

3. On June 25, 2021, Stephanie Lilly informed the Commission via email of Appellant's new address, 100 E. Pine Street, Ste 306, Orlando FL.

4. On July 29, 2021, the Commission mailed Appellant a delinquency notice by certified mail. Postal records indicate this was delivered to the 100 E. Pine Street Ste 306 address. Postal Records additionally indicate that the letter was signed for by "Bailey" on August 2, 2021.

5. On August 19, 2021, the Commission on Ethics mailed Appellant a courtesy postcard reminder of Appellant's obligation to file the 2020 CE Form 1 to the 100 E. Pine Street Ste 306 address.

6. On September 8, 2021, the Commission mailed Appellant a courtesy notice of fines accruing to the 100 E. Pine Street Ste 306 address.

7. On September 16, 2022, the Commission mailed Appellant a Notice of Assessment of Automatic Fine, indicating Appellant had accrued a \$1,500 fine. This included a notice on how to appeal the fine, with the appeal being due on October 17, 2022. This was sent by certified mail to the 55 W Church Street, Ste 3105 address.

8. On October 14, 2022, the Commission received Appellant's 2020 CE Form 1 disclosure.

9. On October 14, 2022, the Commission also received Appellant's appeal of his automatic fine.

10. In the appeal, Appellant denied receiving any notices from the Commission on Ethics regarding his filing obligation.

11. In the appeal, Appellant indicated that he changed his personal residential address as follows:

Prior to February 2018	6350 Vineland Road, Apt. 309, Orlando, FL
February 2018 through September 2020	55 W. Church Street, Apt. 2801, Orlando, FL
After September 2020	55 W. Church Street, Apt. 3105, Orlando, FL

12. In the appeal, Appellant indicated that he changed his office address as follows:

Prior to March 2020	255 S. Orange Ave. Suite 104, Orlando, FL
March 2020 through December 2020	Closed Office. No physical office address.
December 2020 through December 2021	100 East Pine Street, Suite 306, Orlando, FL
After December 2021	100 East Pine Street, Suite 110, Orlando, FL

13. In a letter from the compliance officer for Appellant's employer, he indicates that after March 2020, a lot of office mail was misplaced because there were staffing shortages and the staff was working remotely.

Conclusions of Law

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)(g)3, Florida Statutes, states:

Any reporting person may appeal or dispute a fine, based upon unusual circumstances surrounding the failure to file on the designated due date, and may request and is entitled to a hearing before the commission, which may waive the fine in whole or in part for good cause shown. Any such request must be in writing and received by the commission within 30 days after the notice of payment due is transmitted. In such a case, the reporting person must, within the 30-day period, notify the person designated to review the timeliness of reports in writing of his or her intention to bring the matter before the commission. For purposes of this subparagraph, the term "unusual circumstances" does not include

the failure to monitor an e-mail account or failure to receive notice if the person has not notified the commission of a change in his or her e-mail address.

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

uncommon, rare or sudden events over which the reporting individual has no control and which directly result in the failure to act in accordance with the filing requirement. Circumstances which allow for time in which to take those steps necessary to assure compliance with the filing requirement shall be deemed not to constitute unusual circumstances.

17. Here, Appellant denies that he ever received notice of his filing obligation. The first mailing sent on May 26, 2021, to 255 S Orange Avenue Ste 104, Orlando, FL was returned because Appellant's office was no longer located at that address. Although the Commission sent notices to Appellant's correct address thereafter, and one certified mailing was signed "Bailey" on the signature line, this is just circumstantial evidence that the notices were delivered to Appellant. There is direct evidence in the form of Appellant's own statements that those mailings did not reach him. Weighing the evidence in the record, we find that Appellant did not receive the notices of his filing obligation. Therefore, we find Appellant's reason for appealing to constitute "unusual circumstances" that justify waiving the \$1,500 fine.

Order

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

ORDERED by the State of Florida Commission on Ethics meeting in public session on
July 28, 2023.

Date Rendered

Glenton "Glen" Gilzean, Jr.
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.

GG/sjz

267918



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

OCT 14 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. 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: ANDRAE JAMES BAILEY

Address: 55 N. CHURCH ST, APT. 3105 City: ORLANDO State: FL Zip: 32801

Daytime Tel.: 407-456-0605 Cell: 407-456-0605

Email: ANDRAE.J.BAILEY@GMAIL.COM Filer ID# (if known): 267918

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.

