

BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In re SHAWNDEL KAISER,)
)
)
)
Appellant.)

)

Financial Disclosure Appeal No. FD 19-081

Final Order No.

FINAL ORDER RESCINDING FINE

This matter came before the Commission on Ethics, on its own motion, meeting in public session on December 1, 2023, in the matter of 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 specifically requested a hearing before the Commission.

Findings of Fact

1. According to information provided to the Commission, Appellant served on the Board of Supervisors for the Champions Reserve Community District (CDD), a position requiring the filing of a CE Form 1, Statement of Financial Interests, for the year 2018. In 2019, 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 Hillsborough County Supervisor of Elections sent Appellant a 2018 CE Form 1.

3. On July 25, 2019, the Hillsborough County Supervisor of Elections sent Appellant a Notice of Delinquency by certified mail. This Notice was sent to Appellant at 2005 Pan Am

Circle, Suite 300, Tampa, Florida. Records from the United States Postal Service indicate the certified mailing was delivered on July 29, 2019, to the address's "Front Desk/Reception/Mail Room" and an individual other than Appellant signed for it.

4. On August 19, 2019, the Commission mailed Appellant a postcard intended to remind her of her obligation to file a 2018 CE Form 1. The Commission mailed the postcard to the 2005 Pan Am Circle, Suite 300 address.

5. On September 6, 2019, the Commission sent Appellant a courtesy notice that fines were beginning to accrue, as her 2018 CE Form 1 had not been received.

6. At the close of 2019, a CDD representative informed the Commission that Appellant was no longer serving on its Board of Supervisors.

7. The Commission sent Appellant a Notice of Assessment of her Automatic Fine on February 4, 2020. The Notice was sent to Appellant at the 2005 Pan Am Circle, Suite 300 address. It indicated the total of Appellant's accrued automatic fine, and included a notice of the right to appeal the fine, stating that the appeal had to be received by the Commission by March 5, 2020, to be considered timely. Records from the United States Postal Service indicate the Notice was delivered on February 6, 2020, to the address's "Front Desk/Reception/Mail Room" and an individual other than Appellant signed for it.

8. The total amount of the automatic fine levied against Appellant was \$1,500.

9. On June 11, 2021, following the expiration of the appeal period, a second and final Notice of Assessment of Automatic Fine was sent to Appellant. The Notice was again sent to the 2005 Pan Am Circle, Suite 300 address.

10. Subsequently, on September 15, 2021, the Commission entered a default final order imposing the \$1,500 fine.

11. Appellant submitted her 2018 CE Form 1 to the Commission—which accepted it on behalf of the Hillsborough County Supervisor of Elections—on January 7, 2022.

12. On that same date, January 7, 2022, Appellant filed her appeal of the automatic fine with the Commission. In her appeal, Appellant claimed she did not receive timely notice of her filing obligation. Appellant states in her appeal that all notices were sent to the address of her former employer, which was the management company that placed her on the CDD's Board of Supervisors, and that she no longer works for that company.

Conclusions of Law

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

14. 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.

15. Section 112.3145(8)(f), 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.

16. Appellant was notified of her appellate rights on February 4, 2020, and informed that her appeal needed to be received by the Commission on or before March 5, 2020, in

accordance with the 30-day appeal period allowed by Section 112.3145(8)(f)2., Florida Statutes. Appellant did not timely file an appeal. Appellant then brought her appeal on January 7, 2022, which was outside the 30-day window.

17. "An elementary and fundamental requirement of due process in any proceeding which is to be accorded finality is notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and to afford them an opportunity to present their objections." Mullane v. Cen. Hanover Bank, 339 U.S. 306, 314, 70 S.Ct. 652, 94 L.Ed. 865 (1950).

18. Appellant was provided notice of her appellate rights and of her opportunity to be heard, and did not timely file an appeal. However, it appears that Appellant did not timely receive the Notice of Appellate Rights sent on February 4, 2020. The certified notice was not signed for by Appellant, but by another individual at the mailing address's "Front Desk/Reception/Mail Room." Moreover, Appellant claims the certified notice was delivered to the address of her previous employer, the management company which placed on the CDD's Board of Supervisors, and, by that time, she was no longer working for that company. This is supported by the CDD, which informed the Commission at the end of 2019 that Appellant was no longer serving on its Board of Supervisors. As such, there is no evidence, in this particular case, that Appellant personally received notice of her appellate rights before the expiration of the 30-day appeal period. For this reason, her appeal is accepted as timely filed.

19. Turning to the merits of Appellants' appeal, she claims she did not receive timely notice of her filing obligation as all mailings were sent to the address of her previous employer. There is no evidence to dispute Appellant's claim that she failed to receive timely notice. Indeed, the certified mailing sent by the Hillsborough County Supervisor of Elections was accepted and

signed by an individual other than Appellant, and, as previously noted, the CDD indicated Appellant left its Board of Supervisors at some point prior to the end of 2019. The postcard sent by the Commission prior to the expiration of the grace period was sent to the same address. Appellant has also updated the Commission with a new mailing address. Considering Appellant's claim of lack of notice, and that there is no evidence showing otherwise, there are "unusual circumstance" here that justify waiving the \$1,500 fine.

Order

Based on the foregoing facts and conclusions of law, the Commission hereby rescinds the Default Final Order entered on September 15, 2021, and waives the assessed fine of \$1,500.

ORDERED by the State of Florida Commission on Ethics meeting in public session on Friday, December 1, 2023.

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: gps

Ms. Shawndel Kaiser
12443 Victarra Place
Trinity, FL 34655-0042

19-081

273802



STATE OF FLORIDA COMMISSION ON ETHICS

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

JAN 07 2022

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: Shawndel Kaiser

Address: 12443 Victarra Place City: Trinity State: FL Zip: 34655

Daytime Tel.: Cell: 7279924442

Email: skaiser@homeriver.com Filer ID# (if known): 273802

Public Employer: Champions Reserve CDD

Public Position: Board of Supervisor

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.

All notifications were sent to my incorrect address of my previous employer. I also no longer worked for the management company that put me on the Board.

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.

Shawndel Kaiser

DATE

SIGNATURE

**Florida Commission on Ethics
Financial Disclosure Notification System
Delinquency Certification (2019)**

I Craig Latimer, the Supervisor of Elections of Hillsborough 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 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



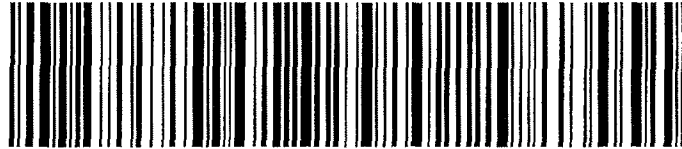
Return address:

HILLSBOROUGH COUNTY
SUPERVISOR OF ELECTIONS
2514 N FALKENBURG RD
TAMPA, FL 33619

Recipient address:

SHAWNDEL KAISER
CHAMPIONS RESERVE CDD
2005 PAN AM CIR STE 300
TAMPA FL 33607

USPS CERTIFIED MAIL



9214 8901 9403 8300 0086 6361 85

USPS Tracking Label Number: 9214 8901 9403 8300 0086 6361 85

USPS Tracking History	Postal Facility	ZIP	Date	Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM		TAMPA,FL 33602		07/25/2019 10:30
ORIGIN ACCEPTANCE		TAMPA,FL 33602		07/26/2019 03:50
PROCESSED THROUGH USPS FACILITY		TAMPA,FL 33630		07/26/2019 05:05
DEPART USPS FACILITY		TAMPA,FL 33630		07/26/2019 21:29
NO ACCESS		TAMPA,FL 33607		07/27/2019 09:36
DELIVERED FRONT DESK/RECEPTION/MAIL ROOM		TAMPA,FL 33607		07/29/2019 12:16



Date Produced: 08/05/2019

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8300 0086 6361 85. Our records indicate that this item was delivered on 07/29/2019 at 12:16 p.m. in TAMPA, FL 33607. The scanned image of the recipient information is provided below.

Signature of Recipient :

A handwritten signature in black ink, appearing to read "ShawnDel Kaiser".

Address of Recipient :

A handwritten address in black ink: "2005 Pan Am Cir Ste 300".

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

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

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

SHAWNDEL KAISER
CHAMPIONS RESERVE CDD
2005 PAN AM CIR STE 300
TAMPA FL 33607

Customer Reference Number: C1515205.8404595

- 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.

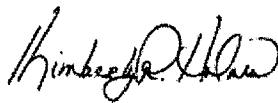
Please contact our office if you have any questions about this matter.

CERTIFICATE OF MAILING

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

Shawndel Kaiser
2005 Pan Am Cir Ste 300
Tampa, FL 33607 -2359

by Certified Mail on this Tuesday, February 04, 2020.



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

Mail Piece Details

 [Print this page](#)

Recipient Address

SHAWNDEL KAISER
2005 PAN AM CIR STE 300
TAMPA, FL 33607-6008

Record / Case Number:
273802

Return Address

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

Entry Point ZIP:
32317

Mail Piece Information

Tracking Number: 92148901066154000148013609
Date Created: 02/04/2020 02:24:17 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: SHAWNDEL KAISER
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, February 04, 2020, 02:24:17 PM, TALLAHASSEE,FL 32317
Pre-Shipment Info Sent To Usps, Usps Awaiting Item, February 04, 2020, 12:00:00 AM
Pre-Shipment Info Sent Usps Awaits Item, February 04, 2020, 01:33:00 PM, TALLAHASSEE,FL 32317
Accepted At Usps Origin Facility, February 04, 2020, 06:30:00 PM, TALLAHASSEE,FL 32317
Origin Acceptance, February 04, 2020, 06:30:00 PM, TALLAHASSEE,FL 32317
Arrived At Usps Regional Origin Facility, February 04, 2020, 07:45:00 PM
Processed Through Usps Facility, February 04, 2020, 07:45:00 PM, TALLAHASSEE,FL 32301
Departed Usps Regional Facility, February 04, 2020, 11:00:00 PM
Depart Usps Facility, February 04, 2020, 11:00:00 PM, TALLAHASSEE,FL 32301
In Transit To Next Facility, February 05, 2020, 12:00:00 AM
Arrived At Usps Destination Facility, February 05, 2020, 02:00:00 PM, TAMPA,FL 33630
Processed Through Usps Facility, February 05, 2020, 02:00:00 PM, TAMPA,FL 33630
Processed Through Usps Facility, February 05, 2020, 05:21:00 PM, TAMPA,FL 33630
Departed Usps Destination Facility, February 05, 2020, 08:43:00 PM, TAMPA,FL 33630
Processed Through Usps Facility, February 05, 2020, 08:43:00 PM, TAMPA,FL 33630
Delivered Front Desk/Reception/Mail Room, February 06, 2020, 10:08:00 AM, TAMPA,FL 33607

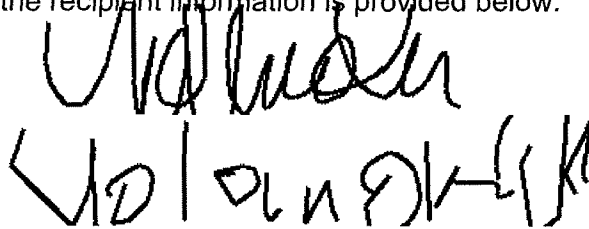
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For the latest version of Adobe® Reader® click here.

Date Produced: 02/07/2020

THE MAIL GROUP INC - 1 / CONFIRM DELIVERY INC:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 0661 5400 0148 0136 09. Our records indicate that this item was delivered on 02/06/2020 at 10:08 a.m. in TAMPA, FL 33607. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :

2005 Pan Am Cir
Ste 300

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

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

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: 92148901066154000148013609
273802
SHAWNDEL KAISER
2005 Pan Am Cir Ste 300
Tampa, FL 33607-6008

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

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

"A Public Office is a Public Trust"

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

TO: Shawndel Kaiser 273802
Champions Reserve Community Development District
Board of Supervisors
FROM: Kimberly R. Holmes, Program Administrator
DATE: June 11, 2021

On February 4, 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:

Shawndel Kaiser 273802
2005 Pan Am Cir Ste 300
Tampa FL 33607 -2359

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

A handwritten signature in black ink, appearing to read "Kimberly R. Holmes".

Kimberly R. Holmes
Program Administrator

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


Kerrie J. Stillman
Executive Director

Caroline M. Klancke
*Deputy Executive Director/
General Counsel*

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

"A Public Office is a Public Trust"

**NOTIFICATION OF ISSUANCE OF
DEFAULT FINAL ORDER**

TO: Shawndel Kaiser 273802
Champions Reserve Community Development District
Board of Supervisors
FROM: Kimberly R. Holmes, Program Administrator 
DATE: September 15, 2021

Enclosed is an Order issued by the Commission on Ethics at its meeting on September 10, 2021.

If you do not pay the assessed fine by October 18, 2021 (30 days from the date of this letter) or contact our office to make arrangements to pay the fine in installments, the Commission will refer your fine to the Florida Department of Financial Services (DFS) and their contract collection agency—Transworld Systems Inc.—will undertake collecting the fine.

This referral will increase the amount you owe by adding a service fee of 13% of the fine to the balance due, and may affect your credit rating.

If you pay your fine now, you can do so online by credit card. See the enclosed flyer or call us for more information. **Once your fine has been submitted to Collections you will no longer be able to take advantage of our online payment system.**

Failure to pay, or make arrangements to pay, the fine by the above date will also result in a copy of the enclosed Order being provided to your agency head, appointing authority, and presiding officer, as well as to the Florida Bar, if you are an attorney.

If you have any questions, please do not hesitate to contact our office.

Enclosures

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

In re Shawndel Kaiser,

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)
)
)

2018 CE Form 1

DEFAULT FINAL ORDER

This matter comes before the Commission on Ethics for the failure of Shawndel Kaiser to pay the assessed fine. Pursuant to Section 112.3145(8)(g), Florida Statutes, the Florida Commission on Ethics is charged with assessing automatic fines of \$25 per day up to a maximum of \$1500 for persons who are required to file financial disclosure but who either file late, or not at all.

FINDINGS OF FACT

1. Shawndel Kaiser, Champions Reserve Community Development District , Board of Supervisors, was on the list of persons required to file a Statement of Financial Interests for the year 2018.
2. Pursuant to Section 112.3145(8)(g), Florida Statutes, Shawndel Kaiser was mailed a copy of the 2018 CE Form 1 no later than June 1, 2019, and was mailed a delinquency notice by certified mail no later than July 31, 2019. Additional attempts to contact Shawndel Kaiser were also made by Commission staff.
3. However, Shawndel Kaiser did not file a 2018 CE Form 1 by the designated due date. Shawndel Kaiser was sent a notice of payment due advising of the statutory rights to appeal or dispute the automatic fine in a hearing before the Commission if such appeal was

received within 30 days of the notice of payment due. No timely appeal was received from Shawndel Kaiser.

4. More than 60 days have elapsed since the notice of payment due was transmitted without Shawndel Kaiser paying the fine.

5. On its own motion, the Commission voted to affirm that a fine in the amount of \$1500 has accrued in this matter.

CONCLUSIONS OF LAW

6. The Commission has jurisdiction over the parties to and subject matter of this case, pursuant to Section 112.3145, Florida Statutes.

7. Shawndel Kaiser's failure to timely appeal the assessed fine constitutes a waiver of the entitlement to an appeal, pursuant to Rule 34-8.215(2), Florida Administrative Code.

ORDER

8. Pursuant to Section 112.3145(8) and 112.31455, Florida Statutes, the Commission on Ethics shall attempt to determine whether Shawndel Kaiser is currently a public officer or public employee receiving salary or wages from a governmental entity. If so, the matter will be referred to either the Chief Financial Officer for the State of Florida or the governing body for Champions Reserve Community Development District, as appropriate, for withholding of salary until the debt is satisfied.


9. If Shawndel Kaiser is no longer a public officer or employee, or if the Commission cannot determine filer's status, the matter will be referred to the Florida Department of Financial Services for collection or wage garnishment.

WHEREFORE, the automatic fine that Shawndel Kaiser accrued in the amount of \$1500 is affirmed. The fine shall be paid to the Florida Commission on Ethics within 30 days of the

date this Default Final Order is entered. After that date, nonpayment will result in collection as provided for in Section 112.3145(8) and 112.31455, Florida Statutes.

ORDERED by the State of Florida Commission on Ethics meeting in public session on September 10, 2021.

September 15, 2021
Date Rendered


JOHN GRANT
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 SECTIONS 112.3241 AND 120.68, FLORIDA STATUTES, BY FILING A NOTICE OF ADMINISTRATIVE APPEAL PURSUANT TO RULE 9.110, FLORIDA RULES OF APPELLATE PROCEDURE, WITH THE CLERK OF THE COMMISSION ON ETHICS, BY U.S. MAIL AT P.O. DRAWER 15709, TALLAHASSEE, FLORIDA 32317-5709 (OR BY DELIVERY TO 325 JOHN KNOX ROAD, BUILDING E, SUITE 200, TALLAHASSEE, FLORIDA 32303); AND BY FILING A COPY OF THE NOTICE OF APPEAL ACCOMPANIED BY THE APPLICABLE FILING FEES WITH THE APPROPRIATE DISTRICT COURT OF APPEAL. THE NOTICE OF ADMINISTRATIVE APPEAL MUST BE FILED WITHIN 30 DAYS OF THE DATE THIS ORDER IS RENDERED.

Copy Furnished to:

Shawndel Kaiser
2005 Pan Am Cir Ste 300
Tampa FL 33607 -2359

JG/kh

cc: Brian K Lamb

FORM 1

**STATEMENT OF
FINANCIAL INTERESTS**

2018

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

FOR OFFICE USE ONLY:
FLORIDA
COMMISSION ON ETHICS

LAST NAME -- FIRST NAME -- MIDDLE NAME :
Kaiser, Shawndel

MAILING ADDRESS :
12443 Victarra Place

CITY : ZIP : COUNTY :
Trinity 34655 Pasco

NAME OF AGENCY :
Champions Reserve CDD

NAME OF OFFICE OR POSITION HELD OR SOUGHT :
Board of Supervisor

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

JAN 07 2019

RECEIVED

273802

PROCESSED

**** **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
None		

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
None			

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

None

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
None	

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

NAME OF CREDITOR	ADDRESS OF CREDITOR
None	

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
	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** 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:

Shawndel Kaiser

Date Signed:

1/7/2021

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.

Financial Disclosure Management System
THE FLORIDA COMMISSION ON ETHICS

Filer - Fines and Appeals - PID 273802 - Shawndel Kaiser

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](#)

<<2021 Form Year

Status

Filing: INACTIVE
 Fine: No Fine

Flags

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

Update Flags

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

2019 Fines and Appeals

Form Year 2018 Filed Forms						
Received Date	Form Type	Form Signed	Filed by Email	Filing Location	Updated	Comments
01/07/22	Form 1	Yes	Yes	SOE	holmesk on 01/07/2022	Received by COE on behalf of Hillsborough Supervisor of Elections


2019 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	2/4/2020	\$1,500.00	\$1,500.00			
Fine Address 12443 VICTARRA PL TRINITY FL 34655-0042 Org/Suborg Champions Reserve Community Development District -Board of Supervisors							

2019 Fine Payment History					
Date Posted	Description	Amount	Method	Payment ID	Comments
2/4/2020	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: <u>8/19/2019</u> Printing Confirmed: 8/19/2019

Letter Sent To:

Shawndel Kaiser
2005 Pan Am Cir Ste 300
Tampa, FL 33607 -2359

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

Shawndel Kaiser
12443 VICTARRA PL
TRINITY, FL 34655 -0042

02/4/2020	Fine Levied	Fined \$1500.00	Journal: <u>2/4/2020</u> <u>7:51 AM</u>
02/4/2020	Notice of Assessed Fine	Initial Fine Notice	Journal: <u>2/4/2020</u> <u>9:50 AM</u>
<input type="radio"/> 02/4/2020	Letter Sent	Notice of Assessed Fine - Filer 1st Fine Letter	Print Queue: <u>2/4/2020</u> Printing Confirmed: 2/4/2020

Letter Sent To:

Shawndel Kaiser
12443 VICTARRA PL
TRINITY, FL 34655 -0042

06/11/2021	Final Notice	2nd Fine Notice	Journal: <u>6/11/2021</u>
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of Assessed
Fine

9:38 AM

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

Letter Sent To:
Shawndel Kaiser
12443 VICTARRA PL
TRINITY, FL 34655 -0042

08/24/2021 Collection Orders Collection Order Notice
Journal: 8/24/2021 10:34 AM

09/15/2021 Letter Sent Collection Orders - Prepare Collection Orders
Print Queue: 9/15/2021
Printing Confirmed: 9/15/2021

Letter Sent To:
Shawndel Kaiser
12443 VICTARRA PL
TRINITY, FL 34655 -0042

01/7/2022 Fine Appeal FD 19-081
Journal: 1/7/2022 4:56 PM

01/7/2022 Form Received Form 1 Received, Signed
Received
Form 1 Received by Received by COE on behalf of Hillsborough Supervisor of Elections SOE

Form Received By:
Filing Location: Hillsborough County SOE
Record Created By: Kimberly Holmes on 01/07/2022

01/21/2022 Letter Sent Fine Appeal
Print Queue: 1/21/2022
Printing Confirmed: 1/21/2022

Letter Sent To:

Shawndel Kaiser
 12443 VICTARRA PL
 TRINITY, FL 34655 -0042

2019 Fine Appeal – FD 19-081	Update Appeal	Withdraw Appeal
	Assign Attorney	Request More Info
	Record Appeal Outcome	

Appeal Status: Active Appeal Receipt Date: 01/07/2022 Timely Filed: No Print Appeal Letter: Yes Hearing Requested: Yes Appeal Reason: Lack of Notification Appeal Notes: Appeal Number: FD 19-081 Appeal Analyst Assigned: Final Order Number: Final Order Date:	A Hearing has been requested but not yet scheduled. Schedule a Fine Appeal Hearing
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