

BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

| | | |
|----------------------|---|---|
| In re BARRY BICHARD, |) | Financial Disclosure Appeal No. FD 19-065 |
| |) | |
| Appellant. |) | Final Order No. |
| _____ |) | |

FINAL ORDER

This matter came before the Commission on Ethics, on its own motion, meeting in public session on April 19, 2024, in the matter of Barry Bichard, pursuant to Section 112.3145(8)(g) [formerly, 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 an Assistant Secretary on the Board of Supervisors of Shingle Creek Community Development District ("CDD"), a position that requires the filing of a CE Form 1, Statement of Financial Interests, for the year 2018. The designated due date for submitting a 2018 CE Form 1 annual filing was July 1, 2019, with a grace period ending on September 3, 2019.

2. No later than June 1, 2019, the Lake County Supervisor of Elections sent Appellant a blank 2018 CE Form 1. This mailing was sent to Appellant at 6750 Forum Drive, Orlando, FL 32821, which is the address of Lennar Holmes, LLC. Appellant states that he never received this mailing.

3. On or before July 31, 2019, the Lake County Supervisor of Elections sent Appellant a Notice of Delinquency by certified mail. This notice was sent to the 6750 Forum Drive address. Postal records indicate the notice was delivered on July 31, 2019, but was signed for by an unknown recipient.

4. On August 19, 2019, the Commission mailed Appellant a courtesy postcard, which was intended to remind him of his obligation to file a 2018 CE Form 1. The Commission mailed the postcard to the 6750 Forum Drive address but added a suite number (310).

5. On September 6, 2019, three days after the grace period expired, the Commission mailed Appellant a courtesy notice informing him that his 2018 CE Form 1 had not been received by the Lake County Supervisor of Elections and that he was being fined \$25 per day, up to a maximum of \$1,500. The Commission mailed this notice to the 6750 Forum Drive, Suite 310 address.

6. On March 10, 2020, the Commission sent Appellant a Notice of Assessment of Automatic Fine by certified mail to the 6750 Forum Drive, Suite 310 address. This notice indicated that Appellant had accrued a \$1,500 fine and informed him of his right to appeal the fine. It stated that the appeal had to be received by the Commission by April 9, 2020, to be considered timely. With regards to its receipt, Commission records indicate that the address was found to be incorrect and that the notice needed to be resent to a "better address."

7. On June 11, 2021, the Commission mailed Appellant a Final Notice of Assessment of Automatic Fine ("Final Notice") for failure to timely file his 2018 CE Form 1. This notice was sent to the 6750 Forum Drive, Suite 310 address. The Final Notice indicated that Appellant had waived his right to appeal because he did not file an appeal when he received the Notice of Assessment of Automatic Fine. With regards to its receipt, Commission records indicate that the address was found to be incorrect and that the notice needed to be resent to a "better address."

8. On July 13, 2021, Appellant called Commission staff regarding the Final Notice. He stated that he left his employer (located at the 6750 Forum Drive, Suite 310 address) in April 2019 and that no notices had been forwarded to him except the Final Notice, which was forwarded to him by email on July 12, 2021. Appellant provided his current mailing and email addresses. On July 13, 2021, Commission staff emailed Appellant another Notice of Assessment of Automatic Fine and informed him that his appeal would need to be received by August 12, 2021.

9. On August 10, 2021, the Commission received Appellant's 2018 CE Form 1, which had been signed on August 6, 2021.

10. On August 12, 2021, the Commission received Appellant's Appeal of Automatic Fine for Form Year 2018.

11. In the appeal, Appellant stated that he did not receive any notices regarding his filing obligation, the fine, or of his delinquency until an employee at his former employer, Lennar, emailed the Final Notice to him on July 12, 2021. The employee informed Appellant that he owed a fine. Appellant states that he called the Commission on Ethics the same day and spoke with Kim Holmes. He stated in the appeal that he had filed his 2018 CE Form 1 on August 10, 2021, and requested that the fine be dismissed.

Conclusions of Law

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.

13. Section 112.3145(8)(g)3., Florida Statutes, states:

Any reporting person may appeal or dispute a fine, based upon unusual circumstances surrounding the failure to file on the designated due date, and may request and is entitled to a hearing before the commission, which may waive the fine in whole or in part for good cause shown. Any such request must be in writing and

received by the commission within 30 days after the notice of payment due is transmitted. In such a case, the reporting person must, within the 30-day period, notify the person designated to review the timeliness of reports in writing of his or her intention to bring the matter before the commission. For purposes of this subparagraph, the term "unusual circumstances" does not include the failure to monitor an e-mail account or failure to receive notice if the person has not notified the commission of a change in his or her e-mail address.