SEE ATTACHED STATEMENT

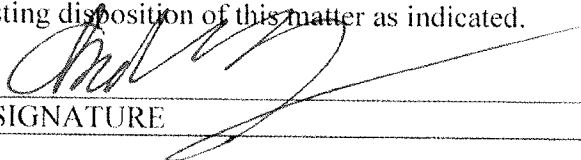
OPTIONAL REQUEST FOR HEARING

In addition to this written appeal, I specifically request to appear before the Commission in a hearing pursuant to Section 112.3144(8)(f)3 or Section 112.3145(8)(g)3, Florida Statutes. Commission meetings occur in Tallahassee.

SIGNATURE

I have received and read the Notice of Assessment of Automatic Fine and its instructions on How to Appeal and I understand my options. I am requesting disposition of this matter as indicated.

10/13/2022
DATE


SIGNATURE

APPEAL OF AUTOMATIC FINE FOR FORM YEAR 2020
PART C: Detailed Explanation of Your Appeal

Project Opioid Initiative, a Florida-based nonprofit corporation, has been my sole source of income since the beginning of 2020. I serve the corporation as President and CEO. Project Opioid Initiative was established in November 2019. Consequently, the corporation was less than 4 months old and struggling to build its base of financial support when the COVID pandemic struck in March of 2020. As a result of the pandemic, most of the corporation's initial progress was voided, several employees were forced to resign, and we found it necessary to abandon our small office space in downtown Orlando (the corporation was later sued for nonpayment of rent and settled the matter out of court). I also found it necessary to move my private residence during this time, so any certified mail that you may have sent to my private residence or to my business address was probably misdirected or misplaced. I do not remember receiving any forms or notices from the Commission on Ethics during that time.

As a result of layoffs and relocations, many of our routine operations were abandoned in 2020 and deep into 2021. Employees who typically took care of the mail were no longer available, employees who normally took care of compliance-related matters were no longer at their jobs, and a great deal of our mail was either lost or delivered to addresses that were no longer viable.

The good news is that Project Opioid Initiative survived the COVID-19 pandemic, and we are back on track toward fulfilling the purposes for which we were formed. However, the pandemic has financially crippled our corporation and has devastated me personally. Now that some new procedures have been adopted to ensure a more proactive response to future compliance needs, I hope that you can find a way to forgive me for my tardiness in filing my 2020 Statement of Financial Interests and that you can forgive my \$1500 debt to the Florida Commission on Ethics.

Thank you for your consideration!

JUN 09 2023

RECEIVED

NICK HENRY
Change Everything
100 E. Pine Street, Suite 110
Orlando, FL 32801
407-697-4289
Nick@Change-Everything.com

Date: June 5, 2023
Attention: Steven J. Zuilkowski
RE: Andrae Bailey

Mr. Zuilkowski, thank you for reaching out to Mr. Bailey regarding the appeals he submitted to the Commission on Ethics for the 2018, 2019, and 2020 disclosure fines that were assessed against him. Your request for more information demonstrates that you are giving his appeals some serious consideration, so he has asked me to thank you and to provide you with the following information on his behalf.

PERSONAL RESIDENCES

According to Mr. Bailey, his personal residence prior to 2018 was located at 6350 Vineland Road, Apartment 309 in Orlando, Florida. However, in February 2018 (approximately), Mr. Bailey moved out of his apartment and relocated to a different apartment complex at a more convenient location in downtown Orlando. In February 2018, Mr. Bailey relocated to 55 West Church Street, Apartment 2801 in Orlando. Then in September 2020 (approximately), Mr. Bailey relocated to a different apartment within the same facility at 55 West Church Street. At that time he moved into Apartment 3105, where he now resides.

CORPORATE OFFICES

According to Mr. Bailey, his business operations were also relocated several times during the same timeframe that you referenced in your letter, and there were no offices at all during a 9-month period of time due to the COVID-19 pandemic.

Until March 2020, Mr. Bailey's business operations were headquartered at 255 South Orange Avenue, Suite 104 in Orlando, Florida. But when the pandemic hit in March 2020 and businesses were encouraged to send their employees home to work, Mr. Bailey was forced to close his offices and to instruct his staff to start performing their duties remotely. So for nine months, Mr. Bailey had no office space and was often unable to get his mail due to the fact that the office building where his operations had been located were either closed or lacking the sufficient staffing to retrieve, store, and distribute mail for its current and former tenants.

Nine months later, however, in December 2020 (approximately), new office space was finally acquired at 100 East Pine Street, Suite 306, in Orlando. Then in December 2021 (approximately), our present office space was obtained in the same complex at 100 East Pine Street, but in Suite 110, and that is where Mr. Bailey's business operations are currently housed.

I want to emphasize that, during the timeframe from March 2020 until recently, the problem with receiving our corporate mail was not only rooted in the repetitive relocation of our offices, but also in the fact that we were encountering severe staffing problems. During the period of time when we were without adequate office space and during the time when our employees were working remotely, we repeatedly lost employees and would frequently lose the new employees we hired to replace them. So the individuals who were responsible for collecting our mail and distributing it to the various staff members who were working from home were not always able to fulfill their assignment, and a lot of our mail was misplaced. In fact, this past year we have invested a considerable amount of time and effort in trying to rectify the problems that were created by this misplacement of our mail. We have failed to receive our mail from various governmental entities, from insurance providers, and from other vendors. In addition, the personnel at the front desk of our office complex have not always been able to successfully direct our mail to us, especially in the aftermath of our move from Suite 306 to Suite 110. The COVID-19 pandemic and its aftermath has proven to be more than a financial challenge for us; that period of time proved to be a logistical nightmare, as well, especially considering the fact that we were a relatively new venture when the pandemic struck.

Nevertheless, Mr. Bailey has personally asked me to convey one important message to you. He wants me to inform you that it is not his intent to seek to evade any fine that the Commission on Ethics determines that he rightly owes to the State of Florida. I am submitting this appeal on his behalf due to the confusion that the COVID-19 pandemic and the ensuing residential and commercial relocations created for him and his businesses. However, if his appeal is rejected and the Commission on Ethics determines that his fines are indeed due to the state, then Mr. Bailey will do whatever he can possibly do to pay those fines.

The last few years have been quite difficult for him and for those of us who work for him, but we are happy to have survived those challenges and to finally be in a position where we can start moving forward again. Thank you for your kind consideration of Mr. Bailey's appeal. Please let me know if you require any additional information. Mr. Bailey travels quite frequently in the execution of his work, so he has entrusted me with the responsibility of communicating with you on his behalf as needed.

Sincerely,



Nick Henry, Compliance Officer
Change Everything

Glenton "Glen" Gilzean, Jr.
Chair
Don Gaetz
Vice Chair
Michelle Anchors
William P. Cervone
John Grant
William "Willie" N. Meggs
Ed H. Moore
Wengay M. Newton, Sr.
Jim Waldman



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

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

"A Public Office is a Public Trust"

Kerrie J. Stillman
Executive Director

Steven J. Zuilkowski
*Deputy Executive Director/
General Counsel*

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

May 19, 2023

Mr. Andrae Bailey
100 E. Pine Street Suite 110
Orlando, FL 32801
andraejbailey@gmail.com

Dear Mr. Bailey,

I am writing in regard to your appeals for your 2018, 2019, and 2020 CE Form 1 disclosure fines. In your statements that you provided in your appeals, you stated that you moved both your personal residence and the location of your office several times between 2018 and 2021. Based on those statements, it is unclear where exactly you were residing and working during those years.

During that time, the Commission was attempting to provide you your financial disclosure forms and notices via mail. In order to clarify which mailing addresses were correct and which mailing addresses were incorrect at the time these letters were sent, could you provide a timeline of when you moved to and from each home and office address? Please email me your response to my inquiry by **June 9, 2023**. Please do not hesitate to reach out if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Zuilkowski", is written over a circular stamp or seal.

Steven J. Zuilkowski
Deputy Executive Director & General Counsel

JUN 12 2023

RECEIVED

NICK HENRY
Change Everything
17426 SE 82nd Pecan Terrace
The Villages, FL 32162
407-697-4289
Nick@Change-Everything.com

Date: June 8, 2023
Attention: Steven J. Zuilkowski
RE: Andrae Bailey

Mr. Zuilkowski, just three days ago I sent you a letter regarding the 2018, 2019, and 2020 appeals of Mr. Andrae Bailey for fines that have been assessed against him for Form 1 disclosure delinquencies. In that letter I explained the multiple moves that Mr. Bailey has made for himself personally and for his businesses during the 3-year timeframe under consideration.

Ironically, the day after I mailed that letter to you, the office complex where Mr. Bailey's business operations have been housed for the past few years (Venture X) was extensively damaged when a large water pipe on the third floor burst and flooded the building. At the present moment, we do not know whether the building will be condemned or restored, but the damage is extensive and all occupants of the facility are being required to relocate their business operations.

Consequently, I want to suggest that you direct all mail regarding his appeal to Mr. Bailey's private residence or to my private residence, which is noted above. As a reminder, Mr. Bailey's private residence is currently located at 55 W. Church Street, Apt. 3105, Orlando, FL 32801.

I'm sorry for the inconvenience, but this is the reality of the situation we are facing, and the news of this additional relocation could not have come at a more ironic moment.

Sincerely,



Nick Henry, Compliance Officer
Change Everything

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

FOR OFFICE USE ONLY:

LAST NAME -- FIRST NAME -- MIDDLE NAME :
Bailey Andrae James

MAILING ADDRESS :
55 W. Church Street

Apt. 3105

CITY : ZIP : COUNTY :
Orlando 32801 Orange

NAME OF AGENCY :
Florida Council on Homelessness

NAME OF OFFICE OR POSITION HELD OR SOUGHT :
Council Member

CHECK ONLY IF CANDIDATE OR NEW EMPLOYEE OR APPOINTEE

Received
10/14/2022

267918
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
Project Opioid Initiative, Inc.	100 E. Pine Street, Suite 110 Orlando, FL 32801	nonprofit social issues consulting

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")

N/A

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	<i>CHANGE EVERYTHING US INC.</i>	
ADDRESS OF BUSINESS ENTITY	100 E. Pine St., Ste 110, Orlando, FL 32801	
PRINCIPAL BUSINESS ACTIVITY	social change consulting	
POSITION HELD WITH ENTITY	President	
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS	YES	
NATURE OF MY OWNERSHIP INTEREST	Stock	

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: 10/13/2022

CPA or ATTORNEY SIGNATURE ONLY

If a certified public accountant licensed under Chapter 473, or attorney in good standing with the Florida Bar prepared this form for you, he or she must complete the following statement:

I, _____, prepared the CE Form 1 in accordance with Section 112.3145, Florida Statutes, and the instructions to the form. Upon my reasonable knowledge and belief, the disclosure herein is true and correct.

CPA/Attorney Signature: _____

Date Signed: _____

FILING INSTRUCTIONS:

If you were mailed the form by the Commission on Ethics or a County Supervisor of Elections for your annual disclosure filing, return the form to that location. To determine what category your position falls under, see page 3 of instructions.

Local officers/employees file with the Supervisor of Elections of the county in which they permanently reside. (If you do not permanently reside in Florida, file with the Supervisor of the county where your agency has its headquarters.) Form 1 filers who file with the Supervisor of Elections may file by mail or email. Contact your Supervisor of Elections for the mailing address or email address to use. Do not email your form to the Commission on Ethics, it will be returned.

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

Candidates file this form together with their filing papers.

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

WHEN TO FILE: *Initially*, each local officer/employee, state officer, and specified state employee must file **within 30 days** of the date of his or her appointment or of the beginning of employment. Appointees who must be confirmed by the Senate must file prior to confirmation, even if that is less than 30 days from the date of their appointment.

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

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

Finally, file a final disclosure form (Form 1F) within 60 days of leaving office or employment. Filing a CE Form 1F (Final Statement of Financial Interests) does not relieve the filer of filing a CE Form 1 if the filer was in his or her position on December 31, 2020.

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

ANDRAE JAMES BAILEY
100 E PINE ST STE 306
ORLANDO, FL 32801-2761

Record / Case Number:
267918

Return Address

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

Entry Point ZIP:
32317

Mail Piece Information

Tracking Number: 92148901066154000165079893

Date Created: 07/29/2021 09:48:03 AM

Mail Class: USPS First Class Mail

Special Services: Certified Mail
Return Receipt Electronic

Memo: --

Created By: Kimberly Holmes - Commission on Ethics

Signature Information

Signed For By: ANDRAE JAMES BAILEY
Signature Status: Available (Click Here)

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

Tracking Information

Mailed, July 29, 2021, 09:48:03 AM, TALLAHASSEE,FL 32317
Pre-Shipment Info Sent To Usps, Usps Awaiting Item, July 29, 2021, 12:00:00 AM
Pre-Shipment Info Sent Usps Awaits Item, July 29, 2021, 09:04:00 AM, TALLAHASSEE,FL 32317
Accepted At Usps Origin Facility, July 30, 2021, 10:31:00 PM, TALLAHASSEE,FL 32317
Origin Acceptance, July 30, 2021, 10:31:00 PM, TALLAHASSEE,FL 32317
Arrived At Usps Regional Origin Facility, July 30, 2021, 11:46:00 PM
Processed Through Usps Facility, July 30, 2021, 11:46:00 PM, TALLAHASSEE FL DISTRIBUTION CEN 32301
Departed Usps Regional Facility, July 31, 2021, 01:57:00 AM
Depart Usps Facility, July 31, 2021, 01:57:00 AM, TALLAHASSEE FL DISTRIBUTION CEN 32301
Arrived At Usps Regional Facility, July 31, 2021, 10:40:00 AM
Processed Through Usps Facility, July 31, 2021, 10:40:00 AM, ORLANDO FL DISTRIBUTION CENTER 32862
Departed Usps Regional Facility, July 31, 2021, 05:26:00 PM
Departed Usps Regional Facility, July 31, 2021, 10:35:00 PM
Depart Usps Facility, July 31, 2021, 10:35:00 PM, ORLANDO FL DISTRIBUTION CENTER 32862
In Transit, Arriving On Time, August 01, 2021, 12:00:00 AM
Delivered Left With Individual, August 02, 2021, 02:40:00 PM, ORLANDO,FL 32801



UNITED STATES
POSTAL SERVICE

August 2, 2021

Dear MAIL MAIL:

The following is in response to your request for proof of delivery on your item with the tracking number:
9214 8901 0661 5400 0165 0798 93.

Item Details

Status: Delivered, Left with Individual
Status Date / Time: August 2, 2021, 2:40 pm
Location: ORLANDO, FL 32801
Postal Product: First-Class Mail®
Extra Services: Certified Mail™
Return Receipt Electronic
Recipient Name: ANDRAE JAMES BAILEY

Recipient Signature

Signature of Recipient:	BAILEY BT106019
Address of Recipient:	100 E PINE

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: 92148901066154000165079893
267918
ANDRAE JAMES BAILEY
100 E Pine St Ste 306
Orlando, FL 32801-2761

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

In re **Andrae James Bailey**
CEO & President
Council on Homelessness
DCF; Headquarters

PID#: 267918

NOTICE OF ASSESSMENT OF AUTOMATIC FINE

The Commission on Ethics hereby gives notice of an assessment of a fine against you pursuant to Section 112.3145(8)(g), Florida Statutes, due to your failure to timely file your 2020 CE Form 1, Statement Of Financial Interests. Under the law, your 2020 CE Form 1, Statement of Financial Interests, was due by July 1, 2021. The law provided for a penalty-free grace period extending the due date to September 1, 2021. After that date, you accrued fines of \$25.00 per day for each day your financial disclosure was late, up to the maximum fine of \$1,500.00 (60 days late), pursuant to Section 112.3145(8)(g), Florida Statutes

Inasmuch as your 2020 CE Form 1 has not been filed with the Commission on Ethics within the 60 days of the grace period date (September 1, 2021), you have accrued the maximum fine amount of \$1,500.00. This fine must be paid to the Commission on Ethics within 30 days of the date of this notice unless you appeal the fine to the Commission. The Commission has the authority to consider the appeal and waive the fine in whole or in part if your failure to file on time was due to "unusual circumstances" surrounding the failure to file. Unless the fine is successfully appealed, the Commission is required to investigate public officers and employees who receive the maximum \$1,500 fine, to determine whether their failure to file was willful. The penalty for willfully failing to file disclosure is removal from public office or employment.

HOW TO APPEAL

1. Read these instructions carefully before submitting your appeal.
2. **LEGAL AUTHORITY:** Appeals are governed by Section 112.3145(8)(g)3., Florida Statutes, and Commission Rule 34-8.215, Florida Administrative Code.
3. **FORMAT:** Your appeal must be in writing and mailed to Florida Commission on Ethics, P. O. Drawer 15709, Tallahassee, FL 32317-5709, or delivered to Florida Commission on Ethics, 325 John Knox Road, Building E, Suite 200, Tallahassee, FL 32303. The appeal may take the form of a letter or you may use the appeal form included in this mailing. The appeal form also is available at the Commission's website: www.ethics.state.fl.us. Click on "Financial Disclosure" and then the link to the sample appeal form.
4. **DUE DATE:** Your appeal must be received by the Commission on Ethics on or before **October 17, 2022**. **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:

Andrae James Bailey
55 W Church Street
STE 3105
Orlando, FL 32801

by Certified Mail on this Friday, September 16, 2022.



KIMBERLY R. HOLMES
Program Administrator

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

Holmes, Kim

From: Nick Henry <nick@change-everything.com>
Sent: Monday, September 19, 2022 12:45 PM
To: Holmes, Kim
Subject: Re: Fine Notices- Andrae Bailey

Thank you! Will start working on this today.

From: Holmes, Kim <HOLMES.KIM@leg.state.fl.us>
Sent: Monday, September 19, 2022 9:25 AM
To: Nick Henry <nick@change-everything.com>
Subject: FW: Fine Notices- Andrae Bailey

From: Holmes, Kim
Sent: Friday, September 16, 2022 6:05 PM
To: 'nic@change-everything.com' <nic@change-everything.com>
Cc: 'andrae@rethinkinghomelessness.org' <andrae@rethinkinghomelessness.org>
Subject: Fine Notices- Andrae Bailey
Importance: High

Good afternoon, Nic.

Per our telephone conversation, attached are the notifications mailed and unclaimed returned mail certified receipts.

Additionally, attached are the appeal forms and the 2018 and 2020 Form 1 for Mr. Bailey's completion. Upon completion, the 2018 and 2020 Form 1, appeal forms, and any documentation provided with appeal can be emailed as pdf documents to holmes.kim@leg.state.fl.us

Below is the fine status for each fine we discussed.

(Appeals can be sent to our office for 2018, 2019, and 2020. **Please submit all appeals by October 17, 2022.**)

Name: Andrae James Bailey
Title: CEO & President
PID: 267918
PFR: DCF; Headquarters-Council on Homelessness

Fines and Appeals History

Fine Status	Form Year	Original Assessment	Fine Amount	Adjustments To Date	Payments To Date	Current Balance	Last Updated
Collection - Transmitted to Collection Agency 1	2017	\$450.00	\$450.00	\$0.00	\$0.00	\$450.00	07/09/2020
Collection Order	2018	\$1,500.00	\$1,500.00	\$0.00	\$0.00	\$1,500.00	09/15/2021
Collection Order	2019	\$175.00	\$175.00	\$0.00	\$0.00	\$175.00	09/15/2021

Active	2020	\$1,500.00	\$1,500.00	\$0.00	\$0.00	\$1,500.00	09/16/2022
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For the 2017 Form year, contact information is below, reference the above PID number 267918, Commission on Ethics-Legislative Services:

Cathy Rodgers

Account Manager | TSI Client Services

Office: 215-441-3895

Or

Anita Singletary

TSI Client Services

Office: 800-668-8777

If you have any questions or need further assistance, please do not hesitate to contact me.

Sincerely,

Kimberly R. Holmes

Program Administrator

Financial Disclosure Section

Florida Commission on Ethics

P.O. Drawer 15709

Tallahassee, FL 32317-5709

(850) 488-7864

(850) 488-3077 (Fax)

www.ethics.state.fl.us

Physical address:

325 John Knox Road

Building E, Suite 200

Tallahassee, FL 32303



Financial Disclosure Management System

THE FLORIDA COMMISSION ON ETHICS

Filer - Fines and Appeals - PID 267918 - Andrae James Bailey

- 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](#)

[+ Add a New Filer](#)

The filer has fines for: [2021 \(Appeal\)](#) [2020 \(Appeal\)](#) [2019 \(Appeal\)](#) [2018 \(Collection - Transmitted to Collection Agency 1\)](#) [view all](#)

2021 Fines and Appeals

Form Year 2020 Filed Forms

Received Date	Form Type	Form Signed	Filed by Email	Filing Location	Updated	Comments
10/14/22	Form 1	Yes	Yes	COE	HOLMESK on 11/17/2022	

2021 Fine Information

[Update Fine Information](#)
[Assign Agency Contact](#)

Fine Balance	Fine Status	Fine Date	Original Assessment	Fine Amount	Last Payment Date	Payment Plan Start Date	Payment Plan Amount
\$1,500.00	Appeal	9/16/2022	\$1,500.00	\$1,500.00			

Fine Address 55 W Church Street STE 3105 Orlando FL 32801
 Org/Suborg DCF; Headquarters-Council on Homelessness

2021 Fine Payment History

Date Posted	Description	Amount	Method	Payment ID	Comments
9/16/2022	Fine Levied	+ \$1,500.00			Fined \$1500.00

Current Balance: \$1,500.00

2021 Fine Year Event

[Invalidate Transaction](#)

Chronology

Date	Type	Description	Reference
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Jump To A Filer

PID:

Quick Filer Search

First Name:

Last Name:

05/26/2021 Letter Sent Form 1 Official List - Form 1 Official Filers List Print Queue: 5/26/2021 4:46 PM Printing Confirmed: 5/26/2021 4:46 PM

Letter Sent To:
 Andrae James Bailey
 255 S Orange Ave Ste 104
 Orlando, FL 32801 -3411

06/23/2021 Filer From: Steverson, Kathryn Sent: Kathryn
 Communication: Wednesday, June 23, 2021 4:55 PM Steverson
 Email To:

'stephanie.lilly@myflfamilies.com'
 Cc: Holmes, Kim Subject: Updated
 Address Coordinator Lilly, Good
 afternoon, my name is Kathy and I
 am assisting Kim Holmes in updating
 addresses on filers who their
 Financial Disclosure forms were
 returned to us due to an
 undeliverable address. Please
 provide us with the following filers
 updated address: Name: Andrae
 James Bailey Title: CEO & President
 PID: 267918 Address: 255 S Orange
 Ave Ste 104 Orlando FL 32801-3411
 Work Phone Number: 407.456.0605
 Email:
 andrae@leadhomelessness.org PFR:
 DCF; Headquarters-Council on
 Homelessness Thank you, Kathryn
 Steverson Assistant to the Executive
 Director Florida Commission on
 Ethics P.O. Drawer 15709
 Tallahassee, FL 32317-5709 (850)
 488-7864 (850) 488-3077 (Fax)
 www.ethics.state.fl.us Physical
 address: 325 John Knox Road
 Building E, Suite 200 Tallahassee, FL
 32303

06/25/2021 Filer From: Steverson, Kathryn Sent: Kathryn
 Communication: Friday, June 25, 2021 2:38 PM To: Steverson
 Email 'Lilly, Stephanie' Subject: RE:
 Updated Address Good afternoon
 Stephanie, Thank you for providing
 us with the correct address for
 Andrea Bailey. I have updated per
 the address listed below. Have a
 wonderful weekend. Kathryn
 Steverson Assistant to the Executive
 Director Florida Commission on
 Ethics P.O. Drawer 15709
 Tallahassee, FL 32317-5709 (850)
 488-7864 (850) 488-3077 (Fax)
 www.ethics.state.fl.us Physical
 address: 325 John Knox Road
 Building E, Suite 200 Tallahassee, FL
 32303 From: Lilly, Stephanie Sent:
 Friday, June 25, 2021 1:59 PM To:
 Steverson, Kathryn Cc: Holmes, Kim
 Subject: RE: Updated Address
 Kathryn, Good afternoon! Below is
 the correct address for Andrea
 Bailey. Thanks! 100 E. Pine Street
 Suite 306 Orlando, FL 32801 (407)
 456-0605
 Andrae@RethinkingHomelessness.org
 Stephanie Lilly Classification and
 Compensation, Human Resources
 2415 North Monroe Street Suite 400
 Tallahassee, FL 32303-4190 Office:
 850-717-4527
 Stephanie.Lilly@myflfamilies.com



07/30/2021 Letter Sent

Certified Letter Sent

Print Queue:

7/30/2021

Printing

Confirmed:

7/30/2021

Letter Sent To:
 Andrae James Bailey
 100 E. Pine Street
 STE 306
 Orlando, FL 32801

Holmes at
COE

Form Received By: Kimberly Holmes
Filing Location: COE
Record Created By: Kimberly Holmes on 11/17/2022

11/17/2022 Fine Appeal FD 21-002

Journal:
11/17/2022
11:30 AM

2021 Fine Appeal – FD
21-002

[Update Appeal](#) [Withdraw Appeal](#) [Assign Attorney](#)
[Request More Info](#) [Record Appeal Outcome](#)

Appeal Status: Active No Hearing Requested

Appeal Receipt Date:
10/14/2022

Timely Filed: Yes

Print Appeal Letter:
Yes

Hearing Requested: No
Appeal Reason: Lack of
Notification, Other

Appeal Notes:
Appeal Number: FD 21-
002

Appeal Analyst

Assigned:

Final Order Number:

Final Order Date: