessment of Automatic Fine. This mailing included, for the first time, the total of the Appellant's accrued automatic fine. The mailing also included a notice of the Appellant's right to appeal the fine. The Commission sent this mailing certified to 5051 NE 16th Court, Okeechobee, Florida 34972-0653.

7. The amount of the fine automatically assessed against the Appellant was \$1,500.

8. On February 19, 2016, the Appellant filed 2014 CE Form 1 with the Commission, and submitted an appeal.

9. In the appeal, Appellant states she travels a great deal for work, did not receive notice at 242 Atlantic Avenue, and believes her mail was sent to an incorrect address. Appellant adds that she left the position on the Board of Adjustment.

10. On March 22, 2016, a Commission attorney spoke with the Appellant by telephone. Appellant stated she travels three or four weeks per month and has mail forwarded to her mother's home at 5051 Northeast 16th Court (where the Supervisor of Elections sent initial notices regarding the financial disclosure obligation and deadline), and that her actual address is a former

pottery shop she owns at 242 Atlantic Avenue (where the Commission sent notices regarding the filing deadline and the fact that automatic fines of \$25 per day were accruing). Appellant could not recall the date when she stopped going to Board of Adjustment meetings, or whether she resigned from the position.

Conclusions of Law

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

12. 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"

13. Rule 34-8.215, Florida Administrative Code, 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.

14. Although the Appellant alleges that she lacked notice of the financial disclosure obligation and deadline, notices were mailed to the addresses she provided, and were not returned as undeliverable. Appellant has not rebutted the presumption of delivery, nor has she pointed to any "uncommon, rare or sudden event" that prevented her from filing 2014 CE Form 1 in a timely

manner. Therefore, Appellant has not identified any "unusual circumstance" that would justify waiver of the \$1,500 fine.

Order

Based on the foregoing facts and conclusions of law, the Commission hereby affirms the assessed fine of \$1,500 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, telephone 850-488-7864.

ORDERED by the State of Florida Commission on Ethics meeting in public session on Friday, June 3, 2016.

Date Rendered

STANLEY M. WESTON
Chair

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:

Kate McFarland
242 Atlantic Avenue
Apalachicola, Florida 32320-1836

SMW: slh

245643

15-045



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 19 2016 RECEIVED

APPEAL OF AUTOMATIC FINE FOR FORM YEAR 2014

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: Kate McFarland

Address: 242 Atlantic Ave.

Daytime Tel.: Cell: 407-401-1609

Email: Filer ID# (if known):

Public Employer: N/A

Public Position: N/A

CONTINUED ON REVERSE SIDE

PART B: GENERAL REASON(S) FOR YOUR APPEAL

Please choose any/all reasons that apply to your appeal.

I hereby appeal the Notice of Assessment of Automatic Fine on the following basis:

- a. **Sickness or injury** (Explain in Part C and attach a statement from attending physician, including dates and nature of illness or injury)
- b. **Lack of notification – Failure to receive notice** (Explain in Part C and provide documentation that supports your assertion that you never received certified mail delinquency notice: for example, incorrect address; misdelivered mail; change in employment; extended absence from home, etc.)
- c. **Claim of timely filing of financial disclosure** (Explain in Part C and provide copy of certified mail receipt and/or copy of completed form which had been previously filed, along with a sworn notarized statement that you filed prior to the deadline)
- d. **Left public position prior to December 31, 2014** (Explain in Part C and provide confirmation from agency that your office-holding/employment ended before 12/31/2014)
- e. **Other unusual circumstance** (Explain in Part C and provide documentation explaining uncommon, rare, or sudden occurrence that prevented timely filing prior to deadline)

PART C: DETAILED EXPLANATION OF YOUR APPEAL

Please provide a detailed explanation of your appeal, including why each option you selected in Part B is applicable to you. You may use the space provided and/or attach additional pages.

I have been traveling a great deal for work, and did not receive my notice at 242 Atlantic Ave. Also, since then I have left the position. I believe my mail was sent to an incorrect address.

OPTIONAL REQUEST FOR HEARING

In addition to this written appeal, I specifically request to appear before the Commission in a hearing pursuant to Section 112.3144(5)(e)3 or Section 112.3145(7)(f)3, Florida Statutes. Commission meetings occur in Tallahassee.

SIGNATURE

I have received and read the Notice of Assessment of Automatic Fine and its instructions on How to Appeal and I understand my options. I am requesting disposition of this matter as indicated.

2/15/10
DATE


SIGNATURE

FOR OFFICE USE ONLY:

Katie McFarland
Apalachicola
Board Of Adjustment
5051 NE 16th Ct
Okeechobee FL 34972 -0653



PROCESSED
FLORIDA
COMMISSION ON ETHICS

FEB 19 2016

RECEIVED



2 4 5 6 9 3

245693

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

McFarland Katie

**** 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, 2014 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:

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
Tamaras Tapas	71 Avenue B	Bar/terrace
Kahemufalad S	Commerce St.	pottery

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

PART C -- REAL PROPERTY [Land, buildings owned by the reporting person - See instructions]
(If you have nothing to report, write "none" or "n/a")

1000 ...
242 Atlantic Ave Apalachicola
Lot 8 Middle Beaches

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	Katie McFarland LLC	
ADDRESS OF BUSINESS ENTITY	212 Atlantic Ave	
PRINCIPAL BUSINESS ACTIVITY	pottery	
POSITION HELD WITH ENTITY	owner	
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS	yes	
NATURE OF MY OWNERSHIP INTEREST	owner	

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

SIGNATURE OF FILER:

Signature:



Date Signed:

2/15/16

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:

WHAT TO FILE:

After completing all parts of this form, **including signing and dating it**, send back only the first sheet (pages 1 and 2) for filing.

If you have nothing to report in a particular section, you must write "none" or "n/a" in that section(s).

NOTE:

MULTIPLE FILING UNNECESSARY:

A candidate who previously filed Form 1 because of another public position must at least file a copy of his or her original 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.

WHERE TO FILE:

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.

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.)

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.

Candidates file this form together with their qualifying papers.

To determine what category your position falls under, see the "Who Must File" Instructions on page 3.

Facsimiles will not be accepted.

WHEN TO FILE:

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 for publicly-elected local office must file at the same time they file their qualifying papers.

Thereafter, local officers/employees, state officers, and specified state employees are required to file by July 1st following each calendar year in which they hold their positions.

Finally, at the end of office or employment, each local officer/employee, state officer, and specified state employee is required to file a final disclosure form (Form 1F) within 60 days of leaving office or employment. However, filing a CE Form 1F (Final Statement of Financial Interests) does **not** relieve the filer of filing a CE Form 1 if he or she was in their position on December 31, 2014.

Katie McFarland – PID 245693

Board of Adjustment, Apalachicola

Notices sent to address of record; on appeal, lists same address

Filed form with appeal, on 2/19/16 (received by COE on behalf of SOE)

Telephone conversation 3.22.16 W 4:33 pm

Q: in your appeal, you state you have been traveling and did not receive notice

Date of absence from home –

I have been moving a lot, just been forwarding mail to mom, I'm not even settled anywhere, thought about going back into biz, then didn't, so didn't even use the tax forms

Q: in you appeal, you state, "since then I have left the position"

Date of resignation from board –

Uhhhhh..... a year and a half ago, two year, probably, a while ... the six months before that I was traveling

Q: in your appeal, you state "I believe my mail was sent to an incorrect address

Yet you use same address on appeal form, explain –

I haven't been getting mail, my mail got all screwed up, didn't realize the place I was living they never started the mail up

242 Atlantic Avenue is address – it was forwarding to my new address, but I guess the people before it put a stop on the mail, so it was forwarding and not getting to where I was going

"in and out ... honestly I've been kind of a gypsy in the last two years"

I guess I must have filled one out the year before I haven't really been keeping up with all my mail, all my bills and stuff are on auto pay

I really can't afford the fine, to be honest

Moved and took on other obligations

Send final mail: to mom's house, she can forward to me

5051 Northeast 16th Court, Okeechobee, 34972

Owens the house at 242 Atlantic, but I'm not there; traveling three or four weeks per month

"I'm not even sure if my mail is still forwarding, to be honest"

I don't know when I formally resigned; it was a long time after I stopped going

"When I had my business in Apalachicola, I was trying to do something for the community"


Had a pottery shop – closed, probably 2 or 2.5 years ago

Now: sales, on commission basis

I'LL GET SOME ADDITIONAL INFORMATION THIS WEEK AND I'LL SEND IT TO YOU

Pinki C Jackel, the Supervisor of Elections of Franklin County, hereby certify that each person whose PID number, name, agency, and position appears above or on the attached list:

1. was sent a notice of the July 1, 2015 financial disclosure deadline and a blank Form 1, Statement of Financial Interests, not later than June 1, 2015;
2. was determined to be delinquent in filing a Form 1, Statement of Financial Interests, by July 1, 2015;
3. was sent a delinquency notice by certified mail not later than July 31, 2015 advising him or her of the grace period in effect until September 1, 2015; and of the penalties that could be imposed as provided in Section 112.3145(7)(c), Florida Statutes; and
4. did not file a Form 1, Statement of Financial Interests, until the date shown or, had not filed a Form 1, Statement of Financial Interests by October 31, 2015; and further
5. that the date of filing shown is based upon the earliest of the following:
 - a. when the Form 1 was actually received by my office;
 - b. when the Form 1 was postmarked;
 - c. when the certificate of mailing (if any) was dated; or
 - d. when the receipt (if any) from an established courier company was dated.

Signed  Jackel, SOE 11/09/15
 SUPERVISOR OF ELECTIONS

** I WAS APPOINTED ON 8/21/15 BY Gov. SCOTT AS SOE FOR FRANKLIN COUNTY.
 THE INFORMATION PROVIDED ARE THE RECORDS THAT EXIST IN THE OFFICE.
 RECORDS ARE ATTACHED - PJ*

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Kate L. McFarland
 SOSI NE 16th ct
 Okeechobee FL
 34972-0653

2. Article Number

(Transfer from service label)

7010 1870 0003 1840 1685

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature *[Handwritten Signature]* Agent Addressee

B. Received by (Printed Name) *Brad* C. Date of Delivery *8/5*

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

M

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

In re **Katie McFarland**
Board Of Adjustment
Apalachicola

PID#: 245693

NOTICE OF ASSESSMENT OF AUTOMATIC FINE

The Commission on Ethics hereby gives notice of an assessment of a fine against you pursuant to Section 112.3145(7)(f), Florida Statutes, due to your failure to timely file your 2014 CE Form 1, Statement Of Financial Interests. Under the law, your 2014 CE Form 1, Statement of Financial Interests, was due by July 1, 2015. The law provided for a penalty-free grace period extending the due date to September 1, 2015. After that date, you accrued fines of \$25.00 per day for each day your financial disclosure was late, up to the maximum fine of \$1,500.00 (60 days late), pursuant to Section 112.3145(7)(f), Florida Statutes.

Inasmuch as your 2014 CE Form 1 has not been filed with the Supervisor of Elections for Franklin County within the 60 days of the grace period date (September 1, 2015), you have accrued the maximum fine amount of \$1,500.00. This fine must be paid to the Commission on Ethics within 30 days of the date of this notice unless you appeal the fine to the Commission. The Commission has the authority to consider the appeal and waive the fine in whole or in part if your failure to file on time was due to "unusual circumstances" surrounding the failure to file.

HOW TO APPEAL

1. Read these instructions carefully before submitting your appeal.
2. **LEGAL AUTHORITY:** Appeals are governed by Section 112.3145(7)(f)3., Florida Statutes, and Commission Rule 34-8.215, Florida Administrative Code.
3. **FORMAT:** Your appeal must be in writing and mailed to Florida Commission on Ethics, P. O. Drawer 15709, Tallahassee, FL 32317-5709, or delivered to Florida Commission on Ethics, 325 John Knox Road, Building E, Suite 200, Tallahassee, FL 32303. The appeal may take the form of a letter or you may use the appeal form included in this mailing. The appeal form also is available at the Commission's website: www.ethics.state.fl.us. Click on "Financial Disclosure" and then the link to the sample appeal form.
4. **DUE DATE:** Your appeal must be received by the Commission on Ethics on or before **February 19, 2016**. **NOTE:** Failure to timely file an appeal will constitute a waiver of your right to appeal and will result in the entry of a default order against you.
5. **UNUSUAL CIRCUMSTANCES:** An appeal must demonstrate that you submitted your CE Form 1 after the extended due date because of "unusual circumstances." "Unusual circumstances" is defined in Commission Rule 34-8.215(4), Florida Administrative Code, as "uncommon, rare, or sudden events over which the reporting individual had no control and which directly result in the failure to act in accordance with the filing requirements." Therefore, circumstances that allowed for time to take steps necessary to file on time do not constitute "unusual circumstances" that will allow the Commission to waive the fine. You have the burden to establish "unusual circumstances." Your appeal must specifically state the circumstances that led to your not filing by September 1, 2015, and must include any documentation or evidence supporting your appeal, such as:
 - a. **SICKNESS/INJURY:** a statement from attending physician, including dates and nature of the illness or injury;
 - b. **LACK OF NOTICE (WRONG ADDRESS):** documentation that you did not reside at the address to which notice was sent;
 - c. **LACK OF NOTICE (ABSENCE FROM HOME):** documentation establishing the period of time of your absence covering the notification period;

- d. **CLAIM OF TIMELY FILING OF FINANCIAL DISCLOSURE:** (1) an affidavit from you attesting under oath or affirmation that you filed your financial disclosure and your recollection of when and how you filed and (2) a copy of a certified mail receipt and/or a copy of the completed form which was filed. If you have witnesses to your filing, we also will need an affidavit from each witness. NOTE: A claim of having filed the CE Form 1F for the current year does not satisfy the CE Form 1 filing requirement or excuse a late filing;
- e. **LEFT PUBLIC POSITION BEFORE DECEMBER 31, 2014:** confirmation of your last date of office or employment by your former agency, showing the last date to be before December 31, 2014; or
- f. **UNCLAIMED CERTIFIED MAIL:** if delinquency notice was addressed correctly but not received, you must explain why.
6. **YOUR RIGHT TO A HEARING:** You have the right to have your appeal heard by the Commission and to appear before the Commission at the hearing, but, to exercise this right, you must specifically request a hearing in your appeal. If you do not request a hearing, you will waive your right to a hearing, the Commission will determine the outcome of your appeal based upon the written record (including the documentation you provide and any documentation in your case file), and you will receive no further notice until after the Commission decides your appeal.

FAILURE TO PAY FINE OR FILE APPEAL WITHIN 30 DAYS

If you do not timely file an appeal or pay the assessed fine within 30 days of this Notice, a default order will be entered against you and the Commission will take the steps provided by law to collect the fine, including:

- Referral to the CFO of the Department of Financial Services, if you are a salaried state officer or employee, for withholding of a portion of your salary until the fine is satisfied; or
- Referral to your agency's governing body for withholding of a portion of your salary until the fine is satisfied;
- Referral to a collection agency, which can seek garnishment of your wages; and/or
- An additional civil penalty, not limited by this automatic fine, may be imposed if your disclosure statement is filed more than 60 days late and a complaint is filed against you pursuant to Section 112.324, Florida Statutes.

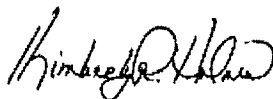
Please contact our office if you have any questions about this matter.

CERTIFICATE OF MAILING

I certify that a copy of the foregoing Notice of Assessment of Automatic Fine was furnished to:

Katie McFarland
5051 NE 16th Ct
Okeechobee, FL 34972 -0653

by Certified Mail on this Wednesday, January 20, 2016.



KIMBERLY R. HOLMES
Program Administrator

Florida Commission on Ethics
P. O. Drawer 15709
Tallahassee, FL 32317-5709

-or-

Florida Commission on Ethics
325 John Knox Road, Building E, Ste. 200
Tallahassee, FL 32303

Tel.: (850) 488-7864

Fax: (850) 488-3077

Email: disclosure@leg.state.fl.us



Financial Disclosure Management System
THE FLORIDA COMMISSION ON ETHICS

Filer - Fines and Appeals - PID 245693 - Katie McFarland

Filer Information

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[2015](#)

<<2015 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: [2015 \(Appeal\)](#)

2015 Fines and Appeals

Form Year 2014 Filed Forms					
Received Date	Form Type	Form Signed	Filing Location	Updated	Comments
02/19/16	Form 1	Yes	SOE	HOLMESK on 02/19/2016	Received by COE on behalf of Franklin Supervisor of Elections

2015 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
\$1,500.00	Appeal	1/20/2016	\$1,500.00	\$1,500.00			
Fine Address 242 Atlantic Ave Apalachicola FL 32320-1836 Org/Suborg Apalachicola-Board Of Adjustment							

2015 Fine Payment History					
Date Posted	Description	Amount	Method	Payment ID	Comments
1/20/2016	Fine Levied	+ \$1,500.00			Fined \$1500.00
Current Balance: \$1,500.00					

2015 Fine Year Event
Chronology

Invalidate Transaction

 **Add a New Filer**



 **Jump To A Filer**

PID:

 **Quick Filer Search**


First Name:

Last Name:

 Date	Type	Description	Reference
 08/21/2015	Postcard Sent	Courtesy Postcard Reminder	Print Queue: 8/21/2015 Printing Confirmed: 8/21/2015

Letter Sent To:
Katie McFarland
242 Atlantic Ave
Apalachicola, FL 32320 -1836

08/27/2015	Filer	work # disconnected other # not Communication: allowing for messages Phone	Millie Fulford
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 09/4/2015	Letter Sent	Courtesy Notice of Fines Accruing	Print Queue: 9/4/2015 Printing Confirmed: 9/4/2015
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Letter Sent To:
Katie McFarland
242 Atlantic Ave
Apalachicola, FL 32320 -1836

10/27/2015	Filer	Ron call out: Phone number would Communication: not accept call-no other contact info. Phone Possible new address 8575 9th Street NW Okeechobee FL 34974.	Emily Prine
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11/2/2015	Filer	From: Prine.Emily Sent: Monday, Communication: November 02, 2015 10:06 AM To: Email 'diane@voteokeechobee.com' Subject: Filer Katie McFarland Importance: High Good morning Diane, Would you by chance having a Form 1 2014 filing for Katie McFarland?	Emily Prine
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11/4/2015	Filer	From: Diane Hagan Communication: [mailto:Diane@VoteOkeechobee.com] Email Sent: Wednesday, November 04, 2015 8:07 AM To: Prine.Emily Subject: RE:	Emily Prine
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Filer Katie McFarland Good morning,
 We do not have a Form 1 filed for
 Katie McFarland at this time. Thank
 you, Diane Diane Hagan

01/20/2016 Fine Levied Fined \$1500.00 Journal:
1/20/2016
10:59 AM

01/20/2016 Notice of Initial Fine Notice Journal:
 Assessed Fine 1/20/2016
11:53 AM

🕒 01/20/2016 Letter Sent Notice of Assessed Fine - Filer 1st Print Queue:
 Fine Letter 1/20/2016
 Printing
 Confirmed:
1/20/2016

Letter Sent To:
 Katie McFarland
 5051 NE 16th Ct
 Okeechobee, FL 34972 -0653

02/19/2016 Fine Appeal FD 15-045 Journal:
2/19/2016
2:25 PM

🕒 02/19/2016 Form Received Form 1 Received, Signed Form 1
 Received by
 Received by
 COE on
 behalf of
 Franklin
 Supervisor of
 Elections
 SOE

Form Received By: Kim Holmes
Filing Location: Franklin County SOE
Record Created By: Kim Holmes on 02/19/2016

02/19/2016 Filer Filer indicated on Appeal form that Kim Holmes
 Communication: her mailing address is 242 Atlantic
 Other Ave. Therefore, changed address

back to former address on file.

02/19/2016 Filer SOE transmittal. Copy of form Emily Prine
 Communication: scanned into Alchemy. Hard copy
 Letter sent to SOE.

02/23/2016 Letter Sent Fine Appeal Print Queue:
 2/23/2016
 Printing
 Confirmed:
 2/23/2016

Letter Sent To:
 Katie McFarland
 242 Atlantic Ave
 Apalachicola, FL 32320 -1836

<p>2015 Fine Appeal – FD 15-045</p>	<table border="1" style="margin: auto; border-collapse: collapse;"> <tr> <td style="padding: 2px 10px;">Update Appeal</td> <td style="padding: 2px 10px;">Withdraw Appeal</td> </tr> <tr> <td style="padding: 2px 10px;">Assign Attorney</td> <td style="padding: 2px 10px;">Request More Info</td> </tr> <tr> <td colspan="2" style="padding: 2px 10px; text-align: center;">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							
<p>Appeal Status: Active Appeal Receipt Date: 02/19/2016 Timely Filed: Yes Print Appeal Letter: Yes Hearing Requested: No Appeal Reason: Lack of Notification Appeal Notes: Appeal Number: FD 15-045 Appeal Analyst Assigned: Final Order Number: Final Order Date:</p>	<p>No Hearing Requested</p>						