

BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In re WESLEY HODGE,

Appellant.

)
)
)
)

Financial Disclosure Appeal No. FD 20-062

Final Order No. 24-XXX

FINAL ORDER

This matter came before the Commission on Ethics, meeting in public session on July 26, 2024, on the 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 did not request a hearing before the Commission.

Findings of Fact

1. According to information provided to the Commission, Appellant served on the Orange County Board of Zoning Adjustment, a position requiring the filing of a 2019 CE Form 1, Statement of Financial Interests. In 2020, the designated due date for submitting a 2019 CE Form 1 was July 1, 2020, with a grace period ending on September 1, 2020.

2. No later than June 1, 2020, the Orange County Supervisor of Elections sent Appellant a 2019 CE Form 1. This notice was sent to Appellant at 2826 Fitzooth Drive, Winter Park, FL 32792.

3. No later than July 31, 2020, the Orange County Supervisor of Elections sent Appellant a notice of delinquency by certified mail. This notice was sent to Appellant at the 2826 Fitzooth Drive address.

4. On August 20, 2020, the Commission on Ethics mailed Appellant a postcard intended to remind him of his obligation to file a 2019 CE Form 1. The Commission mailed the postcard to the 2826 Fitzooth Drive address.

5. On September 4, 2020, Appellant submitted his 2019 CE Form 1 to the Orange County Supervisor of Elections, which was three days past the grace-period deadline.

6. On October 27, 2023, the Florida Commission on ethics mailed Appellant a notice of assessment of an automatic fine of \$75 (\$25 per day for three days late) for untimely filing his 2019 CE Form 1. This notice also advised Appellant of his appellate rights, and provided that an appeal of the fine would need to be received by the Commission on Ethics by November 27, 2023.

7. On February 8, 2024, the Commission received Appellant's untimely appeal of automatic fine for Form Year 2019. In part B of his appeal form, Appellant checked "other unusual circumstance" as the general reason for his appeal. In part C of his appeal form, where an appellant is asked to provide a detailed explanation of his or her appeal, Appellant wrote that due to Hurricane Dorian's arrival, all of Orange County government was closed from September 3, 2019, to September 4, 2019. Because of this closure, Appellant stated that there was nobody available to accept forms on those dates.

Conclusions of Law

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

9. 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.

10. Section 112.3145(8)(f)2., Florida Statutes, states:

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

11. Here, Appellant claims that he submitted his 2019 CE Form 1 late because, due to Hurricane Dorian's arrival, Orange County government offices were closed on September 3 and September 4 of 2019 and there was nobody available to accept form submissions. In support, Appellant supplied a news article detailing the occurrence of the hurricane in September 2019. However, the expiration of the grace period for the 2019 CE Form 1 was in September of 2020, not 2019. Thus, considering Appellant's claims, this does not appear to constitute an "unusual circumstance" that prevented him from timely filing his 2019 CE Form 1 by September 1, 2020.

Order

Based on the foregoing facts and conclusions of law, the Commission hereby finds that unusual circumstances for the failure to file timely have not been demonstrated. We therefore affirm the assessed fine of \$75.

ORDERED by the State of Florida Commission on Ethics meeting in public session on Friday, July 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/sjz/aln

Mr. Wesley Hodge
2401 Drake Drive
Orlando, FL 32810

271258 20-062

FEB 08 2024

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 2019

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

WESLEY HODGE

Name: _____

Address: 2401 DRAKE DRIVE City: ORLANDO State: FL Zip: 32810

Daytime Tel.: _____ Cell: 321-689-5871

Email: WES@SAMEPLACENEWFACE.COM Filer ID# (if known): _____

Public Employer: ORANGE COUNTY GOVERNMENT

Public Position: BOARD OF ZONING ADJUSTMENT

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, 2019** (Explain in Part C and provide confirmation from agency that your office-holding/employment ended before 12/31/2019)
- 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 HURRICANE DORIAN'S PENDING ARRIVAL, ALL OF ORANGE COUNTY

GOVERNMENT WAS CLOSED SEPTEMBER 3-4, 2019. AS A RESULT, THERE WAS NOBODY

AVAILABLE TO ACCEPT FORMS UNTIL SEPTEMBER 5TH. PLEASE ACCEPT THIS AS A

UNUSUAL CIRCUMSTANCE WHICH RESULTED IN THE DELAY OF THE FORM BEING FILED.

PLEASE SEE ATTACHED ORLANDO SENTINEL ARTICLE AS DOCUMENTATION.

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.

2/7/24
DATE


SIGNATURE

NEWS > WEATHER > HURRICANES

Hurricane Dorian shuts Central Florida government offices and courts Tuesday and Wednesday



By **STEPHEN HUDAK** | shudak@orlandosentinel.com |

Orlando Sentinel

PUBLISHED: September 2, 2019 at 2:21 p.m. | UPDATED: September 2, 2019 at 6:21 p.m.

Orange and Osceola County government offices and courts will be closed Tuesday and Wednesday because of Hurricane Dorian.

The looming arrival of the monster storm, which battered the Bahamas on Sunday and Monday, also led Orlando leaders to shutter business operations an extra day.

Orange County and Orlando also halted garbage, recycling and yard waste through Wednesday.

Emergency management officials predict the high winds will strike Central Florida about noon Tuesday and linger through Wednesday evening.



The storm according to the National Hurricane Center was moving at a crawl, 1 mph by some estimates.

“We continue to monitor this massive storm,” Orange County Mayor Jerry Demings said at his Monday update.

Interim Emergency Manager Keith Kotch warned Central Floridians the slow-moving storm is extremely dangerous.

“Do not turn your back on this storm,” he said Monday. “We don’t want you to think we’re out of danger. We are not.”

Power outages could last a week, maybe longer, though power-line crews were assembled waiting for deployment orders.



Duke Energy assembles crews to respond to power outages as Hurricane Dorian comes closer to Florida. (Photo courtesy of Duke Energy/Twitter)

By noon Monday, over 150 Orange County residents had moved into nine county shelters, which included four pet-friendly shelters and two special-needs shelters.

Lynx is working with city and county officials to transport homeless people to shelter.

Kotch said the shelters provide food and floor space for a single-person cot or air-mattress, a sleeping bag or bed roll.

Food is provided.

Courts also will be closed both Tuesday and Wednesday, said Donald A. Myers Jr., chief judge of the Ninth Judicial Circuit, which includes Orange and Osceola counties.

Myers said the plodding speed of the high-intensity storm led to the courthouse closures.

All court hearings that had been scheduled for Tuesday or Wednesday are cancelled. People scheduled for jury duty are excused from service.

Despite the closures, the court's emergency duties will continue without interruption, Myers said.

Also Monday, the mayor signed an executive order prohibiting licensed businesses from price-gouging for gas, hotel rooms and other goods and services.

Price-gouging is defined in the order as charging more than the “normal retail price” while the mayor’s state of emergency declaration remains in effect.

The order allows price increases in instances where wholesale prices or costs of obtaining materials increased because of the emergency.

Demings encouraged people who believe they have been a victim of price-gouging to contact local law enforcement or call a state hotline at 1-866-966-7226.

The city of Orlando also is waiving parking fees at city garages for any resident who would like to put their car under cover. The free spaces are at City Commons garage, Jefferson Street garage, Central Boulevard garage, the Orange County Administration garage and the Library garage. Trailers, boats and vehicles taller than six-foot-seven are not permitted.

The All New Mind Blowing Chevy Silverado Is Finally Here (Take a Look)

[Search Now](#)

New Study: Dark Spots Are No Match For This Genius DIY Solution

[Learn More](#)

Wrap Foil Around Your Doorknob When Alone, Here's Why.

This Is The Highest Rated Hearing Aid In T...

**Florida Commission on Ethics
Financial Disclosure Notification System
Delinquency Certification (2020)**

FLORIDA
COMMISSION ON ETHICS
NOV 12 2020
RECEIVED

I **Bill Cowles**, the Supervisor of Elections of **Orange 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, 2020 financial disclosure deadline and a blank Form 1, Statement of Financial Interests, not later than June 1, 2020;

(2) was determined to be delinquent in filing a Form 1, Statement of Financial Interests, by July 1, 2020;

(3) was sent a delinquency notice by certified mail not later than July 31, 2020 advising him or her of the grace period in effect until September 1, 2020; 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, 2020; 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

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®

9214 8969 0099 9790 1134 5241 55

Certified Mail Fee	\$0.500
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$3.55
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$1.70
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$0.00
Total Postage and Fees	\$5.750

Electronic Return Receipt Requested

Customer Use Only

Send To: **Wesley Hodge**
2826 Fitzooth Dr
Winter Park, FL 32792

Street Apt No:
 ZIP+4™ No:
 City/State/Zip: **7/30/2020 4:03:20 PM**

PS Form 3800, April 2015 See Reverse for Instructions

Silvana Bermudez

From: Cheryl.Gillespie@ocfl.net
Sent: Friday, September 04, 2020 3:47 PM
To: Brandy.Driggers@ocfl.net; Jason.Sorensen@ocfl.net; Carla.Johnson@ocfl.net
Cc: Fred Altensee; Silvana Bermudez
Subject: RE: Form 1-Non-filers

WARNING: This email was originated from an outside network.

DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello, Everyone,

Please send the emails for the following to Ms. Bermudez since they have not responded to our emails.

Gregory Jackson
Hodge Wesley
Kennedy Kevin
Wade Jaja

Thanks and have a nice holiday!

Cheryl

From: Silvana Bermudez [mailto:Silvana.Bermudez@ocfelections.com]
Sent: Friday, September 04, 2020 2:09 PM
To: Gillespie, Cheryl
Cc: Fred Altensee
Subject: FW: Form 1-Non-filers

Please add **Jackson Gregory** to your list as Non-Filers.

Thank you

Sincerely,

Silvana Bermudez
Administrative Clerk
Orange County Supervisor of Elections
Phone: 407-254-6582
Fax: 407-254-6597
119 W. Kaley St
Orlando, Fl. 32806
Silvana.Bermudez@ocfelections.com

From: Silvana Bermudez
Sent: Friday, September 04, 2020 1:54 PM
To: Cheryl.Gillespie@ocfl.net

Cc: Fred Altensee <Fred.Altensee@ocfelections.com>

Subject: Form 1-Non-filers

Ms. Gillespie,

This is a reminder that September 1, 2020 was the deadline for submission of Form 1. Please know that the filers below have begun to accrue a fine of \$25 per day. The fines will continue to accrue until the form has been completed and submitted or the fine reaches \$1,500 whichever comes first.

Since the filers below do not show an email address in their personal information I'm asking you, to please contact them. Also, please be advised that Wade Jaja's Certified Mail was returned to our office with a different address. I will attempt to FedEx to him today.

Hodge Wesley

Kennedy Kevin

Wade Jaja

Wooten Sherry

No longer working for Orange County

Sincerely,

Silvana Bermudez

Administrative Clerk

Orange County Supervisor of Elections

Phone: 407-254-6582

Fax: 407-254-6597

119 W. Kaley St

Orlando, Fl. 32806

Silvana.Bermudez@ocfelections.com

Disclaimer: Florida has a very broad public records law. As a result, any written communication created or received by the Orange County Supervisor of Elections Office will be made available to the public and media, upon request, unless otherwise exempt. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this office. Instead, contact our office by phone or in writing.

PLEASE NOTE: Florida has a very broad public records law (F. S. 119).

All e-mails to and from County Officials are kept as a public record.

Your e-mail communications, including your e-mail address may be disclosed to the public and media at any time.

Silvana Bermudez

From: Wes Hodge <whodge.ocbza@gmail.com>
Sent: Friday, September 04, 2020 9:34 PM
To: Fred Altensee
Subject: FORM 1
Attachments: HODGE FORM 1_2019.pdf

WARNING: This email was originated from an outside network.

DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Fred-

Attached is the FORM 1 2019. Let me know if you have any questions.

Thanks,

Wes

FORM 1

**STATEMENT OF
FINANCIAL INTERESTS**

2019

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

FOR OFFICE USE ONLY:

LAST NAME – FIRST NAME – MIDDLE NAME :
HODGE WESLEY ADAM

MAILING ADDRESS :
2826 FITZTOOTH DR

CITY : ZIP : COUNTY :
WINTER PARK 32792 ORANGE

NAME OF AGENCY :
ORANGE COUNTY GOVERNMENT

NAME OF OFFICE OR POSITION HELD OR SOUGHT :
BOARD OF ZONING ADJUSTMENT

CHECK ONLY IF CANDIDATE OR NEW EMPLOYEE OR APPOINTEE

Received by OCSOE 09/4/2020

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

DISCLOSURE PERIOD:

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR CALENDAR YEAR ENDING DECEMBER 31, 2019.

