

BEFORE THE  
STATE OF FLORIDA  
COMMISSION ON ETHICS

In re ALBERT COHEN, )  
 )  
 Appellant. )  
\_\_\_\_\_ )

Financial Disclosure Appeal No. FD 21-007

Final Order No.

FINAL ORDER

This matter came before the Commission on Ethics, meeting in public session on January 26, 2024, on the timely appeal 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 as a member of the governing board for the Lincoln Road Business Improvement District, a position requiring the filing of a CE Form 1, Statement of Financial Interests, for the year 2020. In 2021, the designated due date for submitting a 2020 CE Form 1 annual filing was July 1, 2021, with a grace period ending on September 1, 2021.

2. On May 28, 2021, the Miami-Dade County Supervisor of Elections sent Appellant a 2020 CE Form 1. The Form was sent to Appellant at 1035 Ocean Parkway, Brooklyn, New York.

3. On July 29, 2021, the Miami-Dade County Supervisor of Elections sent Appellant a Notice of Delinquency by certified mail. This Notice was sent to Appellant at the 1035 Ocean Parkway address. Records from the United States Postal Service indicate that, due to the COVID-19 pandemic, the certified mailing was left in the address's mail slot.

4. On August 20, 2021, the Commission 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 1035 Ocean Parkway address.

5. On September 8, 2021, the Commission sent Appellant a courtesy notice that fines were beginning to accrue, as his 2020 CE Form 1 had not been received. The notice was sent to the 1035 Ocean Parkway address.

6. On January 10, 2022, Appellant submitted his 2020 CE Form 1 to the Commission on Ethics, which accepted it on behalf of the Miami-Dade County Supervisor of Elections.

7. Given the date that the Form was submitted, the total amount of the automatic fine levied against Appellant was \$1,500.

8. That same date, January 10, 2022, Appellant filed his appeal of the automatic fine with the Commission. In the appeal, Appellant claimed he did not receive notice of his filing obligation concerning the 2020 CE Form 1. In particular, he indicated that, during the time that notices were sent, he was working remotely due to COVID-19 and was not at the address where the notices were delivered. Appellant also emphasized in his appeal that his position was on a volunteer basis and that he has now become aware of the importance of timely filing the financial disclosure forms.

9. While having already received Appellant's appeal, the Commission sent Appellant a Notice of Assessment of his Automatic Fine on October 26, 2023. The Notice was sent to

Appellant at the 1035 Ocean Parkway address. It indicated the total of Appellant's accrued automatic fine, and included a notice of the right to appeal the fine.

#### Conclusions of Law

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

11. 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.

12. 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.

13. Here, Appellant claims he did not receive timely notice of his filing obligation because—due to the COVID-19 pandemic—he was working remotely and was not present at the address where the notices were sent. There is no evidence to dispute Appellant's claim that he failed to receive timely notice. Indeed, the certified mailing sent by the Miami-Dade County Supervisor of Elections prior to the expiration of the grace period was left in the building's mail slot due to the pandemic, and there is no indication in Postal Service records that Appellant

received it. 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 waives the assessed fine of \$1,500

ORDERED by the State of Florida Commission on Ethics meeting in public session on Friday, January 26, 2024.

---

Date Rendered

---

Ashley Lukis  
*Chair, Florida Commission on Ethics*

THIS ORDER CONSTITUTES FINAL AGENCY ACTION. ANY PARTY WHO IS ADVERSELY AFFECTED BY THIS ORDER HAS THE RIGHT TO SEEK JUDICIAL REVIEW UNDER SECTION 120.68, AND SECTION 112.3241, FLORIDA STATUTES, BY FILING A NOTICE OF ADMINISTRATIVE APPEAL PURSUANT TO RULE 9.110 FLORIDA RULES OF APPELLATE PROCEDURE, WITH THE CLERK OF THE COMMISSION ON ETHICS, AT EITHER 325 JOHN KNOX ROAD, BUILDING E, SUITE 200, TALLAHASSEE, FLORIDA 32303 OR P.O. DRAWER 15709, TALLAHASSEE, FLORIDA 32317-5709; AND BY FILING A COPY OF THE NOTICE OF APPEAL ATTACHED TO WHICH IS A CONFORMED COPY OF THE ORDER DESIGNATED IN THE NOTICE OF APPEAL ACCOMPANIED BY THE APPLICABLE FILING FEES WITH THE APPROPRIATE DISTRICT COURT OF APPEAL. THE NOTICE OF ADMINISTRATIVE APPEAL MUST BE FILED WITHIN 30 DAYS OF THE DATE THIS ORDER IS RENDERED.

AL: gps

Mr. Albert Cohen  
1035 Ocean Parkway  
Brooklyn, NY 11230

21-007

271903



STATE OF FLORIDA COMMISSION ON ETHICS

325 John Knox Road Building E, Suite 200 Tallahassee, FL 32303 Telephone: (850) 488-7864 Fax: (850) 488-3077 Email: disclosure@leg.state.fl.us

FLORIDA COMMISSION ON ETHICS

JAN 10 2022

RECEIVED

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. 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.

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: Albert Cohen Address: 1035 Ocean Parkway City: Brooklyn State: NY Zip: 11230 Daytime Tel.: Cell: (917) 407-7091 Email: acohen@centurionre.com Filer ID# (if known): Public Employer: Public Position:

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.

Due to Covid I was working remotely and not at the address that mail was being sent to. I have since updated the address and respectfully request that you waive the fine.

This is a position that I volunteer for to help the greater public and i was not aware of the importance of the timeliness of these forms though i am now.

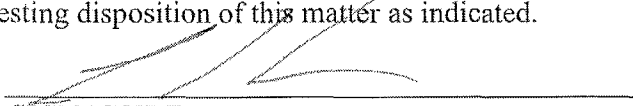
## OPTIONAL REQUEST FOR HEARING

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.

1/10/22  
DATE

  
SIGNATURE

JAN 10 2022

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: Albert Cohen

Address: 1035 Ocean Parkway City: Brooklyn State: NY Zip: 11230

Daytime Tel.: \_\_\_\_\_ Cell: (917) 407-7091

Email: acohen@centurionre.com Filer ID# (if known): 271903

Public Employer: \_\_\_\_\_

Public Position: \_\_\_\_\_

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.

Due to Covid I was working remotely and not at the address that mail was being sent to.

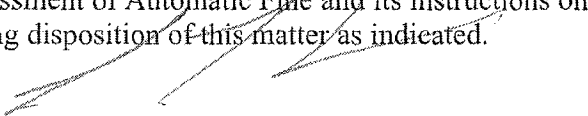
**OPTIONAL REQUEST FOR HEARING**

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.

11/10/2022  
DATE

  
SIGNATURE



**Florida Commission on Ethics  
Financial Disclosure Notification System  
Delinquency Certification (2021)**

I Cristina White, the Supervisor of Elections of Miami-Dade 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, 2021 financial disclosure deadline and a blank Form 1, Statement of Financial Interests, not later than June 1, 2021;

(2) was determined to be delinquent in filing a Form 1, Statement of Financial Interests, by July 1, 2021;

(3) was sent a delinquency notice by certified mail not later than August 1, 2021 advising him or her of the grace period in effect until September 1, 2021; 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, 2021; 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

**Miami Dade County Elections Department**

**Financial Disclosure Details**

<b>Tax Year</b>	<b>Name</b>	<b>FD#</b>	<b>ID#</b>	<b>Filing Status</b>
-----------------	-------------	------------	------------	----------------------

2020      COHEN ALBERT      FD041466      271903      Not Filed-Not Filed

**Mailing Activity**

<b>Mail Date</b>	<b>Address Mailed to</b>	<b>Correspondence</b>	<b>Certified</b>	<b>Delivered</b>	<b>Tracking#</b>
05/28/2021	1035 OCEAN PKWY, BROOKLYN, NY 11230	FIRST FINANCIAL DISCLOSURE MAILING	N	Y	
07/29/2021	1035 OCEAN PKWY, BROOKLYN, NY 11230	SECOND FINANCIAL DISCLOSURE MAILING	Y	Y	94148149022668493 50322

--

--



**Elections**  
Supervisor of Elections Financial Disclosure Section  
PO Box 521550  
Miami Florida 33152-1550  
ADDRESS SERVICE REQUESTED

**IMPORTANT:**  
YOUR ANNUAL DISCLOSURE FORM IS ENCLOSED  
AND MUST BE FILED BY JULY 1, 2021



F D 0 4 1 4 6 6

ALBERT COHEN  
1035 OCEAN PKWY  
BROOKLYN, NY 11230



**Elections**  
Supervisor of Elections Financial Disclosure Section  
PO Box 521550  
Miami Florida 33152-1550  
ADDRESS SERVICE REQUESTED

**IMPORTANT:**  
YOUR ANNUAL DISCLOSURE FORM IS ENCLOSED AND  
MUST BE FILED BY SEPT. 1, 2021

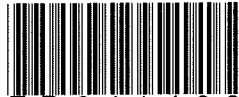
---

USPS CERTIFIED MAIL



9414 8149 0226 6849 3503 22

---



FD041466

ALBERT COHEN  
1035 OCEAN PKWY  
BROOKLYN, NY 11230



Date Produced: 08/09/2021

MIAMI-DADE COUNTY:

The following is the delivery information for Certified Mail™/RRE item number 9414 8149 0226 6849 3503 22. Our records indicate that this item was delivered on 08/07/2021 at 10:36 a.m. in BROOKLYN, NY 11230. The scanned image of the recipient information is provided below.

Signature of Recipient :  
(Authorized Agent)

*W K18 CV19  
IN MAIL SLOT*

Address of Recipient :

*1034 04*

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.

Customer Reference Number: ELESTATEz3zFD041466

## Track Another Package +

**Tracking Number:** 9414814902266849350322

[Remove X](#)

Your item has been delivered to an agent for final delivery in BROOKLYN, NY 11230 on August 7, 2021 at 10:36 am.

### **Delivered to Agent for Final Delivery**

August 7, 2021 at 10:36 am  
BROOKLYN, NY 11230

**Get Updates** 

---

**Text & Email Updates**



---

**Return Receipt Electronic**



---

**Tracking History**



**August 7, 2021, 10:36 am**

Delivered to Agent for Final Delivery

BROOKLYN, NY 11230

Your item has been delivered to an agent for final delivery in BROOKLYN, NY 11230 on August 7, 2021 at 10:36 am.

**August 7, 2021, 12:56 am**

Departed USPS Regional Destination Facility

BROOKLYN NY DISTRIBUTION CENTER

**August 5, 2021, 8:26 am**

Arrived at USPS Regional Destination Facility  
BROOKLYN NY DISTRIBUTION CENTER

**August 4, 2021**

In Transit to Next Facility

**August 3, 2021, 7:55 pm**

Departed USPS Regional Origin Facility  
WEST PALM BEACH FL DISTRIBUTION CENTER

**August 1, 2021, 8:28 am**

Arrived at USPS Regional Origin Facility  
WEST PALM BEACH FL DISTRIBUTION CENTER

**July 31, 2021, 9:48 pm**

Departed USPS Regional Origin Facility  
OPA LOCKA FL DISTRIBUTION CENTER

**July 31, 2021, 6:07 am**

Arrived at USPS Regional Origin Facility  
OPA LOCKA FL DISTRIBUTION CENTER

**July 31, 2021, 4:52 am**

Accepted at USPS Origin Facility  
MIAMI, FL 33128

**July 23, 2021**

Pre-Shipment Info Sent to USPS, USPS Awaiting Item

---

**Product Information**



---

**See Less** ^

**FORM 1**

**STATEMENT OF  
FINANCIAL INTERESTS**

**2020**

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

**FOR OFFICE USE ONLY:**

LAST NAME -- FIRST NAME -- MIDDLE NAME :

Cohen Albert M.

MAILING ADDRESS :

PO Box 1171

CITY : ZIP : COUNTY :

New York 10018 New York

NAME OF AGENCY :

Lincoln Road Business Improvement District

NAME OF OFFICE OR POSITION HELD OR SOUGHT :

Member

CHECK ONLY IF  CANDIDATE OR  NEW EMPLOYEE OR APPOINTEE

FLORIDA  
COMMISSION ON ETHICS

JAN 10 2021

RECEIVED

271903

**PROCESSED**

**\*\*\*\* 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
Centurion Realty, LLC	500 Fifth Avenue NY, NY 10110	Real Estate

**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			

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

643-657 Lincoln Road

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	

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

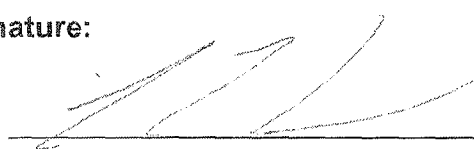
PART F — INTERESTS IN SPECIFIED BUSINESSES [Ownership or positions in certain types of businesses - See instructions] (If you have nothing to report, write "none" or "n/a")		
	BUSINESS ENTITY # 1	BUSINESS ENTITY # 2
NAME OF BUSINESS ENTITY		
ADDRESS OF BUSINESS ENTITY	N/A	
PRINCIPAL BUSINESS ACTIVITY		
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: 1/10/22

**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 CEFom1@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 **Albert Cohen**  
**Governing Board**  
**Lincoln Road Business Improvement District**

**PID#: 271903**

**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, pursuant to Section 112.3145(8)(g), Florida Statutes.

Inasmuch as your 2020 CE Form 1 was filed January 10, 2022 with the Supervisor of Elections for Miami-Dade County, you are fined the amount of \$1500.00 (\$25.00 per day for 131 day(s) late). 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](http://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 **November 27, 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.

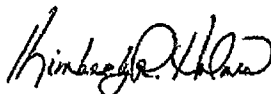
Please contact our office if you have any questions about this matter.

**CERTIFICATE OF MAILING**

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

**Albert Cohen**  
1035 Ocean PKWY  
Brooklyn, NY 11230

by Certified Mail on this Thursday, October 26, 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



**Financial Disclosure Management System**  
THE FLORIDA COMMISSION ON ETHICS

Filer - Fines and Appeals - PID 271903 - Albert Cohen

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](#)

<<2022 Form Year

**Status**

Filing: ACTIVE

Fine: No Fine

**Flags**

Public Address

Filing Extensions

Indefinite: None

Temporary:

None

Eligible for Fines

[Update Flags](#)

The filer has fines for: [2021 \(Appeal\)](#) [2019 \(Appeal\)](#) [view all](#)

2021 Fines and Appeals

Form Year 2020 Filed Forms						
Received Date	Form Type	Form Signed	Filed by Email	Filing Location	Updated	Comments
01/10/22	Form 1	Yes	Yes	SOE	holmesk on 01/19/2022	Received by COE on behalf of Miami-Dade Supervisor of Elections

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	10/25/2023	\$1,500.00	\$1,500.00			
Fine Address 1035 Ocean PKWY Brooklyn NY 11230							
Org/Suborg Lincoln Road Business Improvement District-Governing Board							

2021 Fine Payment History					
Date Posted	Description	Amount	Method	Payment ID	Comments
10/25/2023	Fine Levied	+ \$1,500.00			Fined \$1500.00
Current Balance: \$1,500.00					

Add a New Filer

Jump To A Filer  
 PID:

Quick Filer Search  
 First Name:   
 Last Name:

2021 Fine Year Event

Chronology

<input checked="" type="checkbox"/> Date	Type	Description	Reference
<input type="radio"/> 08/20/2021	Postcard Sent	Courtesy Postcard Reminder	Print Queue: <u>8/20/2021</u> Printing Confirmed: 8/20/2021

Letter Sent To:  
 Albert Cohen  
 1035 Ocean PKWY  
 Brooklyn, NY 11230

<input type="radio"/> 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:  
 Albert Cohen  
 1035 Ocean PKWY  
 Brooklyn, NY 11230

<input type="radio"/> 01/10/2022	Form Received	Form 1 Received, Signed	Form 1 Received by Received by COE on behalf of Miami-Dade Supervisor of Elections SOE
----------------------------------	---------------	-------------------------	--

Form Received By:  
 Filing Location: Miami-Dade County SOE  
 Record Created By: Kimberly Holmes on 01/19/2022

01/10/2022	Filer	Filer submitted early appeal for 2020 Communication: form year. Email	Kimberly Holmes
01/25/2022	Filer		prine.emily

Communication:

Email

From: Prine, Emily  
 Sent: Tuesday, January 25, 2022 9:42 AM  
 To: 'Castellanos, Ramon (Elections)' <Ramon.Castellanos2@miamidade.gov>  
 Subject: Albert Cohen PID 271903

10/25/2023 Fine Levied Fined \$1500.00 Journal: [10/25/2023 9:58 AM](#)

10/25/2023 Notice of Assessed Fine Initial Fine Notice Journal: [10/25/2023 10:20 AM](#)

10/26/2023 Letter Sent Notice of Assessed Fine - Filer 1st Fine Letter Print Queue: [10/26/2023](#)  
 Printing  
 Confirmed: 10/26/2023

Letter Sent To:  
 Albert Cohen  
 1035 Ocean PKWY  
 Brooklyn, NY 11230

11/2/2023 Fine Appeal FD 21-007 Journal: [11/2/2023 5:53 PM](#)

11/7/2023 Letter Sent Fine Appeal Print Queue: [11/7/2023](#)  
 Printing  
 Confirmed: 11/7/2023

Letter Sent To:  
 Albert Cohen  
 1035 Ocean PKWY  
 Brooklyn, NY 11230

2021 Fine Appeal – FD 21-007	<table border="1"> <tr> <td data-bbox="917 205 1159 243">Update Appeal</td> <td data-bbox="1159 205 1443 243">Withdraw Appeal</td> </tr> <tr> <td data-bbox="878 243 1136 281">Assign Attorney</td> <td data-bbox="1136 243 1443 281">Request More Info</td> </tr> <tr> <td colspan="2" data-bbox="1045 281 1443 331">Record Appeal Outcome</td> </tr> </table>	Update Appeal	Withdraw Appeal	Assign Attorney	Request More Info	Record Appeal Outcome	
Update Appeal	Withdraw Appeal						
Assign Attorney	Request More Info						
Record Appeal Outcome							
Appeal Status: Active Appeal Receipt Date: 01/10/2022 Timely Filed: Yes Print Appeal Letter: Yes Hearing Requested: No Appeal Reason: Lack of Notification Appeal Notes: Appeal Number: FD 21-007 Appeal Analyst Assigned: Final Order Number: Final Order Date:	No Hearing Requested						