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

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. Circumstances which allow for time in which to take those steps necessary to assure compliance with the filing requirements shall be deemed not to constitute unusual circumstances.

15. Appellant's appeal is accepted as timely. Appellant states he did not receive any notices regarding his filing obligation until he received an email from his former employer on July 12, 2021, containing a notice that informed him that he owed a fine. Appellant told Commission staff that he left that place of employment in April, 2019, which was before the Supervisor of Elections and the Commission began sending him notices about his filing requirement and the accrual of fines. There is no evidence in the record to dispute Appellant's claims that he did not receive any notices, which notices would have informed him of his appellate rights, prior to the Final Notice that was forwarded to him on July 12, 2021. When the Commission emailed Appellant a Notice of Assessment of Automatic Fine, which contained his appeal rights, on July 13, 2021, Appellant filed his appeal in a timely manner. As such, Appellant's appeal is accepted as timely.

16. Turning to the merits of the appeal, Appellant denies having received any notices the Supervisor of Elections or the Commission sent him prior to his receipt of the Final Notice on July 12, 2021. He stated that he never received notice of his filing obligation and his right to

appeal until he spoke with Ms. Holmes on July 12, 2021. There is no evidence to dispute Appellant's claim. The Commission has found lack of notice to constitute "unusual circumstances," which would justify waiving a fine.

17. Due to the information provided to the Commission, including postal records, we find Appellant's reason for appealing to constitute "unusual circumstances" that justify waiving the \$1,500 fine.

Order

Based on the foregoing facts and conclusions of law, the Commission hereby waives the assessed fine of \$1,500.

ORDERED by the State of Florida Commission on Ethics meeting in public session on Friday, April 19, 2024.

Date Rendered

Ashley Lukis
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.

AL:kbh

Copy furnished to:

Mr. Barry Bichard
11600 Thacker Drive
Clermont, FL 34711

277151

19-065



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
AUG 12 2021
RECEIVED

APPEAL OF AUTOMATIC FINE FOR FORM YEAR 2018

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: BARRY BICHARD

Address: 11600 THACKER DR City: CLERMONT State: FL Zip: 34711

Daytime Tel.: 3525526969 Cell: 3525526969

Email: BARRYBICHARD@GMAIL.COM Filer ID# (if known): 277151

Public Employer: LENNAR/SHINGLE CREEK CDD

Public Position: ASST. SECRETARY

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, 2018** (Explain in Part C and provide confirmation from agency that your office-holding/employment ended before 12/31/2018)
- e. **Other unusual circumstance** (Explain in Part C and provide documentation explaining uncommon, rare, or sudden occurrence that prevented timely filing prior to deadline)
- f. **Not required to file** (Explain in Part C and provide documentation that supports reason for not required to file)

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.

On July 12, 2021 I received an email from Melanie Minihan/Lennar stating a notice had been received by the Lennar office for me notifying of a fine, I immediately called the BOE on 7/12/21 and spoke to Kim Holmes. I have filed the necessary Financial Statement of Interests as of 8/10/21, copies of filing are attached. I was not ever notified of the requested filing prior to the email from Lennar on 7/12/21. I respectfully request the fine be dismissed.

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(8)(f)3 or Section 112.3145(8)(g)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.

8/10/2021

DATE

SIGNATURE

Please print or type your name, mailing address, agency name, and position below:

FOR OFFICE USE ONLY:

LAST NAME -- FIRST NAME -- MIDDLE NAME :
BICHARD BARRY CURTIS

MAILING ADDRESS :
11600 THACKER DR

CITY : ZIP : COUNTY :
CLERMONT 34711 LAKE

NAME OF AGENCY :
SHINGLE CREEK COMMUNITY DEVELOPMENT DISTRICT

NAME OF OFFICE OR POSITION HELD OR SOUGHT :
ASSISTANT SECRETARY

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

COPY
2021 AUG 10 AM 8:06
RECEIVED
LAKE COUNTY, FL
SUPERVISOR OF ELECTIONS
OFFICE

**** **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, 2018 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 |
|--------------------------|-------------------------------|---|
| LENNAR HOMES | 6750 FORUM DR, ORLANDO, 32821 | DEVELOPER |
| | | |
| | | |

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 |
|-------------------------|---|-------------------|---------------------------------------|
| NA | NA | NA | NA |
| | | | |
| | | | |

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

PRIMARY RESIDENCE, 11600 THACKER DR, CLERMONT, 34711

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 |
|--------------------|---|
| NA | NA |

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

| NAME OF CREDITOR | ADDRESS OF CREDITOR |
|------------------|--|
| FREEDOM MORTGAGE | POB 50485, INDIANAPOLIS, IN 46250-0485 |

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")

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

PART G — TRAINING

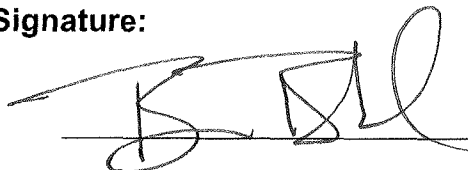
For **elected municipal officers** required to complete annual ethics training pursuant to section 112.3142, F.S.

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:

8-6-2021

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:

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. To determine what category your position falls under, see page 3 of instructions.

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.) Form 1 filers who file with the Supervisor of Elections may file by mail or email. Contact your Supervisor of Elections for the mailing address or email address to use. Do not email your form to the Commission on Ethics, it will be returned.

State officers or specified state employees who file with the Commission on Ethics may file by mail or email. To file by mail, send the completed form to P.O. Drawer 15709, Tallahassee, FL 32317-5709; physical address: 325 John Knox Rd, Bldg E, Ste 200, Tallahassee, FL 32303. To file with the Commission by email, scan your completed form and any attachments as a pdf (do not use any other format) and send it to CEForm1@leg.state.fl.us. Do not file by both mail and email. Choose only one filing method. Form 6s will not be accepted via email.

Candidates file this form together with their filing papers.

MULTIPLE FILING UNNECESSARY: A candidate who files a Form 1 with a qualifying officer is not required to file with the Commission or Supervisor of Elections.

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 must file at the same time they file their qualifying papers.

Thereafter, file by July 1 following each calendar year in which they hold their positions.

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 not relieve the filer of filing a CE Form 1 if the filer was in his or her position on December 31, 2018.

From: Melanie Minihan <Melanie.Minihan@Lennar.com>
Sent: Monday, July 12, 2021 4:47 PM
To: Barry@floridasiteservices.com
Subject: Mailed to Lennar's address
Attachments: Barry.pdf

Good Afternoon, left you a message but then I found your email. This was mailed to the old Forum Office so it probably took a little longer to get to the new office but this letter is addressed to you and it looked like something that you may need to know or take care of. Have a good day.

Thank you,

LENNAR

Melanie Minihan
Land Coordinator

Melanie.Minihan@Lennar.com
www.LennarOrlando.com

Office: 407-586-4016
Cell: 352-404-2404

6675 Westwood Blvd.
5th Floor
Orlando, FL 32821

From: LenWHC Scanner
Sent: Monday, July 12, 2021 4:44 PM
To: Melanie Minihan <Melanie.Minihan@Lennar.com>
Subject: HP Scan

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

In re **Barry Bichard**
Assistant Secretary
Board of Supervisors
Shingle Creek Community Development District

PID#: 277151

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(8)(g), Florida Statutes, due to your failure to timely file your 2018 CE Form 1, Statement Of Financial Interests. Under the law, your 2018 CE Form 1, Statement of Financial Interests, was due by July 1, 2019. The law provided for a penalty-free grace period extending the due date to September 3, 2019. 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(8)(g), Florida Statutes.

Inasmuch as your 2018 CE Form 1 has not been filed with the Supervisor of Elections for Lake County within the 60 days of the grace period date (September 3, 2019), 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. Unless the fine is successfully appealed, the Commission is required to investigate public officers and employees who receive the maximum \$1,500 fine, to determine whether their failure to file was willful. The penalty for willfully failing to file disclosure is removal from public office or employment.

HOW TO APPEAL

1. Read these instructions carefully before submitting your appeal.
2. **LEGAL AUTHORITY:** Appeals are governed by Section 112.3145(8)(g)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 **August 12, 2021**.
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 3, 2019, 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, 2018:** confirmation of your last date of office or employment by your former agency, showing the last date to be before December 31, 2018; 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.

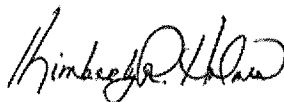
Please contact our office if you have any questions about this matter.

CERTIFICATE OF MAILING

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

**Barry Bichard
11600 Thacker Dr
Clermont, FL 34711**

by Certified Mail on this Tuesday, July 13, 2021.



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

JoAnne Leznoff
Chair
John Grant
Vice Chair
Michelle Anchors
Antonio Carvajal
Travis Cummings
Don Gaetz
Glenton "Glen" Gilzean, Jr.
William "Willie" N. Meggs
Jim Waldman



State of Florida
COMMISSION ON ETHICS
P.O. Drawer 15709
Tallahassee, Florida 32317-5709

325 John Knox Road
Building E, Suite 200
Tallahassee, Florida 32303

"A Public Office is a Public Trust"

C. Christopher Anderson, III
*Executive Director/
General Counsel*

Kerrie J. Stillman
Deputy Executive Director

(850) 488-7864 Phone
(850) 488-3077 (FAX)
www.ethics.state.fl.us

**FINAL NOTICE OF ASSESSMENT OF AUTOMATIC FINE FOR FAILURE TO
TIMELY FILE FORM 1, STATEMENT OF FINANCIAL INTERESTS**

TO: Barry Bichard 277151
Shingle Creek Community Development District
Board of Supervisors
FROM: Kimberly R. Holmes, Program Administrator
DATE: June 11, 2021

call Barry

On March 10, 2020, we notified you that your Form 1, Statement of Financial Interests, for the year 2018 was not filed and that you therefore have been assessed the maximum fine, for a total fine of \$1500. At that time, you were advised that you had 30 days from the date that letter was transmitted in which to either pay the fine or to appeal the fine to the Commission on Ethics.

It has been more than 30 days since we sent you that letter, and you have neither paid the fine nor filed an appeal. By not responding, you have waived your right to appeal the assessed fine.

If you do not pay the assessed fine by July 12, 2021 (30 days from the date of this letter) or contact our office to make arrangements for payment of the fine, the Commission on Ethics will enter an order setting your fine at \$1500 and will utilize all methods allowed by law to collect this fine including referral to a collection agency which can seek to garnish your wages.

Certificate of Mailing:

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

Barry Bichard 277151
6750 Forum Dr
Ste 310
Orlando FL 32821 -8088

By United States Mail on this Friday, June 11, 2021.

Handwritten signature of Kimberly R. Holmes in black ink.

Kimberly R. Holmes
Program Administrator

Pay your fine online today!

We are pleased to offer a fast, easy, and free option to pay this fine to the Florida Commission on Ethics.

***Please visit the LEGISTORE-The Florida Legislature
www.flalegstore.com and click on "Pay Fines."***

***Visa, MasterCard, and Discover cards
are accepted at this secure site.***

**To pay this fine online you will need the
PID number located on the letter enclosed.
Note: ONLY full payments are accepted online.**

***If you have any questions, please contact
the financial disclosure section at
(800) 262-8824 or (850) 488-7864.***



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

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

In re **Barry Richard**
Assistant Secretary
Board of Supervisors
Shingle Creek Community Development District

PID#: 277151

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(8)(g), Florida Statutes, due to your failure to timely file your 2018 CE Form 1, Statement Of Financial Interests. Under the law, your 2018 CE Form 1, Statement of Financial Interests, was due by July 1, 2019. The law provided for a penalty-free grace period extending the due date to September 3, 2019. 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(8)(g), Florida Statutes.

Inasmuch as your 2018 CE Form 1 has not been filed with the Supervisor of Elections for Lake County within the 60 days of the grace period date (September 3, 2019), 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. Unless the fine is successfully appealed, the Commission is required to investigate public officers and employees who receive the maximum \$1,500 fine, to determine whether their failure to file was willful. The penalty for willfully failing to file disclosure is removal from public office or employment.

HOW TO APPEAL

1. Read these instructions carefully before submitting your appeal.
2. **LEGAL AUTHORITY:** Appeals are governed by Section 112.3145(8)(g)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 **April 9, 2020**. **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 3, 2019, 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, 2018:** confirmation of your last date of office or employment by your former agency, showing the last date to be before December 31, 2018; 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.

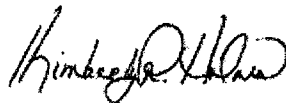
Please contact our office if you have any questions about this matter.

CERTIFICATE OF MAILING

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

**Barry Bichard
6750 Forum Dr Ste 310
Orlando, FL 32821 -8088**

by Certified Mail on this Tuesday, March 10, 2020.



KIMBERLY R. HOLMES
Program Administrator

Florida Commission on Ethics Florida Commission on Ethics
P. O. Drawer 15709 -or- 325 John Knox Road, Building E, Ste. 200
Tallahassee, FL 32317-5709 Tallahassee, FL 32303

Tel.: (850) 488-7864
Fax: (850) 488-3077
Email: disclosure@leg.state.fl.us

FOR OFFICE USE ONLY:

Barry Bichard
Assistant Secretary
Shingle Creek Community Development District
Board of Supervisors
6750 Forum Dr
Ste 310
Orlando FL 32821 -8088



2 7 7 1 5 1

277151

Bichard Barry

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, 2018 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 |
|--------------------------|------------------|---|
| | | |
| | | |
| | | |
| | | |

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")

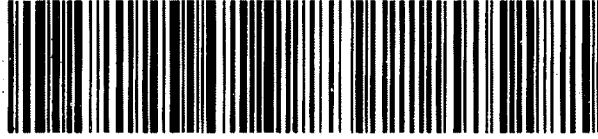
| |
|--|
| |
| |
| |

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.



STATE OF FLORIDA
COMMISSION ON ETHICS
PO DRAWER 15709
TALLAHASSEE, FL 32317-5709



9214 8901 0661 5400 0149 3847 22

RETURN RECEIPT (ELECTRONIC)

277151

BARRY BICHARD
6750 FORUM DR STE 310
ORLANDO, FL 32821-8088

5

URGENT - Open
Immediately!

CUT / FOLD HERE

Zone 3

8 1/2" ENVELOPE
CUT / FOLD HERE

CUT / FOLD HERE

Holmes, Kim

From: Canady, Cecelia <cecelia@lakevotes.com>
Sent: Wednesday, November 20, 2019 4:28 PM
To: Holmes, Kim
Subject: RE: Late and Non filers-Form 1

Hello Kim,

We were closed September 3rd and 4th.

Thanks,



Cecelia Canady

Voter Services Director

Lake County Supervisor of Elections

Office: 352-253-1426 | **Fax:** 352-343-3605

1898 E. Burleigh Blvd. | Tavares, FL 32778

NOTICE: Florida has a very broad public records law. Most written communication to or from government officials regarding government/public business is public record available to the public and media upon request. Your email communications may be subject to public disclosure.

From: Holmes, Kim <HOLMES.KIM@leg.state.fl.us>
Sent: Wednesday, November 20, 2019 3:38 PM
To: Canady, Cecelia <cecelia@lakevotes.com>
Subject: RE: Late and Non filers-Form 1

Hi Cecelia,

Thank you! It was received yesterday, November 19th.

Was your office closed at any time during Hurricane Dorian? I would like to make a note before fines are levied.

Thanks,
Kim

Kimberly R. Holmes
Program Administrator
Financial Disclosure Section
Florida Commission on Ethics
P.O. Drawer 15709
Tallahassee, FL 32317-5709
(850) 488-7864

(850) 488-3077 (Fax)
www.ethics.state.fl.us

Physical address:
325 John Knox Road
Building E, Suite 200
Tallahassee, FL 32303

From: Canady, Cecelia <cecelia@lakevotes.com>
Sent: Thursday, November 14, 2019 12:09 PM
To: Holmes, Kim <HOLMES.KIM@leg.state.fl.us>
Subject: Late and Non filers-Form 1

Hello Mrs. Holmes,

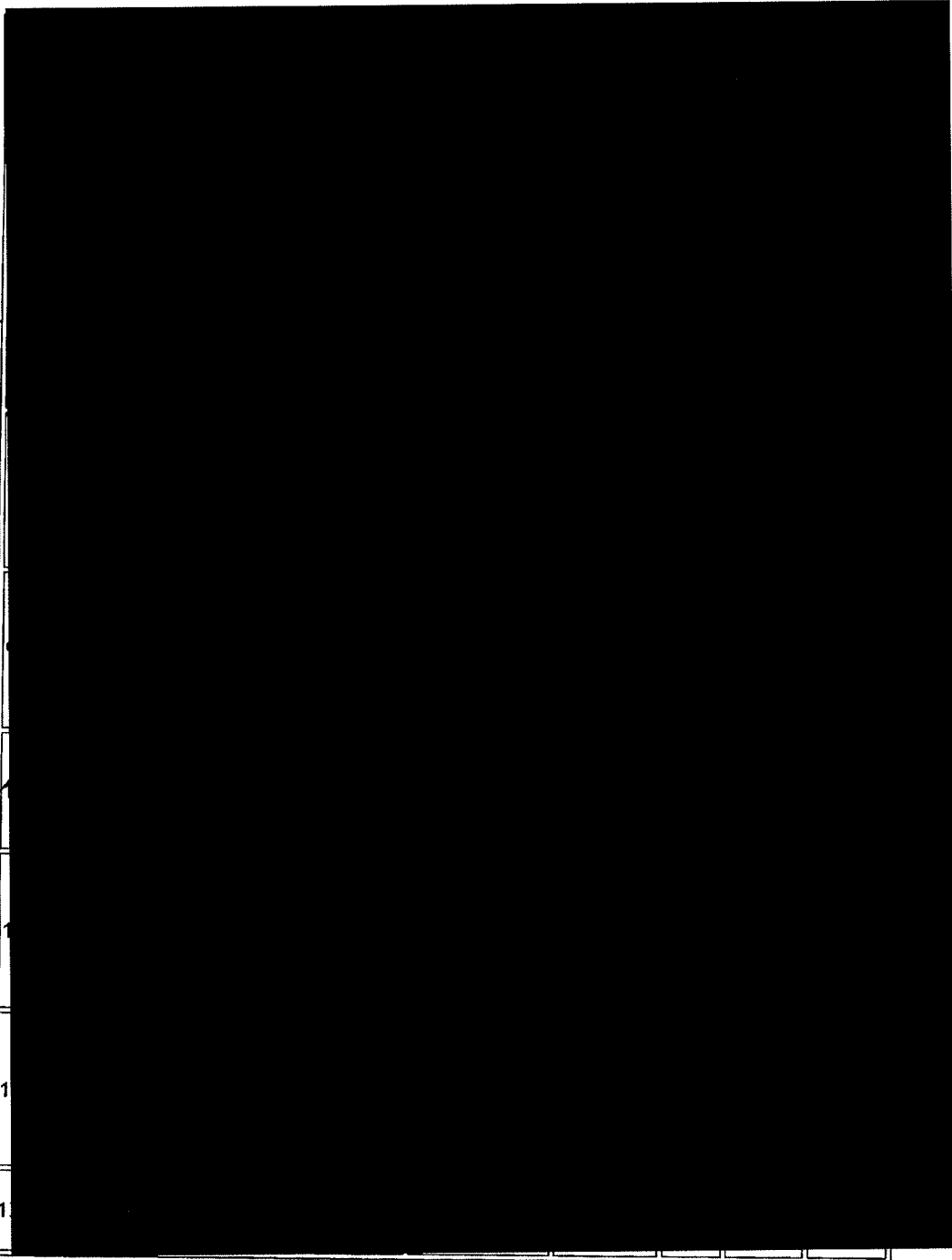
I have mailed the 2019 Delinquency Certification and the copies of the supporting documentation for each person on the Lake County, FL list. If you have any questions please let me know.

Thanks,



Cecelia Canady
Voter Services Director
Lake County Supervisor of Elections
Office: 352-253-1426 | **Fax:** 352-343-3605
1898 E. Burleigh Blvd. | Tavares, FL 32778


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I, D. ALAN HAYS, the Supervisor of Elections of Lake 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, 2019 financial disclosure deadline and a blank Form 1, Statement of Financial Interests, not later than June 1, 2019;

2. was determined to be delinquent in filing a Form 1, Statement of Financial Interests, by July 1, 2019;
3. was sent a delinquency notice by certified mail not later than July 31, 2019 advising him or her of the grace period in effect until September 3, 2019; 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 November 2, 2019; 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

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

7017 0660 0000 1696 5497

For delivery information, visit our website at www.usps.com

| | | |
|--|------------------|------------------|
| Certified Mail Fee | \$ 3.50 | Postmark Here |
| Extra Services & Fees (check box, add fee as appropriate) | | |
| <input type="checkbox"/> Return Receipt (hardcopy) | \$ 2.50 | |
| <input type="checkbox"/> Return Receipt (electronic) | \$ | |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$ | |
| <input type="checkbox"/> Adult Signature Required | \$ | |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ | |
| Postage | \$.50 | |
| Total Postage and Fees | \$ 4.00 | |
| Sent To | Barry Bichard | |
| Street an | 6750 Forum Dr | |
| City, Stat | Orlando FL 32821 | |

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

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

Article Addressed to:

Barry Bichard
 6750 Forum Dr
 Orlando FL 32821



9590 9402 4053 8079 5029 04

Article Number (Transfer from service label)

7017 0660 0000 1696 5497

COMPLETE THIS SECTION ON DELIVERY

| | | |
|--|---------------------|------------------------------------|
| A. Signature | | <input type="checkbox"/> Agent |
| | | <input type="checkbox"/> Addressee |
| B. Received by (Printed Name) | C. Date of Delivery | |
| Jessica Bore | 7/31/19 | |
| D. Is delivery address different from item 1? <input type="checkbox"/> Yes | | |
| If YES, enter delivery address below: <input type="checkbox"/> No | | |

3. Service Type
- | | |
|--|---|
| <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Priority Mail Express® |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™ |
| <input type="checkbox"/> Certified Mail® | <input type="checkbox"/> Registered Mail Restricted Delivery |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation™ |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail | |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) | |



Financial Disclosure Management System
THE FLORIDA COMMISSION ON ETHICS

Filer - Fines and Appeals - PID 277151 - Barry Bichard

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](#) [2016](#) [2017](#) [2018\(S\)](#) [2019](#)
- [2020](#) [2021](#) [2022](#)

<<2022 Form Year

Status

Filing: ACTIVE

Fine: No Fine

Flags

Public Address

Filing Extensions

Indefinite: None

Temporary:

None

Eligible for Fines

The filer has fines for: [2019 \(Appeal\)](#)

2019 Fines and Appeals

| Form Year 2018 Filed Forms | | | | | | |
|----------------------------|-----------|-------------|----------------|-----------------|-----------------------|--|
| Received Date | Form Type | Form Signed | Filed by Email | Filing Location | Updated | Comments |
| 08/10/21 | Form 1 | Yes | No | SOE | HOLMESK on 08/23/2021 | Received by COE on behalf of Lake Supervisor of Elections (copy-original on file with SOE) |

| 2019 Fine Information | | | | | <input type="button" value="Update Fine Information"/> <input type="button" value="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 | 3/9/2020 | \$1,500.00 | \$1,500.00 | | | |
| Fine Address 415 PALM LN CLERMONT FL 34711-3436 Org/Suborg Shingle Creek Community Development District-Board of Supervisors | | | | | | | |

| 2019 Fine Payment History | | | | | |
|---------------------------|-------------|--------------|--------|------------|-----------------|
| Date Posted | Description | Amount | Method | Payment ID | Comments |
| 3/9/2020 | Fine Levied | + \$1,500.00 | | | Fined \$1500.00 |

 Add a New Filer

 Jump To A Filer

PID:

 Quick Filer Search

First Name:

Last Name:

Current Balance: \$1,500.00

2019 Fine Year Event

Chronology

| <input checked="" type="checkbox"/> Date | Type | Description | Reference |
|--|---------------|----------------------------|--|
| <input type="radio"/> 08/19/2019 | Postcard Sent | Courtesy Postcard Reminder | Print Queue: 8/19/2019 Printing Confirmed: 8/19/2019 |

Letter Sent To:

Barry Bichard
6750 Forum Dr
Ste 310
Orlando, FL 32821 -8088

| | | | |
|---------------------------------|-------------|--------------------------------------|--|
| <input type="radio"/> 09/6/2019 | Letter Sent | Courtesy Notice of Fines Accruing | Print Queue: 9/6/2019 Printing Confirmed: 9/6/2019 |
|---------------------------------|-------------|--------------------------------------|--|

Letter Sent To:

Barry Bichard
6750 Forum Dr
Ste 310
Orlando, FL 32821 -8088

03/9/2020 Fine Levied Fined \$1500.00 Journal: [3/9/2020 2:45 PM](#)

03/10/2020 Notice of Assessed Fine Invalidated Reason: Resend notice to better address Journal: [3/10/2020 8:53 AM](#)

| | | | |
|---|-------------|--|--|
| <input checked="" type="radio"/> 03/10/2020 | Letter Sent | Notice of Assessed Fine - Filer 1st Fine Letter | Print Queue: 3/10/2020 Printing Confirmed: 3/10/2020 |
|---|-------------|--|--|

Letter Sent To:
Barry Bichard
6750 Forum Dr
Ste 310
Orlando, FL 32821 -8088

06/11/2021 Final Notice of 2nd Fine Notice. Invalidated Journal:
Assessed Fine Reason: Resend notice to 6/11/2021 9:38 AM
Invalidated better address

06/11/2021 Letter Sent Final Notice of Assessed Fine - Print Queue:
Second Fine Notice 6/11/2021
Printing
Confirmed:
6/11/2021

Letter Sent To:
Barry Bichard
6750 Forum Dr
Ste 310
Orlando, FL 32821 -8088

07/13/2021 Notice of Initial Fine Notice Journal:
Assessed Fine 7/13/2021 4:13 PM

07/13/2021 Letter Sent Notice of Assessed Fine - Filer Print Queue:
1st Fine Letter 7/13/2021
Printing
Confirmed:
7/13/2021

Letter Sent To:
Barry Bichard
11600 Thacker Dr
Clermont, FL 34711

07/13/2021 Filer Mr. Bichard called regarding Kimberly Holmes
Communication: final notice of fine. He stated
Phone that he left in April 2019 and
no notices were ever
forwarded to him. He just
received the final notice that
was forwarded to him by
email on July 12, 2021 at 4:47

pm. He was upset that they company never forwarded anything until now. I advised that all notices were mailed to the company address and that I would email him the notices previously mailed. Mr. Bichard provided an updated address, which I will resend his notice of assessed fine.

07/13/2021 Filer Sent: Tuesday, July 13, 2021 Kimberly Holmes
Communication: 2:18 PM To: Holmes, Kim
Email Subject: FW: Mailed to

Lennar's address Kim Can you call me at your earliest convenience to discuss the attached fine letter. As you can see by the letter below I just received this notice. I have not worked for Lennar since April of 2019. The mailing address is Lennar's Orlando office, I was never notified prior to yesterday about this issue. Please call me at your earliest convenience to discuss. Thank You, Barry Bichard Director Mobile 352-552-6969 Barry@floridasiteservices.com From: Melanie Minihan Sent: Monday, July 12, 2021 4:47 PM To: Barry@floridasiteservices.com Subject: Mailed to Lennar's address Good Afternoon, left you a message but then I found your email. This was mailed to the old Forum Office so it probably took a little longer to get to the new

office but this letter is
addressed to you and it looked
like something that you may
need to know or take care of.
Have a good day. Thank you,
Melanie Minihan Land
Coordinator
Melanie.Minihan@Lennar.com
www.LennarOrlando.com
Office: 407-586-4016 Cell:
352-404-2404 6675 Westwood
Blvd. 5th Floor Orlando, FL
32821

07/13/2021 Filer From: Holmes, Kim Sent: Kimberly Holmes
Communication: Tuesday, July 13, 2021 4:28
Email PM To:

'barry@floridasiteservices.com'
Subject: RE: Mailed to
Lennar's address Mr. Bichard,
Attached is your new notice of
assessed fine allowing you 30
days to appeal. Your appeal
must be received no later
than August 12, 2021.
Sincerely, Kimberly R. Holmes
Program Administrator
Financial Disclosure Section
Florida Commission on Ethics
P.O. Drawer 15709
Tallahassee, FL 32317-5709
(850) 488-7864 (850) 488-3077
(Fax) www.ethics.state.fl.us
Physical address: 325 John
Knox Road Building E, Suite
200 Tallahassee, FL 32303
From: Holmes, Kim Sent:
Tuesday, July 13, 2021 4:04
PM To:
'barry@floridasiteservices.com'
Subject: RE: Mailed to
Lennar's address Per our

telephone conversation, see information attached.
 Additionally, attached is the 2018 Form 1 and appeal form for your completion. If you have any questions or need further assistance, please do not hesitate to contact me.
 Sincerely, Kim Kimberly R.
 Holmes Program Administrator
 Financial Disclosure Section
 Florida Commission on Ethics
 P.O. Drawer 15709
 Tallahassee, FL 32317-5709
 (850) 488-7864 (850) 488-3077
 (Fax) www.ethics.state.fl.us

07/13/2021 Filer Notice of assessed fine letter Kimberly Holmes
 Communication: was emailed instead of
 Other mailed. Email sent to
 barry@floridasiteservices.com

08/10/2021 Form Received Form 1 Received, Signed Form 1 Received
 by Received by
 COE on behalf of
 Lake Supervisor of
 Elections (copy-
 original on file
 with SOE) SOE

Form Received By: Kimberly Holmes
 Filing Location: Lake County SOE
 Record Created By: Kimberly Holmes on 08/23/2021

08/23/2021 Fine Appeal FD 19-065 Journal:
8/23/2021 3:05 PM

08/23/2021 Letter Sent Fine Appeal Print Queue:
8/23/2021
 Printing
 Confirmed:
 8/23/2021

Letter Sent To:

Barry Bichard
 11600 Thacker Dr
 Clermont, FL 34711

| | | |
|---------------------------------|-----------------------|-------------------|
| 2019 Fine Appeal – FD 19-065 | Update Appeal | Withdraw Appeal |
| | Assign Attorney | Request More Info |
| | Record Appeal Outcome | |

| | |
|-------------------|----------------------|
| Appeal Status: | No Hearing Requested |
| Active | |
| Appeal Receipt | |
| Date: 08/12/2021 | |
| Timely Filed: Yes | |
| Print Appeal | |
| Letter: Yes | |
| Hearing | |
| Requested: No | |
| Appeal Reason: | |
| Lack of | |
| Notification | |
| Appeal Notes: | |
| Appeal Number: | |
| FD 19-065 | |
| Appeal Analyst | |
| Assigned: | |
| Final Order | |
| Number: | |
| Final Order Date: | |