

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

In re **CHRISTOPHER VELEZ,**)

Appellant.)

) Financial Disclosure Appeal No. FD 13-085

) Final Order No.

FINAL ORDER

This matter came before the Commission on Ethics, meeting in public session on March 4, 2016, on the timely appeal of Christopher Velez, pursuant to Section 112.3145(7)(f), Florida Statutes, which assesses an automatic fine of \$25 per day against 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 specifically request a hearing before the Commission.

Findings of Fact

1. During the year 2012, Appellant served on the Board of Directors of the Country Run Special Tax District, a position that required the annual filing of financial disclosure. He was late in filing a required CE Form 1, Statement of Financial Interests, for the year 2012. In 2013, the designated due date for 2012 CE Form 1 annual filings was July 1, 2013, with a grace period ending on September 3, 2013.

2. Prior to June 1, 2013, the Supervisor of Elections for Hillsborough County mailed Appellant a 2012 CE Form 1 and notified him of the filing deadline.

3. By July 31, 2013, the Supervisor of Elections sent Appellant a delinquency notice advising him of the grace period in effect until September 3, 2013.

4. On August 19, 2013, the Commission on Ethics mailed Appellant a postcard intended to remind him of his obligation to file a 2012 CE Form 1. The Commission mailed the postcard to 12406 Pepperfield Drive, Tampa, Florida.

5. On September 11, 2013, after the grace period expired, the Commission mailed Appellant a curtesy notice informing him that an automatic fine had begun to accrue. The Commission mailed this notice to the 12406 Pepperfield Drive address.

6. On December 17, 2013, the Commission mailed Appellant a Notice of Assessment of Automatic Fine. This mailing included, for the first time, the total of Appellant's accrued automatic fine. The mailing also included a notice of Appellant's right to appeal the fine. The Commission sent this mailing to the 12406 Pepperfield Drive address.

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

8. On January 16, 2014, Appellant emailed the Commission on Ethics, stating that he was no longer an active member of the Country Run Tax District and had not attended a District meeting in over two years. Appellant stated he "was unaware" that he had not yet been voted off of the District Board. Appellant requested that the Commission consider his email as an appeal of the underlying fine.

9. Records from the Country Run Tax District indicate that the District Board unanimously voted to remove Appellant from the Board on February 11, 2014, due to "lack of attendance."

10. On December 1, 2015, a representative of the Commission on Ethics spoke with Appellant over the telephone and indicated that he needed to submit the 2012 CE Form 1 before his appeal could be processed.

11. On December 1, 2015, a Commission representative sent Appellant an email reiterating that the 2012 CE Form 1 needed to be submitted for the appeal to be processed. A copy of the 2012 CE Form 1 was attached to the email, along with submission instructions. The email gave Appellant until January 4, 2016, to submit the Form, as well as any additional information which Appellant wanted the Commission to consider when determining his appeal.

12. On December 10, 2015, a Commission representative sent an email to Appellant reminding him of the January 4, 2016, deadline for submitting his 2012 CE Form 1. The email specifically requested that Appellant have his "materials postmarked by that date."

13. On January 8, 2016, a Commission representative sent Appellant an email indicating that the Commission still had not received his 2012 CE Form 1. The email requested that Appellant contact the Commission immediately if he "still intend[ed] to submit the Form or any additional information."

14. Appellant responded to the email by indicating that he had started a new job and had not "had much down time" due to the holidays. Appellant indicated that he still intended to submit a disclosure form.

15. On January 11, 2016, a Commission representative indicated Appellant would be given an extension on submitting materials until January 22, 2016.

16. As of February 17, 2016, Appellant still had not submitted his 2012 CE Form 1.

Conclusions of Law

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

18. 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"

19. 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.

20. Given that Appellant received notice of his appellate rights on December 17, 2013, and filed his appeal on January 16, 2014, his appeal was brought within the 30-day appeal period allowed by Section 112.3145(7)(f)3., Florida Statutes.

21. Appellant was notified that he was required to comply with the financial disclosure requirement to have the merits of his appeal considered. Two separate extensions of time were allotted so that Appellant could submit his disclosure form. To date, Appellant's 2012 CE Form 1 has not been received.

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, March 4, 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 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.

Copy furnished to:

Christopher Velez
12406 Pepperfield Drive
Tampa, FL 33624

SMW:gps

13-085

Taylor, Shirley

From: Isabelle Velez <veisa2@yahoo.com>
Sent: Thursday, January 16, 2014 4:53 PM
To: disclosure
Subject: Attention : Shirley A. Taylor

I Christopher Scott Velez am no longer an active member of Country Run Tax District and have not attended a meeting in over two years. I was unaware that I had not been voted off of the board and it is for that reason that I respectfully request an appeal on PID#210169#.

Christopher S. Velez
813-532-5275
12406 Pepperfield Dr.
Tampa, FL 33624

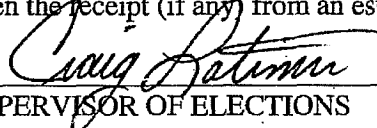
COMMISSION ON ETHICS
DATE RECEIVED
JAN 16 2014

**Florida Commission on Ethics
Financial Disclosure Notification System
Delinquency Certification**

I Craig Latimer, the Supervisor of Elections of Hillsborough 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, 2013 financial disclosure deadline and a blank Form 1, Statement of Financial Interests, not later than June 1, 2013;
- (2) was determined to be delinquent in filing a Form 1, Statement of Financial Interests, by July 1, 2013;
- (3) was sent a delinquency notice by certified mail not later than July 31, 2013 advising him or her of the grace period in effect until September 3, 2013; and of the penalties that could be imposed as provided in Section 112.3145(6)(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 November 2, 2013; 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



SUPERVISOR OF ELECTIONS

| | | | | | | |
|-------------|-----------------|--|--|--------|-----------|--|
| Sue | Schmidt | 5402 Pentail Cir., Tampa, Fl 33625 | Hillsborough County Dependand Special Districts Lago Vista Maintenance District | 97898 | 9/16/2013 | Ecert USPS verified that Certified Mail was delivered on 7/13/2013. Sue Schmidt signed for it. |
| Ken | Schuyler | 4713 Ashton Ct., Tampa, Fl 33624 | Hillsborough County Dependand Special Districts - Carrolwood North Special District | 235426 | non-filer | Ecert USPS verified that Certified Mail was delivered on 7/17/2013. Ken Schuyler signed for it. |
| Susan | Thomas-Primrose | 3002 Palmeras Ct., Tampa, Fl 33614 | Hillsborough County Dependand Special Districts - Lago Vista Maintenance District | 82871 | 10/4/2013 | Ecert USPS verified that Certified Mail was delivered on 7/13/2013. Susan Thomas-Primrose signed for it. |
| Liz | Vecera | 3344 Foxridge Circle, Tampa, Fl 33618 | Hillsborough County Dependand Special Districts - Hunter's Lake Special Dependand Tax District | 97936 | 9/14/2013 | Ecert USPS verified that Certified Mail was delivered on 7/13/2013. Liz Vecera signed for it. |
| Christopher | Velez | 12406 Pepperfield Dr., Tampa, Fl 33624 | Hillsborough County Dependand Special Districts - Country Run Special District | 210169 | non-filer | Ecert USPS verified that Certified Mail was delivered on 7/13/2013. C. Velez signed for it. |
| Jaynie | Whitcomb | 4875 Pelican Colony Blvd. Apt 701, Bonita Spgs, Fl 34134 | State Road CDD - Board of Supervisors | 87429 | non-filer | Added to List in September- therefore no listing of first mailing or certified mailing. Please see exchange of emails in attached documentation. Ms. Shirley Taylor is aware and will handle this one. |
| Stanley | Whitcomb | 4875 Pelican Colony Blvd. Apt 701, Bonita Spgs, Fl 34134 | State Road CDD - Board of Supervisors | 224592 | non-filer | Added to List in September- therefore no listing of first mailing or certified mailing. Please see exchange of emails in attached documentation. Ms. Shirley Taylor is aware and will handle this one. |

FLORIDA
COMMISSION ON ETHICS

DEC 02 2015

RECEIVED

COUNTRY RUN SPECIAL DEPENDENT DISTRICT
MINUTES OF FEBRUARY 11, 2014

The monthly meeting of the Country Run Special Dependent District was convened at 7:00PM by President, Debbie Kelley, at the NW Tampa Church of God, Gunn Highway, Tampa, FL. In attendance were President Debbie Kelley, Vice President Teresa Stillman, Treasurer Don Roy, Trustee Jennifer Hyland and Recording Secretary Linda Strasbaugh. Trustees Fabrizio Alarcon and Christopher Velez did not attend.

TREASURER'S REPORT:

No Report given

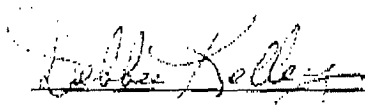
OLD BUSINESS: None.

NEW BUSINESS:


Debbie Kelley proposed that Trustees Fabrizio Alarcon and ~~Christopher Velez be removed~~ from the board due to lack of attendance. Proposal was accepted 5-0.

New plants are to be added to the Gunn Highway and Hamlet planters.

The meeting was adjourned at 7:20PM



President, Debbie Kelley



Recording Secretary, Linda Strasbaugh

Schafer, Grayden

From: Schafer, Grayden
Sent: Tuesday, December 01, 2015 1:54 PM
To: 'krs.velez@gmail.com'
Subject: 2012 Financial Disclosure
Attachments: Form%201_2012i.pdf

Mr. Velez:

As we discussed today on the phone, your appeal concerns a \$1,500 fine for failing to timely submit your 2012 CE Form 1 financial disclosure. Our records do not indicate that you have currently submitted the 2012 Form, although it appears you have submitted the 2013 Form. Because your appeal concerns the 2012 Form, you will need to complete the 2012 Form to have your appeal processed. I have attached the Form to this email. It will need to be completed and mailed back to us. Our address is:

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

As we also discussed on the phone, you are free to provide further information which you believe will be useful in evaluating your appeal. You can send the additional information by postal mail to the address given above. Please plan on submitting the information—as well as your Form—no later than January 4, 2016.

Thank you, and please let me know if you have further questions.

Gray Schafer
Senior Attorney
Florida Commission on Ethics
(850)-488-7864

Schafer, Grayden

From: Schafer, Grayden
Sent: Thursday, December 10, 2015 10:32 AM
To: 'krs.velez@gmail.com'
Subject: Financial Disclosure Form

Mr. Velez:

Have not heard from you regarding your appeal, and just wanted to remind you that the deadline for submitting your 2012 disclosure form, as well as any other materials to be considered in your appeal, will be Monday, January 4th. Please intend on having your materials postmarked by that date. If you have any questions—or if you need me to re-send the disclosure form to you—please let me know.

Gray Schafer
Senior Attorney
Florida Commission on Ethics
(850)-488-7864

Schafer, Grayden

From: Schafer, Grayden
Sent: Friday, January 08, 2016 4:12 PM
To: 'krs.velez@gmail.com'; 'veisa2@yahoo.com'
Subject: Financial Disclosure Appeal

This is a message for Christopher Velez. Mr. Velez, this is a reminder concerning your financial disclosure appeal. We discussed your appeal over the phone on December 1, 2015. At that time, we discussed having you submit the 2012 CE Form 1—as well as any additional information concerning your appeal—by January 2, 2016. In a subsequent email, I extended the deadline to January 4th as the 2nd was a Saturday.

We have not yet received the Form or any information from you. Please contact me as soon as possible if you still intend to submit the Form or any additional information. Should you need me to re-send you the 2012 CE Form 1 by email, I would be happy to do so.

Gray Schafer
Senior Attorney
Florida Commission on Ethics
(850)-488-7864

Schafer, Grayden

From: Chris Velez <krs.velez@gmail.com>
Sent: Monday, January 11, 2016 9:48 AM
To: Schafer, Grayden
Subject: RE: Financial Disclosure Appeal

Great Thanks!

On Jan 11, 2016 9:21 AM, "Schafer, Grayden" <SCHAFER.GRAYDEN@leg.state.fl.us> wrote:

I will wait to hear from you, but I ask that you submit any information by January 22, 2016, which is a week from this Friday.

From: Chris Velez [mailto:krs.velez@gmail.com]
Sent: Friday, January 08, 2016 5:43 PM
To: Schafer, Grayden <SCHAFER.GRAYDEN@leg.state.fl.us>
Subject: Re: Financial Disclosure Appeal

Mr Schafer,

Thank you for the reminder! I started a new job and haven't had much down time with the holiday and all. We I will submit the financial disclosure on Monday morning and will pay Debbie (from the Tax district) a visit this weekend, I will prepare something to send over to you early next week. I hope this ok!

Chris Velez

On Jan 8, 2016 4:11 PM, "Schafer, Grayden" <SCHAFER.GRAYDEN@leg.state.fl.us> wrote:

This is a message for Christopher Velez. Mr. Velez, this is a reminder concerning your financial disclosure appeal. We discussed your appeal over the phone on December 1, 2015. At that time, we discussed having you submit the 2012 CE Form 1—as well as any additional information concerning your appeal—by January 2, 2016. In a subsequent email, I extended the deadline to January 4th as the 2nd was a Saturday.

We have not yet received the Form or any information from you. Please contact me as soon as possible if you still intend to submit the Form or any additional information. Should you need me to re-send you the 2012 CE Form 1 by email, I would be happy to do so.

Gray Schafer

Senior Attorney

Florida Commission on Ethics

(850)-488-7864



Financial Disclosure Management System
THE FLORIDA COMMISSION ON ETHICS

Filer - Fines and Appeals - PID 210169 - Christopher Velez

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

<<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: [2013 \(Appeal\)](#) [2010 \(Waived\)](#) [view all](#)

2013 Fines and Appeals

Form Year 2012 Filed Forms

No Forms Received for this Filer for Form Year 2012.

2013 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 | 12/17/2013 | \$1,500.00 | \$1,500.00 | | | |

Fine Address 12406 Pepperfield Dr Tampa FL 33624

Org/Suborg Hillsborough County Dependent Special Districts-Country Run Service District

2013 Fine Payment History

| Date Posted | Description | Amount | Method | Payment ID | Comments |
|-------------|-------------|--------------|--------|------------|-----------------|
| 12/17/2013 | Fine Levied | + \$1,500.00 | | | Fined \$1500.00 |

Current Balance: \$1,500.00

2013 Fine Year Event

Invalidate Transaction

Chronology

| Date | Type | Description | Reference |
|------------|---------------|----------------------------|---|
| 08/19/2013 | Postcard Sent | Courtesy Postcard Reminder | Print Queue: 8/19/2013 |

| | | | |
|------------|----------------------------------|--|--------------|
| 12/1/2015 | Filer Communication: Phone | I called Mr. Velez at the number given on his appeal email. Left him a voicemail asking him to contact our office. | Gray Schafer |
| 12/1/2015 | Filer Communication: Email | I emailed Mr. Velez at the address given on his appeal email. Asked him to contact our office. | Gray Schafer |
| 12/1/2015 | Filer Communication: Phone | Spoke with Mr. Velez over the phone. Informed him of fine amount and the need for him to submit the 2012 Form so his appeal can be processed. He indicated he will provide additional information, stating the head of his Board will submit a statement indicating he did not serve on the Board during the 2012 calendar year. Also indicated he filed the 2013 Form-- despite not filing the 2012 Form--as he wanted to avoid any further fines. Gave him deadline of January 2 to submit additional information (later adjusted on email to January 4, which is a Monday). | Gray Schafer |
| 12/1/2015 | Filer Communication: Phone | After phone call with Mr. Velez, sent him 2012 Form 1 for him to complete. Also indicated he should submit any additional information by January 4, 2016. Sent email to krs.velez@gmail.com. | Gray Schafer |
| 12/10/2015 | Filer Communication: Email | Sent reminder email stating that deadline for submitting form and any materials to be reviewed in appeal is | Gray Schafer |

Monday, January 4, 2016.

01/8/2016 Filer Left voicemail requesting him Gray Schafer
 Communication: to contact me as soon as
 Phone possible if he planned to
 submit any information
 regarding his appeal.

01/8/2016 Filer Sent email indicating he Gray Schafer
 Communication: should contact me as soon as
 Email possible if he still intends to
 submit the 2012 CE Form 1 or
 any additional information.

01/11/2016 Filer He indicated by email that he Gray Schafer
 Communication: would be sending in
 Email information today (1/11/16)
 and that he planned to speak
 with a woman from the Tax
 District over the weekend. I
 responded by email and gave
 him until January 22 to
 submit any information
 relevant to the appeal.

| | | |
|-------------------------------------|--|--|
| 2013 Fine Appeal – FD 13- 085 | <input type="button" value="Update Appeal"/> | <input type="button" value="Withdraw Appeal"/> |
| | <input type="button" value="Assign Attorney"/> | <input type="button" value="Request More Info"/> |
| | <input type="button" value="Record Appeal Outcome"/> | |
| | Appeal Status: No Hearing Requested | |
| Active | | |
| Appeal Receipt Date: 01/16/2014 | | |
| Timely Filed: Yes | | |
| Print Appeal | | |
| Letter: Yes | | |
| Hearing Requested: No | | |
| Appeal Reason: Other | | |
| Appeal Notes: | | |
| Appeal Number: FD 13-085 | | |
| Appeal Analyst | | |

| | | |
|--|--|--|
| | <p>Assigned: Final Order Number: Final Order Date:</p> | |
|--|--|--|