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
SOCIAL SECURITY	6401 SECURITY BLVD BALTIMORE	GOVERNMENT

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

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
NONE	

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

Received by OCSOE 09/4/2020

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")

	BUSINESS ENTITY # 1	BUSINESS ENTITY # 2
NAME OF BUSINESS ENTITY		
ADDRESS OF BUSINESS ENTITY	NONE	
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:

Wesley Hodge

Date Signed:

31 AUGUST 2020

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, 2019.

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

In re **Wesley Hodge**
 Board of Zoning Adjustment Member District 5
 Board Of Zoning Adjustment
 Orange County

PID#: 271258

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 2019 CE Form 1, Statement Of Financial Interests. Under the law, your 2019 CE Form 1, Statement of Financial Interests, was due by July 1, 2020. The law provided for a penalty-free grace period extending the due date to September 1, 2020. 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 2019 CE Form 1 was filed September 4, 2020 with the Supervisor of Elections for Orange County, you are fined the amount of \$75.00 (\$25.00 per day for 3 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.

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 **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, 2020, 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, 2019:** confirmation of your last date of office or employment by your former agency, showing the last date to be before December 31, 2019; 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.

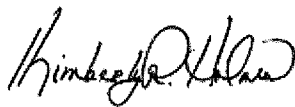
Please contact our office if you have any questions about this matter.

CERTIFICATE OF MAILING

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

**Mr Wesley Hodge
2826 Fitzooth Dr
Winter Park, FL 32792 -4817**

by Certified Mail on this Friday, October 27, 2023.



**KIMBERLY R. HOLMES
Program Administrator**

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

-or-

Florida Commission on Ethics
325 John Knox Road, Building E, Ste. 200
Tallahassee, FL 32303

Tel.: (850) 488-7864

Fax: (850) 488-3077

Email: disclosure@leg.state.fl.us

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

WESLEY HODGE
2826 FITZTOOTH DR
WINTER PARK, FL 32792

Record / Case Number:
271258

Return Address

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

Entry Point ZIP:
32317

Mail Piece Information

Tracking Number: 92148901066154000190167916

Date Created: 10/27/2023 02:39:01 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: WESLEY HODGE
Signature Status: Available ([Click Here](#))

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

Tracking Information

Pre-shipment Info Sent To Usps, Usps Awaiting Item, October 27, 2023, 12:00:00 AM
Pre-shipment Info Sent Usps Awaits Item, October 27, 2023, 01:48:00 PM, TALLAHASSEE,FL 32317
Accepted At Usps Origin Facility, October 28, 2023, 10:49:00 AM, TALLAHASSEE,FL 32317
Arrived At Usps Regional Facility, October 28, 2023, 12:04:00 PM
Departed Usps Regional Facility, October 28, 2023, 10:54:00 PM, ORLANDO FL DISTRIBUTION CENTER 32862
In Transit To Next Facility, October 29, 2023, 12:00:00 AM
Processed Through Usps Facility, October 29, 2023, 07:31:00 PM, FORT MYERS FL DISTRIBUTION CENT 33913
Departed Usps Regional Facility, October 30, 2023, 07:40:00 AM, FORT MYERS FL DISTRIBUTION CENT 33913
Arrived At Usps Regional Facility, October 30, 2023, 12:28:00 PM
Processed Through Usps Facility, October 31, 2023, 12:23:00 AM, ORLANDO FL DISTRIBUTION CENTER 32862
Processed Through Usps Facility, October 31, 2023, 02:40:00 AM, ORLANDO FL DISTRIBUTION CENTER 32862
Notice Left (No Authorized Recipient Available), October 31, 2023, 09:55:00 AM, ORLANDO,FL 32810
Delivered Individual Picked Up At Po, November 01, 2023, 11:02:00 AM, ORLANDO,FL 32810



November 1, 2023


Dear MAIL MAIL:

The following is in response to your request for proof of delivery on your item with the tracking number:
9214 8901 0661 5400 0190 1679 16.

Item Details

Status: Delivered, Individual Picked Up at Post Office
Status Date / Time: November 1, 2023, 11:02 am
Location: ORLANDO, FL 32810
Postal Product: USPS Ground Advantage™
Extra Services: Certified Mail™
Return Receipt Electronic
Recipient Name: WESLEY HODGE

Recipient Signature

Signature of Recipient:	 WESLEY HODGE
Address of Recipient:	2401 DANKER DR ORLANDO FL 32810

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: 92148901066154000190167916
271258
WESLEY HODGE
2826 FITZTOOTH DR
Winter Park, FL 32792-0000



Financial Disclosure Management System
THE FLORIDA COMMISSION ON ETHICS

Filer - Fines and Appeals - PID 271258 - Mr Wesley Hodge

Filer Information

Org Membership

Forms

Communications

Fines and Appeals >

View All

Filer Flags

- [2000](#) [2001](#) [2002](#) [2003](#) [2004](#)
- [2005](#) [2006](#) [2007](#) [2008](#) [2009](#)
- [2010](#) [2011](#) [2012](#) [2013](#) [2014](#)
- [2015](#) [2016](#) [2017](#) [2018](#) [2019\(\\$\)](#)
- [2020](#) [2021](#) [2022](#) [2023](#)

<<2023 Form Year

Status

Filing: INACTIVE

Fine: No Fine

Flags

Public Address

Filing Extensions

Indefinite: None

Temporary:

None

Eligible for Fines

The filer has fines for: 2020 (Appeal)


2020 Fines and Appeals

Form Year 2019 Filed Forms						
Received Date	Form Type	Form Signed	Filed by Email	Filing Location	Updated	Comments
09/04/20	Form 1	Yes	Yes	SOE	HOLMESK(SOE IMPORT) on 12/16/2020	Orange

2020 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
\$75.00	Appeal	5/13/2021	\$75.00	\$75.00			
Fine Address 2826 Fitzooth Dr Winter Park FL 32792-4817							
Org/Suborg Orange County-Board Of Zoning Adjustment							

2020 Fine Payment History						
Date Posted	Description	Amount	Method	Payment ID	Comments	
5/13/2021	Fine Levied	+ \$75.00			Fined \$75.00	
Current Balance: \$75.00						

 Add a New Filer

 Jump To A Filer
 PID:

 Quick Filer Search
 First Name:
 Last Name:

2020 Fine Year Event

Chronology

<input checked="" type="checkbox"/> Date	Type	Description	Reference
<input type="checkbox"/> 08/20/2020	Postcard Sent	Courtesy Postcard Reminder	Print Queue: <u>8/20/2020</u> Printing Confirmed: <u>8/20/2020</u>

Letter Sent To:
 Mr Wesley Hodge
 2826 Fitzooth Dr
 Winter Park, FL 32792 -4817

<input type="checkbox"/> 09/4/2020	Form Received	Form 1 Received, Signed	Form 1 Received by Orange SOE
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Form Received By: Orange County SOE
Filing Location: Orange County SOE
Record Created By: HOLMESK(SOE IMPORT) on 12/16/2020

05/13/2021 Fine Levied Fined \$75.00 Journal: 5/13/2021 4:01 PM

02/22/2022 Notice of Assessed Fine Initial Fine Notice Journal: 2/22/2022 10:31 AM

<input type="checkbox"/> 10/27/2023	Letter Sent	Notice of Assessed Fine - Filer 1st Fine Letter	Print Queue: <u>10/27/2023</u> Printing Confirmed: <u>10/27/2023</u>
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Letter Sent To:
 Mr Wesley Hodge
 2826 Fitzooth Dr
 Winter Park, FL 32792 -4817

<input type="checkbox"/> 02/8/2024	Letter Sent	Fine Appeal	Print Queue: <u>2/8/2024</u> Printing Confirmed: <u>2/8/2024</u>
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Letter Sent To:

Mr Wesley Hodge
 2826 Fitzooth Dr
 Winter Park, FL 32792 -4817

06/5/2024 Fine Appeal FD 20-062

Journal: 6/5/2024

7:42 PM

2020 Fine Appeal – FD 20- 062	<input type="button" value="Update Appeal"/>	<input type="button" value="Withdraw Appeal"/>
	<input type="button" value="Assign Attorney"/>	<input type="button" value="Request More Info"/>
	<input type="button" value="Record Appeal Outcome"/>	
Appeal Status: Active Appeal Receipt Date: 02/08/2024 Timely Filed: No Print Appeal Letter: Yes Hearing Requested: No Appeal Reason: Other Appeal Notes: Appeal Number: FD 20-062 Appeal Analyst Assigned: Final Order Number: Final Order Date:	No Hearing Requested	