

BEFORE THE  
STATE OF FLORIDA  
COMMISSION ON ETHICS

In re BEN KING,	)	Financial Disclosure Appeal No. FD 21-028
	)	
Appellant.	)	Final Order No. XXX
_____	)	

FINAL ORDER

This matter came before the Commission on Ethics, meeting in public session on April 25, 2025, on the appeal of Appellant, pursuant to Section 112.3145(8)(g), Florida Statutes (subsequently renumbered to Section 112.3145(8)(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 has requested a hearing.

Findings of Fact

1. According to information provided to the Commission, Appellant served as an Assistant Public Defender with the Ninth Judicial Circuit, a position requiring the filing of a 2020 CE Form 1, Statement of Financial Interests. In 2021, the designated due date for submitting a 2020 CE Form 1 was July 1, 2021, with a grace period ending on September 1, 2021.
2. On May 26, 2021, the Commission on Ethics sent Appellant a 2020 CE Form 1. This letter was sent to Appellant at 657 SE 33<sup>rd</sup> Ave., Ocala, FL 34471.
3. On July 30, 2021, the Commission on Ethics sent Appellant a notice of delinquency by certified mail. This notice was sent to Appellant at the 657 SE 33<sup>rd</sup> Ave. address.

4. On August 19, 2021, the Commission on Ethics mailed Appellant a postcard intended to remind him of his obligation to file a 2020 CE Form 1. The Commission mailed the postcard to the 657 SE 33<sup>rd</sup> Ave. address.

5. On August 27, 2021, the Commission on Ethics e-mailed Appellant a reminder to file his 2020 CE Form 1 to the e-mail address BKing@circuit9.org. The e-mail was returned as undeliverable.

6. On September 8, 2021, the Commission on Ethics mailed Appellant a courtesy notice of fines accruing. This was sent to the 657 SE 33<sup>rd</sup> Ave. address.

7. On September 27, 2023, the Commission mailed Appellant a Notice of Assessment of Automatic Fine. The notice was sent by mail to the 657 SE 33<sup>rd</sup> Ave. address. It indicated the total of Appellant's accrued automatic fine was \$1,500 (\$25 per day for 60 days late) and provided that the Commission must receive an appeal of the fine by October 23, 2023.

8. On October 23, 2023, Appellant submitted his 2020 CE Form 1 to the Commission on Ethics, 782 days late.

9. Also on October 23, 2023, the Commission received Appellant's appeal of his automatic fine for Form Year 2020. In part B of his appeal form, Appellant checked "Lack of notification – Failure to receive notice" as the general reason for his appeal. In part C of his appeal form, where an appellant is asked to provide detailed explanation of his or her appeal, Appellant wrote: "I did not reside at the address to which notice was sent. In 2021, I resided at 1706 Bridgeview Cir., Orlando, FL 32824 until April. After that lease ended, I purchased + moved to 1110 Martin Blvd., Orlando, FL and I have not resided at 657 SE 33<sup>rd</sup> Ave., Ocala, FL since 2019 prior to becoming a public defender." Appellant also included a letter to the same effect that included attached exhibits.

### Conclusions of Law

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

10. 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.

11. Section 112.3145(8)(f)2., 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.

12. Here, Appellant claims he never received notice of his obligation to file a 2020 CE Form 1 because he did not reside at the address to which notice was repeatedly sent. There is no evidence to dispute Appellant's claims that he did not reside where his notices were sent. To the contrary, there is evidence supporting a lack of notice – including an e-mail notice that was returned as undeliverable and Appellant's lease agreement from 4/10/2020 to 4/12/2021 and the Master Statement from his purchase of a home in April of 2021 showing he did not reside at the 657 SE 33<sup>rd</sup> Ave. address. Considering Appellant's claims, and that there is no evidence showing otherwise, there are "unusual circumstances" here that justify waiving the \$1,500 fine.

Order

Based on the foregoing facts and conclusions of law, the Commission hereby finds that unusual circumstances for failure to file have been demonstrated. We therefore waive the assessed fine of \$1,500.00.

ORDERED by the State of Florida Commission on Ethics meeting in public session on April 25, 2025.

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Date Rendered

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Luis M. Fusté  
*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.

LMF:sen

Ben Houston King  
1110 Martin Blvd.  
Orlando, FL 32825

21-028

279343

FLORIDA  
COMMISSION ON ETHICS

OCT 23 2023

RECEIVED



## 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

### APPEAL OF AUTOMATIC FINE FOR FORM YEAR 2020

**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: Ben Houston King

Address: 1110 Martin Blvd. City: Orlando State: FL Zip: 32825

Daytime Tel.: (407) 414 7631 Cell: (407) 414-7631

Email: Ben H King@gmail.com Filer ID# (if known): 279 343 (?)

Public Employer: Public Defender : 912 Circuit

Public Position: Assistant Public Defender

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, 2020** (Explain in Part C and provide confirmation from agency that your office-holding/employment ended before 12/31/2020)
- 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.

I did not reside at the address to which notice was sent.  
In 2021, I resided at 1706 Brideview Cir., Orlando, FL 32824 until <sup>April</sup> ~~May~~ (Exhibit A).  
After that lease ended, I purchased + moved to 1110 Martin Blvd., Orlando FL 32825 (Exhibit B).  
I currently continue to reside at 1110 Martin Blvd., Orlando FL, and I  
have not resided at 657 SE 33<sup>rd</sup> Ave., Ocala, FL since 2019 prior to becoming a public defender

## 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.

10/2/23  
DATE

SIGNATURE

October 15, 2023

To whom it may concern:

Thank you for receiving my Appeal of Automatic Fine for Form Year 2020.

I am appealing for General Reason – **b. Lack of notification—Failure to receive notice** because I had never received certified mail delinquency notice because I did not live, and currently do not live, at the address to which the delinquency notice was sent: 657 SE 33<sup>rd</sup> Ave., Ocala, FL, 34471.

I briefly lived at this address in 2019, prior to starting my position as an Assistant Public Defender for the Ninth Circuit Public Defender's office; however, in 2021, when the notice was sent, I was living at 1706 Bridgeview Cir., Orlando, FL 32824 until April 2021 (Please see **Exhibit A**) then moved to my current address at 1110 Martin Blvd., Orlando, FL 32825 (Please see **Exhibit B**). For your convenience, and as proof of my addresses at these times, I have provided my rental lease agreement from the 1706 Bridgeview Cir. Address (**Exhibit A**) and my Title from my current home and address 1110 Martin Blvd. (**Exhibit B**).

As a licensed attorney in the State of Florida, my word is my bond, and I am not permitted to present false statements as the truth: Therefore, it is my testimony that I did not receive notification of the Statement of Financial Interest or the potential fine until this most recent notice to which I am now responding.

I apologize for any inconvenience caused by my lack of notice. I have completed and included **Form 1—Statement of Financial Interests—2020** and included it within this appeal. If this documentation and explanation is insufficient, I would respectfully request a hearing pursuant to Sections 112.3144(8)(f)(3) and 112.3145(8)(g)(3).

Respectfully yours,

  
Ben Houston King

# **EXHIBIT A**



## Residential Lease

### 1. Parties

- 1.1 Parties to Lease. **Progress Orlando, LLC** ("Landlord") has entered into this Residential Lease ("Lease") with the following individuals (individually and collectively, "Resident"):

Name: **Ben King**

Email: **ben.h.king@gmail.com**

Phone: **(352) 843-1396**

- 1.2 Other Lessees/ Guarantor if applicable:

Name:

Name:

Name:

Name:

Name:

Name:

- 1.3 Occupants. The following additional individuals will occupy the Premises ("Occupants"):

Name:

Name:

Name:

Name:

Name:

Name:

- 1.4. Communications. Resident agrees to notify Property Manager in writing within five (5) days of any changes that occur from the original rental application, including changes to home or mobile phone numbers, email addresses, pets, and the addition or deletion of any Occupants. Resident must maintain a phone number local to the continental United States. Resident authorizes Landlord and its agents to send text messages to any mobile phone number given, in order for Landlord to convey information regarding the Premises, including rent reminders, maintenance request information, and related messages. Resident understands that standard text messaging rates will apply to any messages received, and agrees not to hold Landlord or its agents liable for any electronic messaging charges or fees generated by this service.

Initials: *BK* , , , , ,

- 1.5. Compliance. Resident represents, warrants and covenants that all persons who will reside at the Premises as Lessees or Occupants are listed above. Lessees include Guarantors and any individual over the age of 18 at the time of signing this Lease for whom the Premises is the primary residence. Occupants include all minors and any individual, whether related or unrelated to any Resident or Occupant, who sleeps on the Premises for more than two (2) weeks in any calendar month at any point in the Lease Term. Resident will be held responsible for all actions and inactions of Occupants. All adult Occupants are subject to application approval requirements. All Occupants are subject to and governed by this Lease as if they were Residents, but only Resident shall be financially responsible for this Lease.

### 2. PREMISES

- 2.1. Property. Landlord rents to Resident and Resident rents from Landlord the residential property, personal property and improvements located at the street address of: **1706 Bridgeview Cir Orlando, FL 32824** ("Premises").
- 2.2. Property Manager. This Lease and the Premises will be managed by **Progress Residential Management Services, LLC, (407) 205-1130, 750 S. North Lake Blvd., Suite 1000, Alamonte Springs, FL 32701** and **CustomerCare@RentProgress.com** (as updated from time to time by Landlord, "Property Manager").

### 3. LEASE TERM, TERMINATION and TRANSFER



- 3.1. Term. The Lease Term begins on **04/10/2020** ("Start Date") and ends on **04/12/2021** ("End Date"); such period being referred to as the "Lease Term".
- 3.2. Possession of Premises. Resident is deemed to have possession of the Premises when keys are provided by Landlord. **Notwithstanding whether Resident has possession, Resident shall be responsible for Rent and other fees under this Lease as of the Start Date and through the End Date or transfer of possession to Landlord, whichever is later.** Landlord is deemed to have possession of the Premises when keys are received from Resident, however, Landlord's acceptance of possession during the Lease Term shall not constitute a waiver any of Landlord's rights and remedies herein.
- 3.3. Delay of Occupancy by Landlord. **If Landlord is unable to deliver possession of the Premises within ten (10) days after the Start Date, Resident may terminate this Lease by giving written notice to Landlord before the Premises are made available for occupancy by Resident, and Landlord will refund the Security Deposit, Holding Fee (if any), and any Rent paid. Landlord shall not be liable for incidental or actual damages to Resident due to the delay.** Notwithstanding the foregoing, Resident shall not have the right to terminate this Lease because of delays caused by mere cleaning or make-ready work that does not affect habitability of the Premises.
- 3.4. Resident's Refusal to Occupy. If Resident refuses to take possession of the Premises after being made available by Landlord, the obligations of Landlord under this Residential Lease shall cease and Landlord shall have the right to retain Resident's Security Deposit and all other amounts collected by Landlord. Landlord's acceptance of Resident's Security Deposit and such other collected amounts do not waive Landlord's right to exercise other available remedies.
- 3.5. Lease Termination; Month-to-Month Extension. **Resident may terminate this Lease at the end of the Lease Term only by giving Property Manager sixty (60) days' prior written notice of Resident's intent to vacate. Landlord may terminate this Lease at the end of the Lease Term by giving Resident sixty (60) days' prior written notice or as otherwise permitted herein. If neither party gives the requisite termination notice, then this Lease will continue on a month-to-month basis for successive one (1)- month terms until either party gives thirty (30) day notice to terminate a month-to-month tenancy. This shall not constitute a renewal of the Lease for any longer term. During any month-to-month tenancy, all other Lease terms will continue to apply, except that the monthly rent payments shall be increased to 120% of market Rent for the Premises. If the Resident provides notice of less than sixty (60) days of the intent to vacate, this will be considered late notice and the Resident will be charged Rent through the full sixty (60)-day notice period, prorated through the notice period.**
- 3.6. Holdover. If Resident fails to timely vacate the Premises after giving notice of termination to Property Manager or after receiving a Landlord notice of termination, the Resident shall be considered a tenant at sufferance and the holdover will not constitute a renewal or an extension for any further term. Rent during the holdover will be two times (2x) the Monthly Rent, calculated on a daily basis, and will be immediately due and payable without notice or demand. In addition, Resident will indemnify Landlord and Landlord's prospective new residents of the Premises for any damages, including, without limitation, lost Rent, lodging expenses, moving fees, costs of eviction, and attorneys' fees. Landlord does not consent to any holding over by Resident. This paragraph does not limit or waive any other rights or remedies of Landlord.
- 3.7. Lease Transfer. During the Lease Term, as long as Resident is not and has not been in default, Resident may request to transfer to another available residence managed by the Property Manager, subject to (i) applicable income and credit qualification, (ii) execution of a new lease with a term of at least one(1) year, and (iii) the payment of a transfer fee equal to one (1) months' current Monthly Rent, plus any applicable tax.
- 3.8. Early Termination. Resident agrees to pay an amount equal to two months' Rent as liquidated damages or an early termination fee if Resident elects to terminate the Lease for any reason (other than those identified in Section 17, below) prior to the End Date of the Lease. Upon receipt of payment, the Landlord waives the right to seek additional Rent beyond the date that the Landlord retakes possession, and such termination will not be considered an event of default.



# **EXHIBIT B**



STATEMENT OF  
FINANCIAL INTERESTS

2020

FOR OFFICE USE ONLY:

Ben Houston King  
Assistant Public Defender  
Public Defender, 9th Circuit  
Employees  
657 Se 33rd Ave  
Ocala FL 34471 -2931

PROCESSED

FLORIDA  
COMMISSION ON ETHICS

OCT 23 2020

RECEIVED



ADDRESS INCORRECT!



279343

CHECK ONLY IF ☐ CANDIDATE OR ☐ NEW EMPLOYEE OR APPOINTEE

King Ben Houston

\*\*\*\* THIS SECTION MUST BE COMPLETED \*\*\*\*

## DISCLOSURE PERIOD:

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR CALENDAR YEAR ENDING DECEMBER 31, 2020.

## 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
State of Florida (N/A)	N/A (Public Salary)	Assistant Public Defender N/A

## PART B -- SECONDARY SOURCES OF INCOME

[Major customers, clients, and other sources of income to businesses owned by the reporting person - See instructions]  
(If you have nothing to report, write "none" or "n/a")

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

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

<del>526 NW 34 St, Gainesville, FL 32607</del>
<del>526 NW 34 St, Gainesville, FL 32607</del> (?) (Point King, Dave)
<del>526 NW 34 St, Gainesville, FL 32607</del>
526 NW 34 St, Gainesville, FL 32607

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

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	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
Forz Motor Company Credit	Forz Motor Credit, P.O. Box 650574 Dallas

**PART F — INTERESTS IN SPECIFIED BUSINESSES** [Ownership or positions in certain types of businesses - See instructions]

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

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

**PART G — TRAINING** For elected municipal officers, appointed school superintendents, and commissioners of a community redevelopment agency created under Part III, Chapter 163 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:

**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), send it to CEForm1@leg.state.fl.us and retain a copy for your records. 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, 2020.

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

In re     **Ben Houston King**  
            **Assistant Public Defender**  
            **Employees**  
            **Public Defender; 9Th Circuit**

**PID#: 279343**

**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 2020 CE Form 1, Statement Of Financial Interests. Under the law, your 2020 CE Form 1, Statement of Financial Interests, was due by July 1, 2021. The law provided for a penalty-free grace period extending the due date to September 1, 2021. 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 2020 CE Form 1 has not been filed with the Commission on Ethics within the 60 days of the grace period date (September 1, 2021), 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 **October 23, 2023**.  
**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, 2021, 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, 2020:** confirmation of your last date of office or employment by your former agency, showing the last date to be before December 31, 2020; 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.

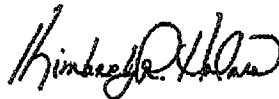
Please contact our office if you have any questions about this matter.

**CERTIFICATE OF MAILING**

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

**Ben Houston King**  
657 Se 33rd Ave  
Ocala, FL 34471 -2931

by Certified Mail on this Wednesday, September 27, 2023.



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](mailto:disclosure@leg.state.fl.us)





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



9214 8901 0661 5400 0189 2363 40

RETURN RECEIPT (ELECTRONIC)

279343

BEN HOUSTON KING  
657 SE 33RD AVE  
OCALA, FL 34471-2931

24  
URGENT - Open Immediately!

CUT / FOLD HERE

Zone 2

6"X9" ENVELOPE  
CUT / FOLD HERE

CUT / FOLD HERE

**Mail Piece Details****Print this page****Recipient Address**

BEN HOUSTON KING  
657 SE 33RD AVE  
OCALA, FL 34471-2931

**Record / Case Number:**  
279343

**Return Address**

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

**Entry Point ZIP:**  
32317

**Mail Piece Information**

**Tracking Number:** 92148901066154000189236340

**Date Created:** 09/27/2023 03:59:58 PM

**Mail Class:** USPS First Class Mail

**Special Services:** Certified Mail  
Return Receipt Electronic

**Memo:** --

**Created By:** Kimberly Holmes - Commission on Ethics

**Signature Information**

**Signed For By:** BEN HOUSTON KING

**Signature Status:** Available (Click Here)

**Having issues viewing the signature file?**

Make sure you are using the latest version of Adobe Acrobat Reader

**Tracking Information**

**Pre-Shipment Info Sent To Usps, Usps Awaiting Item,** September 27, 2023, 12:00:00 AM  
**Pre-Shipment Info Sent Usps Awaits Item,** September 27, 2023, 03:21:00 PM, TALLAHASSEE,FL 32317  
**Origin Acceptance,** September 28, 2023, 11:34:00 PM, TALLAHASSEE,FL 32317  
**Processed Through Usps Facility,** September 29, 2023, 12:49:00 AM, JACKSONVILLE FL DISTRIBUTION CE 32203  
**Departed Usps Regional Facility,** September 29, 2023, 03:23:00 AM  
**Processed Through Usps Facility,** September 29, 2023, 03:34:00 PM, JACKSONVILLE FL DISTRIBUTION CE 32203  
**Processed Through Usps Facility,** September 29, 2023, 10:06:00 PM, JACKSONVILLE FL DISTRIBUTION CE 32203  
**In Transit To Next Facility,** September 30, 2023, 12:00:00 AM  
**In Transit To Next Facility, Arriving Late,** October 01, 2023, 12:00:00 AM  
**Arrived At Post Office,** October 02, 2023, 07:27:00 AM, OCALA,FL 34478  
**Out For Delivery, Expected Delivery By 9:00Pm,** October 02, 2023, 07:38:00 AM, OCALA,FL 34471  
**Delivered Left With Individual,** October 02, 2023, 11:17:00 AM, OCALA,FL 34471



October 2, 2023

Dear MAIL MAIL:

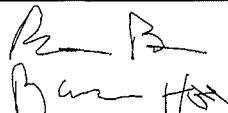
The following is in response to your request for proof of delivery on your item with the tracking number:  
**9214 8901 0661 5400 0189 2363 40.**

#### Item Details

<b>Status:</b>	Delivered, Left with Individual
<b>Status Date / Time:</b>	October 2, 2023, 11:18 am
<b>Location:</b>	OCALA, FL 34471
<b>Postal Product:</b>	USPS Ground Advantage™
<b>Extra Services:</b>	Certified Mail™
	Return Receipt Electronic
<b>Recipient Name:</b>	BEN HOUSTON KING

#### Recipient Signature

Signature of Recipient:

  
657 SE 33RD AVE, OCALA, FL  
34471

Address of Recipient:

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,  
United States Postal Service®  
475 L'Enfant Plaza SW  
Washington, D.C. 20260-0004

The customer reference information shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Reference ID: 92148901066154000189236340  
279343  
BEN HOUSTON KING  
657 SE 33rd Ave  
Ocala, FL 34471-2931

**Mail Piece Details****Print this page****Recipient Address**

BEN HOUSTON KING  
657 SE 33RD AVE  
OCALA, FL 34471-2931

**Record / Case Number:**  
279343

**Return Address**

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

**Entry Point ZIP:**  
32317

**Mail Piece Information**

**Tracking Number:** 92148901066154000165084767

**Date Created:** 07/29/2021 09:53:36 AM

**Mail Class:** USPS First Class Mail

**Special Services:** Certified Mail  
Return Receipt Electronic

**Memo:** --

**Created By:** Kimberly Holmes - Commission on Ethics

**Signature Information**

**Signed For By:** BEN HOUSTON KING  
**Signature Status:** Available (Click Here)

**Having issues viewing the signature file?**  
Make sure you are using the latest version of Adobe Acrobat Reader

**Tracking Information**

Mailed, July 29, 2021, 09:53:36 AM, TALLAHASSEE,FL 32317  
Pre-Shipment Info Sent To Usps, Usps Awaiting Item, July 29, 2021, 12:00:00 AM  
Pre-Shipment Info Sent Usps Awaits Item, July 29, 2021, 09:04:00 AM, TALLAHASSEE,FL 32317  
Accepted At Usps Origin Facility, July 30, 2021, 10:21:00 PM, TALLAHASSEE,FL 32317  
Origin Acceptance, July 30, 2021, 10:21:00 PM, TALLAHASSEE,FL 32317  
Arrived At Usps Regional Facility, July 30, 2021, 11:36:00 PM  
Processed Through Usps Facility, July 30, 2021, 11:36:00 PM, TALLAHASSEE FL DISTRIBUTION CEN 32301  
Departed Usps Regional Facility, July 31, 2021, 01:57:00 AM  
Depart Usps Facility, July 31, 2021, 01:57:00 AM, TALLAHASSEE FL DISTRIBUTION CEN 32301  
Departed Usps Regional Facility, July 31, 2021, 10:20:00 PM  
Processed Through Usps Facility, July 31, 2021, 10:20:00 PM, TALLAHASSEE FL DISTRIBUTION CEN 32301  
Arrived At Usps Regional Facility, August 01, 2021, 08:49:00 AM  
Processed Through Usps Facility, August 01, 2021, 08:49:00 AM, JACKSONVILLE FL DISTRIBUTION CE 32203  
Departed Usps Regional Facility, August 01, 2021, 10:49:00 AM  
Depart Usps Facility, August 01, 2021, 10:49:00 AM, JACKSONVILLE FL DISTRIBUTION CE 32203  
Arrived At Usps Regional Facility, August 02, 2021, 12:57:00 AM  
Processed Through Usps Facility, August 02, 2021, 12:57:00 AM, GAINESVILLE FL DISTRIBUTION CEN 32608  
Departed Usps Regional Facility, August 02, 2021, 02:21:00 AM  
Processed Through Usps Facility, August 02, 2021, 02:21:00 AM, GAINESVILLE FL DISTRIBUTION CEN 32608  
Delivered To Agent For Final Delivery, August 02, 2021, 02:52:00 PM, OCALA,FL 34471  
Delivered To Agent For Final Delivery, August 02, 2021, 02:52:00 PM, OCALA,FL 34471



August 3, 2021

Dear MAIL MAIL:

The following is in response to your request for proof of delivery on your item with the tracking number:  
**9214 8901 0661 5400 0165 0847 67.**

**Item Details**

<b>Status:</b>	Delivered to Agent for Final Delivery
<b>Status Date / Time:</b>	August 2, 2021, 2:52 pm
<b>Location:</b>	OCALA, FL 34471
<b>Postal Product:</b>	First-Class Mail®
<b>Extra Services:</b>	Certified Mail™ Return Receipt Electronic
<b>Recipient Name:</b>	BEN HOUSTON KING

**Recipient Signature**

Signature of Recipient: (Authorized Agent)	<i>JK L35</i> <i>CK LNS</i>
Address of Recipient:	<i>657 SE 33rd</i>

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,  
United States Postal Service®  
475 L'Enfant Plaza SW  
Washington, D.C. 20260-0004

The customer reference information shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Reference ID: 92148901066154000165084767  
279343  
BEN HOUSTON KING  
657 SE 33rd Ave  
Ocala, FL 34471-2931



## Financial Disclosure Management System

### THE FLORIDA COMMISSION ON ETHICS

**Filer - Fines and Appeals - PID 279343 - Ben Houston King**

#### 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](#) [2019](#)

[2020\(\\$\)](#) [2021](#) [2022](#) [2023](#) [2024](#)

<<2024 Form Year

#### Status

Filing: INACTIVE

Fine: No Fine

#### Flags

Public Address

Filing Extensions

Indefinite: None

Temporary:

None

Eligible for Fines

The filer has fines for: [2021 \(Appeal\)](#)

#### 2021 Fines and Appeals

##### Form Year 2020 Filed Forms

Received Date	Form Type	Form Signed	Filed by Email	Filing Location	Updated	Comments
10/23/23	Form 1	Yes	No	COE	holmesk on 11/12/2023	

#### 2021 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	9/21/2023	\$1,500.00	\$1,500.00			

Fine Address 1110 Martin Blvd Orlando FL 32825

Org/Suborg Public Defender; 9Th Circuit-Employees

#### 2021 Fine Payment History

Date Posted	Description	Amount	Method	Payment ID	Comments
9/21/2023	Fine Levied	+ \$1,500.00			Fined \$1500.00

Current Balance: \$1,500.00

#### 2021 Fine Year Event

##### Chronology

[Invalidate Transaction](#)

Date	Type	Description	Reference
05/26/2021	Letter Sent	Form 1 Official List - Form 1 Official Filers List	Print Queue: <a href="#">5/26/2021 4:46 PM</a>

[Add a New Filer](#)

 **Jump To A Filer**
PID: 
 **Quick Filer Search**
First Name: Last Name: 

Printing Confirmed:

5/26/2021 4:46 PM

**Letter Sent To:**

Ben Houston King  
657 Se 33rd Ave  
Ocala, FL 34471 -2931



07/30/2021 Letter Sent

Certified Letter Sent

Print Queue:

7/30/2021

Printing Confirmed:

7/30/2021

**Letter Sent To:**

Ben Houston King  
657 Se 33rd Ave  
Ocala, FL 34471 -2931



08/19/2021 Postcard Sent

Courtesy Postcard Reminder

Print Queue:

8/19/2021

Printing Confirmed:

8/19/2021

**Letter Sent To:**

Ben Houston King  
657 Se 33rd Ave  
Ocala, FL 34471 -2931

08/27/2021 Filer

EMAILED RETURNED AS

Diana Westberry

Communication: UNDELIVERABLE - From:

Email

Westberry, Diana Sent:


Friday, August 27, 2021 9:48

AM To: bking@circuit9.org

Subject: URGENT REMINDER!

Earlier this year, you were notified of your obligation to file a CE Form 1, Statement of Financial Interests, for the year ending December 31, 2020. The grace period for filing this form will expire on September 1, 2021 at 5 p.m., and according to our records, you still have not filed your CE Form 1. Pursuant to State law, an automatic fine of \$25 per day for each day late (up


to a maximum fine of  
 \$1,500) will be assessed  
 against you if your CE Form 1  
 is not received by September  
 1, 2021. Failure to file can  
 result in removal from public  
 office or employment. If you  
 have ANY questions, please  
 contact our office at  
 (850)488-7864. Thank you,  
 Diana Westberry Office  
 Manager Florida Commission  
 on Ethics Post Office Drawer  
 15709 Tallahassee, FL 32317-  
 5709 (850) 488-7864  
 ethics.state.fl.us

 09/8/2021 Letter Sent	Courtesy Notice of Fines Accruing	Print Queue: <u>9/8/2021</u> Printing Confirmed: 9/8/2021
---	--------------------------------------	--

**Letter Sent To:**  
 Ben Houston King  
 657 Se 33rd Ave  
 Ocala, FL 34471 -2931

09/21/2023 Fine Levied	Fined \$1500.00	Journal: <u>9/21/2023</u> <u>11:55 AM</u>
------------------------	-----------------	--

09/21/2023 Notice of Assessed Fine	Initial Fine Notice	Journal: <u>9/21/2023</u> <u>11:57 AM</u>
---------------------------------------	---------------------	--

 09/27/2023 Letter Sent	Notice of Assessed Fine - Filer 1st Fine Letter	Print Queue: <u>9/27/2023</u> Printing Confirmed: 9/27/2023
--	--	--

**Letter Sent To:**  
 Ben Houston King  
 657 Se 33rd Ave  
 Ocala, FL 34471 -2931

 10/23/2023 Form Received	Form 1 Received, Signed
--	-------------------------

**Form Received By:**  
**Filing Location:** COE  
**Record Created By:** Kimberly Holmes on 11/12/2023





11/7/2023 Letter Sent Fine Appeal

Print Queue:

11/7/2023

Printing Confirmed:

11/7/2023

**Letter Sent To:**

Ben Houston King

1110 Martin Blvd

Orlando, FL 32825

11/12/2023 Fine Appeal FD 21-028

Journal: 11/12/202311:07 PM

2021 Fine Appeal –

FD 21-028

Update Appeal

Withdraw Appeal

Assign Attorney

Request More Info

Record Appeal Outcome

Appeal Status: Active A Hearing has been requested but not yet scheduled.

Appeal Receipt Date: Schedule a Fine Appeal Hearing

10/23/2023

Timely Filed: Yes

Print Appeal Letter:

Yes

Hearing Requested:

Yes

Appeal Reason: Lack  
of Notification

Appeal Notes:

Appeal Number: FD  
21-028

Appeal Analyst

Assigned:

Final Order Number:

Final Order Date: