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

In re REINALDO DIAZ,	)	Financial Disclosure Appeal No. F	D 23-011
Appellant.	) ) )	Final Order No. X	XX

#### FINAL ORDER

This matter came before the Commission on Ethics, on its own motion, meeting in public session on April 25, 2025, in the matter of Reinaldo Diaz (Appellant), pursuant 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 did not request a hearing.

#### Findings of Fact

- 1. According to information provided to the Commission, Appellant served as a City Commissioner, a position requiring the filing of a 2022 CE Form 1, Statement of Financial Interests. In 2023, the designated due date for submitting a 2022 CE Form 1 was July 3, 2023, with a grace period ending on September 1, 2023.
- 2. By June 1, 2023, the Palm Beach County Supervisor of Elections sent Appellant a 2022 CE Form 1. This letter was sent to Appellant at 226 South L Street, Lake Worth Beach, Fl. 33460.

- 3. By August 1, 2023, the Palm Beach County Supervisor of Elections sent Appellant a notice of delinquency by certified mail. This notice was sent to Appellant at the 226 South L Street address.
- 4. On August 22, 2023, the Commission on Ethics mailed Appellant a postcard intended to remind him of his obligation to file a 2022 CE Form 1. The Commission mailed the postcard to the 226 South L Street address.
- 5. On September 14, 2023, the Commission on Ethics mailed Appellant a courtesy notice of fines accruing. This was sent to the 226 South L Street address.
- 6. On January 10, 2025, the Commission mailed Appellant a Notice of Assessment of Automatic Fine. The notice was sent by mail to the 7 North Dixie Highway, Lake Worth Beach, Fl. 33460 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 February 10, 2025.
- 7. On February 13, 2025, Appellant submitted his 2022 CE Form 1 to the Commission on Ethics, 531 days late.
- 8. On February 13, 2025, the Commission received Appellant's appeal of his automatic fine for Form Year 2022. In part B of his appeal form, Appellant checked "Lack of Notification" 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: "As a renter I have moved several times over the last few years for various reasons, mostly financial. It appears that correspondence was mailed to my old address where they never forwarded or sent to me."

#### 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.

that he appealed late because he was not the individual in his office who signed for the letter containing the form year 2022 and 2023 notices containing his appellate rights, and that he only viewed the 2022 notice in early February, due to a prolonged illness and hospitalization that had kept him from the office. It appears that Appellant was only given notice of his right to appeal the automatic fine in early February when he returned to the office where the notices had been mailed. As such, the Commission accepts the 2022 Appeal of Automatic Fines as timely.

13. Here, Appellant claims that he did not receive the notices of his filing obligation due to his moving. In support of Appellant's claim is that the notice of delinquency sent by the Palm Beach County Supervisor of Elections, via Certified Mail on August 1, 2023, was returned as undeliverable and unable to forward. There is no evidence to dispute Appellant's claims that he did not receive notice. 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.

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

Date Rendered

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: mdt

Reinaldo Diaz 504 South K Street Lake Worth Beach, Fl. 33460





# STATE OF FLORIDA COMMISSION ON ETHICS

FEB 1 3 2025

325 John Knox Road Building E, Suite 200 Tallahassee, FL 32303 Telephone: (850) 488-7864

RECEIVED

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

#### **APPEAL OF AUTOMATIC FINE FOR FORM YEAR 2022**

**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: Y	OUR INFORMATIO	N	
Reinaldo Daniel Diaz			
Name:			
504 South K Street	Lake Worth Beach	FL	33460
Address:	City:	State:	Zip:
	(561) 707-289	7	
Daytime Tel.:	Cell:		
ReyD.Diaz@gmail.com		301915	
Email:	Filer ID# (if kn	own):	
City of Lake Worth Beach			
Public Employer:			
City Commissioner			
Public Position:			

PART B: GENERAL REASON(S) FOR YOUR APPEAL
Please choose any/all reasons that apply to your appeal.
hereby appeal the Notice of Assessment of Automatic Fine on the following basis:
. [ ] <b>Sickness or injury</b> (Explain in Part C and attach a statement from attending physician, including dates nd nature of illness or injury)
Lack of notification – Failure to receive notice (Explain in Part C and provide documentation that upports your assertion that you never received certified mail delinquency notice: for example, incorrect ddress; misdelivered mail; change in employment; extended absence from home, etc.)
. [ ] Claim of timely filing of financial disclosure (Explain in Part C and provide copy of certified mail eccipt and/or copy of completed form which had been previously filed, along with a sworn notarized tatement that you filed prior to the deadline)
[ ] Left public position prior to December 31, 2022 (Explain in Part C and provide confirmation from gency that your office-holding/employment ended before 12/31/2022)
. [ ] Other unusual circumstance (Explain in Part C and provide documentation explaining uncommon, are, or sudden occurrence that prevented timely filing prior to deadline)
[ ] Not required to file (Explain in Part C and provide documentation that supports reason for not equired to file)

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.

As a renter I have moved several times over the last few years for various reasons, mostly financial. It appears

that correspondence was mailed to my old addresses where they were never forwarded or sent to me. A couple days ago,

investigator Ronald Moalli was able to contact me (by calling my cell phone) which I very much appreciated.

### 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)2 or Section 112.3145(8)(f)2, 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.

February 13, 2025

DATE

SIGNATURIE

#### Terry, Michael

From:

Reinaldo Diaz <rdiaz@LakeWorthBeachfl.gov>

Sent:

Friday, February 28, 2025 12:33 PM

To:

Terry, Michael

Subject:

RE: Your Financial Disclosure Fine Appeals

Michael,

Hello and thank you for taking this on.

Regarding the January 10 certified letter. I don't know when it was delivered. I didn't sign for it, I'm sure someone on our staff did. I don't even know when it made it to my office. I received it weeks after in February (apologies I don't remember the exact day but probably the first week of February) because around the time the letter was sent I was in the hospital with sepsis getting an emergency appendectomy. After spending several days in the hospital I was unavailable recovering from the surgery at home for a few weeks. I'm currently still not to 100% recovered but much better than I was then. The surgeon said it would take a few months for me to get back to normal. And honestly the letter was in a pile on my desk and I don't think I opened it until days after. As you can imagine, being out for a few weeks has put me really behind on work significantly adding to my to do list and anxiety.

Shortly after that on February 11th Ron Moalli the investigator connected with me by phone. He was very helpful. He realized much of my contact info like my home address was not correct so he was able to update all that and help me through the process.

I haven't received the second letter you mentioned to the office (regarding the 2023 report). I did receive just a couple days ago a letter confirming the appeal submissions at my home address that you now currently have.

I wish I had a better answer for emails, honestly I get hundreds of emails a day making this not the most effective means of important communication. I'm sure I received emails but I can't remember going through them as they were probably lost in the mix of everything else.

Honestly this whole thing is embarrassing. Now going through this I realize that I know this requirement. At least a couple of years ago our commission used to have an assistant, at some point I'm pretty sure I filled out a printed form that she had me fill out, but I cannot remember the details since it's been so long. She doesn't work with us anymore. And currently we have someone from our clerk's office helping out although not to the same extent. Other than that, as they say life gets hectic. Between commission work, other work, and especially over the last year and 7 months being a new work from home father, it's just been really hectic. Throw on top of that a number of serious health issues, including the sepsis episode, and it's just a little too easy to overlook once a year deadlines.

I think adding to the confusion, I can say for certain I've discussed with various people the upcoming Form 6, but specifically how it is, to my understanding on hold due to a court case. I guess I should've understood that something was still in place.

I don't want to offer any excuses, now I know I should've known better. But life sometimes can be tough to manage. I would very much appreciate any help regarding the fine. As my family lives on my wife's public school teacher salary and my city commissioner pay which is miniscule. On top of the tremendous added healthcare costs I just got the bill for.

Please let me know if you need anything else from me. And also just wanted to make sure you have my mobile number: 561-707-2897 which is the best way to reach me as my city phone's voicemail is often at its capacity.

#### Reinaldo Diaz Commissioner | District 4



City of Lake Worth Beach 7 North Dixie Highway Lake Worth Beach, FL 33460

Mobile: 561-707-2759 Phone: 561-586-1734 rdiaz@lakeworthbeachfl.gov www.lakeworthbeachfl.gov

"We are LAKE WORTH BEACH. A hometown City that is committed to delivering the highest level of customer service through a commitment to integrity, hard work and a friendly attitude. We strive to exceed the expectations of our citizens, our businesses, our elected officials and our fellow employees."

CITY OF LAKE WORTH BEACH E-MAIL DISCLAIMER: Florida has a very broad public records law. Most written communications to or from local officials regarding city business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

From: Terry, Michael <TERRY.MICHAEL@leg.state.fl.us>

Sent: Tuesday, February 25, 2025 9:54 AM

To: reyd.diaz@gmail.com

**Cc:** Reinaldo Diaz <rdiaz@LakeWorthBeachfl.gov> **Subject:** Your Financial Disclosure Fine Appeals

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

Hello Mr. Diaz,

My name is Michael Terry and I am an attorney with the Florida Commission on Ethics. I am writing in regard to the Financial Disclosure appeals that you filed on February 13, 2025, for the reporting years 2022, and 2023. I am sending this e-mail to you in an effort to gather more information about your Financial Disclosure Fine appeal. If I do not hear back from you by Wednesday, March 5, 2025, the Commission will decide your appeal without the additional information that is being requested.

First, let me begin with reporting year 2022.

- On January 10, 2025 we sent you a notice by certified mail to your offices at city hall that was to serve as a reminder that you had been assessed the maximum fine of \$1500 for failure to file the CE Form 1 2022. This letter also included information about how and when to appeal this fine. Can you just confirm, as you indicated previously, that you received this letter?
- The letter would have also indicated that the date by which an appeal must be filed would be by February 10,
   2025. Can you offer any reason or explanation for your late filing of your appeal?

Next, lets' look at reporting year 2023.

• Multiple emails were sent throughout 2024 to the email address on file with the commission informing you that you had not filed your CE Form 1 2023. Also, a letter was sent similar to the one above to your office. The date by which the appeal was to be received for this appeal was also February 10, 2025. Can you offer any reason or explanation for your late filing of your appeal?

I look forward to your response and hope to have this information to include in the processing and review of your appeals. If you have any questions, please reach out at the phone number below.

Regards,



Michael D. Terry
Ethics Attorney
Florida Commission on Ethics
P.O. Drawer 15709
Tallahassee, FL 32317-5709

"A Public Office is a Public Trust"

(850) 488-7864 (850) 488-3077 (Fax) ethics.state.fl.us

FORM 1	STATEM	ENT OF		2022		
Please print or type your name, mailing address, agency name, and position below:	me, mailing position below: FINANCIAL INTERESTS			FOR OFFICE USE ONLY:		
LAST NAME FIRST NAME MIDDLE NAME : Diaz, Reinaldo Daniel  MAILING ADDRESS : 504 South K Street				Received by COE		
Jor South K Street				2/13/2025		
CITY: Lake Worth Beach	ch	301915				
NAME OF AGENCY: City of Lake Worth Beach			P	ROCESSED		
NAME OF OFFICE OR POSITION HEL Commissioner District 4	D OR SOUGHT :					
CHECK ONLY IF 🔲 CANDIDATE	OR NEW EMPLOYEE OR	APPOINTEE				
DISCLOSURE PERIOD: THIS STATEMENT REFLECTS YOU  MANNER OF CALCULATING R FILERS HAVE THE OPTION OF US FEWER CALCULATIONS, OR USIN (see instructions for further details).  COMPARATIVE (PE	REPORTABLE INTERESTS: BING REPORTING THRESHOLING RIG COMPARATIVE THRESHOLING	OR CALENDAR YEAR E DS THAT ARE ABSOLUT LDS, WHICH ARE USUA USING (must check one	NDING FE DOL ALLY B,	DECEMBER 31, 2022.  LAR VALUES, WHICH REQUIRES		
PART A PRIMARY SOURCES OF INC (If you have nothing to repo	COME [Major sources of income to to trt, write "none" or "n/a")	he reporting person - See ir	structio	ns]		
NAME OF SOURCE OF INCOME		JRCE'S DRESS	DESCRIPTION OF THE SOURCE'S PRINCIPAL BUSINESS ACTIVITY			
City of Lake Worth Beach	7 North Dixic Highway, Lake Wor	***************************************	City Commissioner pay			
Lake Worth Waterkeeper, Inc.	PO Box 1367, Lake Worth	Beach, FL 33460	Nonprofit organization			
			<del>                                     </del>			
PART B SECONDARY SOURCES OF [Major customers, clients, an (If you have nothing to repo NAME OF BUSINESS ENTITY	d other sources of income to busines	ses owned by the reporting  ADDRESS  OF SOURCE	person -	See instructions]  PRINCIPAL BUSINESS ACTIVITY OF SOURCE		
none						
			·····			
PART C REAL PROPERTY [Land, bu (If you have nothing to report	ildings owned by the reporting persort, write "none" or "n/a")	n - See instructions]	lin sh FII	u are not limited to the space on the es on this form. Attach additional eets, if necessary.  LING INSTRUCTIONS for when d where to file this form are		
			loc IN thi	carried to the bottom of page 2.  STRUCTIONS on who must file is form and how to fill it out gin on page 3.		

(If you have nothing to report, write "non TYPE OF INTANGIBLE	one" or "n/a")  BUSINESS ENTITY TO WHICH THE PROPERTY RELATES					
none	BOOMESO ENTITY TO WHICH THE PROCESS AND					
PART E — LIABILITIES [Major debts - See instruction (If you have nothing to report, write "non						
NAME OF CREDITOR			ADDRES	S OF CREDITOR		
Nelnet	121 South 13t	h S	treet, Suite 201, Li	incoln, NE 68508		
PART F — INTERESTS IN SPECIFIED BUSINESSES (If you have nothing to report, write "none"	" or "n/a")		s in certain types of bus	inesses - See instructions]  BUSINESS ENTITY # 2		
NAME OF BUSINESS ENTITY	none					
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 agency created under Part III, Chapter 163 required to a	complete annual eth	nics t	raining pursuant to section	on 112.3142, F.S.		
☑ I CERTIFY THAT I	HAVE COME	PLE	TED THE REQU	JIRED TRAINING.		
IF ANY OF PARTS A THROUGH G ARE	CONTINUED	ON	A SEPARATE SHE	ET, PLEASE CHECK HERE 🔲		
SIGNATURE OF FILE	R:		CPA or ATTO	ORNEY SIGNATURE ONLY		
Signature:		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:				
/s/Reinaldo Diaz		-	<ol> <li>, prepared Form 1 in accordance with Section 112.3145, Florida Statutes instructions to the form. Upon my reasonable knowledge and in disclosure herein is true and correct.</li> </ol>			
Date Signed:			CPA/Attorney Signature:			
February 13, 2025						
			Date Signed:			
FILING INSTRUCTIONS:						
If you were mailed the form by the Commission on E Supervisor of Elections for your annual disclosure form to that location. To determine what category y under, see page 3 of instructions.	filing, return the	<b>M</b> t 1 v	JLTIPLE FILING UNN	together with their filing papers.  ECESSARY: A candidate who files a Form is not required to file with the Commission s.		
or 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.		and specified state employee must file <i>within 30 days</i> of the date of his or her appointment or of the beginning of employme Appointees who must be confirmed by the Senate must file prior confirmation, even if that is less than 30 days from the date of the appointment				
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		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, 2022.				

PART D — INTANGIBLE PERSONAL PROPERTY [Stocks, bonds, certificates of deposit, etc. - See instructions]

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

In re Reinaldo Diaz
Chair/City Commissioner District 4
Mayor And City Commission
Lake Worth Beach

PID#: 301915

# 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)(f), Florida Statutes, due to your failure to timely file your 2022 CE Form 1, Statement Of Financial Interests. Under the law, your 2022 CE Form 1, Statement of Financial Interests, was due by July 3, 2023. The law provided for a penalty-free grace period extending the due date to September 1, 2023. 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)(f), Florida Statutes.

Inasmuch as your 2022 CE Form 1 has not been filed with the Supervisor of Elections for Palm Beach County within the 60 days of the grace period date (September 1, 2023), 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)(f)2., Florida Statutes, and Commission Rule 34-8.215, Florida Administrative Code.
- 3. **FORMAT:** Your appeal must be in writing and mailed to <u>Florida Commission on Ethics</u>, <u>P. O. Drawer 15709</u>, <u>Tallahassee</u>, <u>FL 32317-5709</u>, or delivered to <u>Florida Commission on Ethics</u>, <u>325 John Knox Road</u>, <u>Building E, Suite 200</u>, <u>Tallahassee</u>, <u>FL 32303</u>. 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: <u>www.ethics.state.fl.us</u>. Click on "Financial Disclosure" and then the link to the sample appeal form.
- 4. **DUE DATE:** Your appeal must be <u>received</u> by the Commission on Ethics on or before <u>February 10</u>, <u>2025</u>. <u>NOTE</u>: 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, 2023, 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, 2022: confirmation of your last date of office or employment by your former agency, showing the last date to be before December 31, 2022;

f. UNCLAIMED CERTIFIED MAIL: if deliquency 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 you 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

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:

Mr Reinaldo Diaz 7 N Dixie Hwy Lake Worth Beach, FL 33460 -3725

by Certified Mail on this Friday, January 10, 2025.

Kimber & Cham

KIMBERLY R. HOLMES Program Administrator

-or-

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





9214 8901 0661 5400 0203 0918 70

#### RETURN RECEIPT (ELECTRONIC)

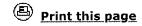
301915	
REINALDO DIAZ 7 N DIXIE HWY LAKE WORTH BEACH, FL	33460-3725

URGENT: OPEN IMMEDIATELY!

CUT / FOLD HERE	Zone 4
	2010 4
6"X9" ENVELOPE CUT / FOLD HERE	
CUT / FOI D HERE	

18 Amb Charles a Boures about 1,0000 C 40 4

#### **Mail Piece Details**



#### **Recipient Address**

REINALDO DIAZ 7 N DIXIE HWY LAKE WORTH BEACH, FL 33460-3725

**Record / Case Number:** 301915

#### **Return Address**

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

#### **Mail Piece Information**

**Tracking Number:** 92148901066154000203091870 **Date Created:** 01/10/2025 04:13:20 PM

Mail Class: USPS First Class Mail

Special Services: Certified Mail

Return Receipt Electronic

Memo: 2022 FY Resend & 2023 FY Fines

Created By: Kimberly Holmes - Commission on Ethics

#### **Signature Information**

Signed For By: REINALDO DIAZ 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, Usps Awaiting Item, January 10, 2025, 12:00:00 AM

Pre-Shipment Info Sent Usps Awaits Item, January 10, 2025, 07:15:00 PM, TALLAHASSEE,FL 32317

Origin Acceptance, January 12, 2025, 01:33:00 AM, TALLAHASSEE,FL 32317

Processed Through Usps Facility, January 12, 2025, 02:48:00 AM, JACKSONVILLE FL DISTRIBUTION CE 32203

In Transit To Next Facility, Arriving On Time, January 14, 2025, 12:00:00 AM

Processed Through Usps Facility, January 15, 2025, 08:30:00 AM, WEST PALM BEACH FL DISTRIBUTION 33416

Processed Through Usps Facility, January 15, 2025, 06:40:00 PM, WEST PALM BEACH FL DISTRIBUTION 33416

Processed Through Usps Facility, January 15, 2025, 10:36:00 PM, WEST PALM BEACH FL DISTRIBUTION 33416

Delivered Left With Individual, January 16, 2025, 01:26:00 PM, LAKE WORTH BEACH,FL 33460

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January 16, 2025

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 0203 0918 70.

#### Item Details

Status:

Delivered, Left with Individual

Status Date / Time:

January 16, 2025, 1:26 pm

Location:

LAKE WORTH BEACH, FL 33460

**Postal Product:** 

USPS Ground Advantage™

Extra Services:

Certified Mail™

Return Receipt Electronic

Recipient Name:

**REINALDO DIAZ** 

#### Recipient Signature

Signature of Recipient:

7 N DIXIE HWY, LAKE WORTH

BEACH, FL 33460

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: 92148901066154000203091870 301915 REINALDO DIAZ 7 N Dixie Hwy Lake Worth Beach, FL 33460-3725 2022 FY Resend & 2023 FY Fines Subject: Form 1 - Statement of Financial Interests
Date: 2023-06-20 15:51:30
Download
From: sdonaldson@lakeworthbeachfl.gov
sdonaldson@lakeworthbeachfl.gov
cmcvoy@LakeWorthBeachfl.gov
kdstokes@LakeWorthBeachfl.gov
rdiaz@LakeWorthBeachfl.gov

Hello Commissioner.

This is just a reminder that the deadline to submit your annual Form 1 is July 1<sup>st</sup>. Attached is the form for your convenience, the filled out form needs to be submitted to the PBC SOE by mail or by email at financialdisclosures@votepalmbeach.gov. They should send an acknowledgement by email after they receive it

If you need it, the link to the PBC SOE is https://www.votepalmbeach.gov/

Thank you.

#### Moalli, Ron

**From:** sdonaldson@lakeworthbeachfl.gov

**Sent:** Tuesday, June 20, 2023 3:52 PM sdonaldson@lakeworthbeachfl.gov

**Subject:** Form 1 - Statement of Financial Interests

**Attachments:** Form 1\_2022i.pdf

**Importance:** High

Hello Commissioner,

This is just a reminder that the deadline to submit your annual Form 1 is July 1<sup>st</sup>. Attached is the form for your convenience, the filled out form needs to be submitted to the PBC SOE by mail or by email at <u>financialdisclosures@votepalmbeach.gov</u>. They should send an acknowledgement by email after they receive it.

If you need it, the link to the PBC SOE is <a href="https://www.votepalmbeach.gov/">https://www.votepalmbeach.gov/</a>.

Thank you,

#### Silvina Donaldson

Executive Assistant | City Commission



City of Lake Worth Beach
7 North Dixie Highway
Lake Worth Beach, FL 33460
V: 561-586-1730
sdonaldson@lakeworthbeachfl.gov
www.lakeworthbeachfl.gov

City Operating Hours Tuesday - Friday 8:00 am - 5:00 pm

"We are LAKE WORTH BEACH. A hometown City that is committed to delivering the highest level of customer service through a commitment to integrity, hard work and a friendly attitude. We strive to exceed the expectations of our citizens, our businesses, our elected officials and our fellow employees."

#### CITY OF LAKE WORTH BEACH E-MAIL DISCLAIMER:

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from local officials regarding city business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

# Florida Commission on Ethics Financial Disclosure Notification System Delinquency Certification (2023)

I Wendy Sartory Link, the Supervisor of Elections of Palm Beach County, hereby certify that each person whose ID number, name, agency, and position appears above or on the attached list:

- (1) was sent a notice of the July 3, 2023 financial disclosure deadline and a blank Form 1, Statement of Financial Interests, not later than June 1, 2023;
- (2) was determined to be delinquent in filing a Form 1, Statement of Financial Interests, by July 3, 2023;
- (3) was sent a delinquency notice by certified mail not later than August 1, 2023 advising him or her of the grace period in effect until September 1, 2023; and of the penalties that could be imposed as provided in Section 112.3145(8)(c), Florida Statutes; and
- (4) did not file a Form 1, Statement of Financial Interests, until the date shown or, had not filed a Form 1, Statement of Financial Interests by October 31, 2023; 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 /

SLIPERVISOR OF FIFCTIONS

U.S. Postal Service<sup>™</sup>
CERTIFIED MAIL® RECEIPT
Domestic Mail Only For delivery information, visit our website at www.usps.com®. Certified Mail Fee .260 Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) 1000 Return Receipt (electronic) Postmark Certified Mail Restricted Delivery \$ Here Adult Signature Required
Adult Signature Restricted Delivery \$ 1970 Postage 301915 Reinaldo Diaz 7021 Lake Worth Beach ₹ 226 South L Street Lake Worth Beach, FL 33460 PS Form 3800, April 2015 PSN 7530-02-000-9047

. . .

**WENDY SARTORY LINK** 

PALM BEACH COUNTY SUPERVISOR OF ELECTION

Post Office Box 22309

West Palm Beach, FL 33416 SUPERVISOR

0001 0977 1756

March March 1571

ZIP 33415 **\$ 00** 02 4W 0000338187 JUI

Reinaldo Diaz Lake Worth Beach Chair/City Commissioner District 4 226 South L Street Lake Worth Beach, FL 33460

\_ 1. 雪云 双连接电路器的路子只要用口户

MIXIE

6009/18/11

RETURN TO SENDER UNCLAIMED UNABLE TO FORWARD



## 🚨 Filer - Fines and Appeals - PID 301915 - Mr Reinaldo Diaz

#### 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

#### << 2024 Form Year

#### Status

Filing: Preannual Fine: No Fine

#### Flags

Public Address
Filing Extensions
Indefinite: None
Temporary:
None
Eligible for Fines

The filer has fines for: 2024 (Appeal) 2023 (Appeal) view all

2023 Fines and Appeals

#### Form Year 2022 Filed Forms

Received Date	Form Type	Form Signed	Filed by Email	Filing Location	Updated	Comments
02/13/25	Form 1	Yes	Yes	SOE	holmesk on 02/13/2025	Received by COE on behalf of Palm Beach Supervisor of Elections

2023	Fine	Information	

Update Fine Information
Assign Agency Contact

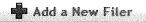
Fine Balance	Fine Status	Fine Date	Original Assessment	Fine	Last Payment Date	Payment Plan Start Date	Payment Plan Amount	
\$1,500.00	Appeal	1/5/2024	\$1,500.00	\$1,500.00				

Fine Address 504 South K Street Lake Worth Beach FL 33460-4512 Org/Suborg Lake Worth Beach-Mayor And City Commission

#### 2023 Fine Payment History

Date Posted	Description	Amount	Method	Payment ID	Comments
1/5/2024	Fine Levied	+ \$1,500.00			Fined \$1500.00

Current Balance: \$1,500.00



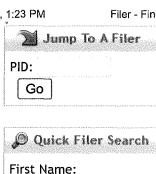
2023 Fine Year Event Chronology

Date Type

Description

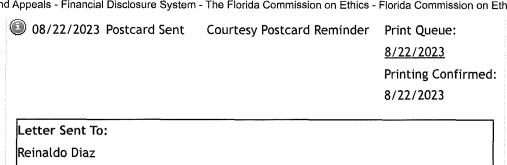
Invalidate Transaction

Reference



Last Name:

Search



226 South L Street Lake Worth Beach, FL 33460

09/14/2023 Letter Sent **Courtesy Notice of Fines** Print Queue: Accruing 9/14/2023 Printing Confirmed:

Letter Sent To: Reinaldo Diaz 226 South L Street Lake Worth Beach, FL 33460

01/5/2024 Fine Levied Fined \$1500.00 Journal: 1/5/2024 5:07 PM

03/22/2024 Notice of Initial Fine Notice. Invalidated Assessed Fine Invalidated Reason: Located

11:15 AM

better address

Notice of Assessed Fine -Filer 1st Fine Letter

Print Queue: 3/22/2024

9/14/2023

Printing Confirmed:

Journal: 3/22/2024

3/22/2024

Letter Sent To:

© 03/22/2024 Letter Sent

Reinaldo Diaz

7 N Dixie Hwy

Lake Worth Beach, FL 33460 -3725

01/10/2025 Letter Sent

01/10/2025 Notice of Initial Fine Notice

Assessed Fine

Notice of Assessed Fine -

Filer 1st Fine Letter

Journal: 1/10/2025

3:37 PM

Print Queue: 1/10/2025

Printing Confirmed:

1/10/2025

Letter Sent To:

Mr Reinaldo Diaz

7 N Dixie Hwy

Lake Worth Beach, FL 33460 -3725

02/11/2025 Filer

On 2/11/2025 I spoke with

rmoalli

Communication: Commissioner Diaz about him

Phone

not filing his 2022 CE Form 1.

He stated that he never received a notification that he was required to file. He no longer lives at the address

on file with the Commission, 226 South L Street, having

moved from there

approximately 2 1/2 years ago. He currently resides at 504 South K Street, Lake Worth Beach, 33460. Also the phone number on record was wrong. His phone number is, 561-707-2897. He personal

email is,

reyd.diaz@gmail.com. Lake Worth City records reflect that on 6/20,2023, City staff

sent him an email

communication informing him of his requirement to file a CE Form 1 by July 1, 2023. Commissioner Diaz filed his 2022 CE Form 1 on

2/13/2025.

02/13/2025 Form Received Form 1 Received, Signed

Form 1 Received by Received by COE on behalf of Palm Beach Supervisor of **Elections SOE** 

Form Received By:

Filing Location: Palm Beach County SOE

Record Created By: Kimberly Holmes on 02/13/2025

02/17/2025 Fine Appeal

FD 23-011

Journal: 2/17/2025

11:27 AM

© 02/17/2025 Letter Sent

Fine Appeal

Print Queue:

2/17/2025

Printing Confirmed:

2/17/2025

Letter Sent To: Mr Reinaldo Diaz 504 South K Street Lake Worth Beach, FL 33460 -4512 Withdraw Appeal Assign Attorney 2023 Fine Appeal -Update Appeal FD 23-011 Request More Info Record Appeal Outcome **Appeal Status:** No Hearing Requested Active **Appeal Receipt** Date: 02/13/2025 Timely Filed: No Print Appeal Letter: Yes **Hearing Requested:** Appeal Reason: Lack of Notification **Appeal Notes:** Appeal Number: FD 23-011 **Appeal Analyst** Assigned: Final Order Number: Final Order Date: