

BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In re BARRY MILLER,)	Financial Disclosure Appeal No. FD 21-068
)	
Appellant.)	Final Order No.
_____)	

FINAL ORDER

This matter came before the Commission on Ethics, meeting in public session on June 6, 2025, on the timely appeal of Appellant, pursuant to Section 112.3145(8)(g), Florida Statutes (subsequently renumbered 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 has not requested a hearing before the Commission.

Findings of Fact

1. According to the information provided to the Commission, Appellant served as a member of the Architectural Review Board for the Village of Bal Harbour, a position that required 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 a 2020 CE Form 1 to Appellant. The mailing was sent to Appellant at 12345 NE 6th Avenue #A, North Miami, Florida.

3. On July 29, 2021, the Supervisor of Elections sent Appellant a Notice of Delinquency by certified mail. The Notice was sent to Appellant at the same 12345 NE 6th Avenue address. Records from the United States Postal Service indicate the Notice was still in transit as of August 5, 2021, and that it was subsequently delivered, although the records do not indicate the delivery date.

4. On August 20, 2021, the Commission on Ethics mailed Appellant a postcard intended to remind him of his obligation to file a 2020 CE Form 1. The Commission mailed the postcard to Appellant at the 12345 NE 6th Avenue address.

5. On September 8, 2021, following the expiration of the grace period, the Commission mailed Appellant a courtesy notice stating that fines had begun to accrue. The notice was sent to the same 12345 NE 6th Avenue address.

6. Commission records indicate that five days later, on September 13, 2021, Appellant called the Commission and spoke with a representative, indicating he had received the courtesy notice that fines had begun to accrue. Records further indicate that Appellant informed the Commission representative that he had resigned from the Architectural Review Board earlier in 2021, but the representative stated he still had a filing obligation regarding the 2020 CE Form 1. Appellant indicated he would complete and submit the Form that day.

7. Later that day, September 13, 2021, Appellant filed his 2020 CE Form 1 with the Supervisor of Elections. In an accompanying email to the Supervisor's Office, Appellant stated he thought his filing "requirement was null and void after resigning my position on June 16, 2021, but just now received a letter from the Commission on Ethics saying I still needed to comply."

8. Also included in Appellant's submission to the Supervisor's Office was an email from the Village Clerk dated June 8, 2021—prior to the expiration of the grace period—indicating

that 2020 Financial Disclosure forms would be due to the Supervisor of Elections by July 1, 2021. The email was addressed from the Village Clerk and sent to the Village Clerk. It is not ascertainable from the email how or when it was received by Appellant.

9. The Commission sent Appellant a Notice of Assessment of Automatic Fine by certified mail on October 26, 2023. This mailing—sent to the same 12345 NE 6th Avenue address—indicated the total of Appellant's accrued automatic fine, and included a notice of the right to appeal the fine, stating that the appeal had to be received by the Commission by November 27, 2023, to be considered timely.

10. The total amount of the automatic fine levied against Appellant was \$300.

11. The Commission received Appellant's Appeal of Automatic Fine for Form Year 2020 on November 27, 2023. In the appeal, Appellant claimed he did not receive notice of his filing obligation until after the 2020 CE Form 1 was due. Appellant explained the notices were sent to his office during COVID, and that his office staff was working remotely several days each week. Appellant wrote his "best assumption [was] that no one was in the office" on the day that the "certified letter" was delivered.

Conclusions of Law

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

13. 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.

14. Section 112.3145(8)(g)3., Florida Statutes (subsequently renumbered to 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.

15. Here, three notices were sent to Appellant of his filing obligation prior to the expiration of the grace period at the close of business on September 1, 2021. Two were sent by the Supervisor of Elections, including a notice sent by certified mail, and the third was a postcard sent by the Commission. Appellant claims he did not receive any of these notices, and there is no evidence to refute his claim. The only records regarding delivery of the notices are those from the United States Postal Service pertaining to the certified mailing. They indicate the certified mailing was still "in transit" on August 5, 2021, and was ultimately delivered, but the delivery date is not provided. It is not possible to ascertain, then, whether the delivery occurred before or after the grace period expired on September 1, 2021. It also appears the Village Clerk prepared an email regarding the filing obligations of Village officers, but it does not appear to have been addressed to Appellant and it is unclear when Appellant received it. In short, because there is no evidence showing Appellant received timely notice of his filing obligation, there are "unusual circumstances" here that justify waiving the \$300 fine.

Order

Based on the foregoing facts and conclusions of law, the Commission hereby waives the assessed fine of \$300.

ORDERED by the State of Florida Commission on Ethics meeting in public session on
Friday, June 6, 2025.

Date Rendered

Luis M. Fusté
Chair, Florida Commission on Ethics

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

LMF: gps

Mr. Barry Miller
12345 NE 6th Ave. #A
North Miami, Florida 33161-5513

21-068

277597



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

NOV 27 2023

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: BARRY MILLER

Address: 12345 NE 6th AVE City: NORTH MIAMI State: FL Zip: 33161
SUITE A

Daytime Tel.: 305.895.9082 Cell: 305.299.9076

Email: Barry info @ SAVINOMILLER.COM Filer ID# (if known): _____

Public Employer: SAVINO MILLER DESIGN STUDIO

Public Position: PRINCIPAL

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. *We did not receive*

paperwork requesting this information until after the paperwork was due. During COVID, our office elected to work remotely several days per week (the days fluctuated depending on the number of people in the office.) and our best assumption is that no one was in the office the day a certified letter was to be delivered. Because of this, we respectfully request that this charge be rescinded.

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.

11/07/2023
DATE


SIGNATURE

FD 050279

FORM 1		STATEMENT OF FINANCIAL INTERESTS		2020
<small>Please print or type your name, mailing address, agency name, and position below:</small>		FOR OFFICE USE ONLY:		
LAST NAME -- FIRST NAME -- MIDDLE NAME : Miller Barry Ross		Processed Date: <u>9/13/21 MB</u> Scanned Date: <u>10/8/21 RJC</u> Filing Status Code: _____ <div style="text-align: right; font-size: 1.2em;">9/13/21</div>		
MAILING ADDRESS : 12345 NE 6th Avenue Suite A				
CITY : ZIP : COUNTY : North Miami 33161 Miami-Dade				
NAME OF AGENCY : Savino & Miller Design Studio				
NAME OF OFFICE OR POSITION HELD OR SOUGHT : Architectural Review Board Member - Bal Harbor Village				
CHECK ONLY IF <input type="checkbox"/> CANDIDATE OR <input type="checkbox"/> NEW EMPLOYEE OR APPOINTEE				
**** THIS SECTION <u>MUST</u> 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): <div style="display: flex; justify-content: space-around; align-items: center;"> <input type="checkbox"/> COMPARATIVE (PERCENTAGE) THRESHOLDS OR <input checked="" type="checkbox"/> DOLLAR VALUE THRESHOLDS </div>				
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		
Savino & Miller Design Studio	12345 NE 6th Ave. A, North Miami, FL	Landscape Architecture		
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		
ADDRESS OF BUSINESS ENTITY	12345 NE 6th Ave. A, Miami, FL	
PRINCIPAL BUSINESS ACTIVITY	Landscape Architecture	
POSITION HELD WITH ENTITY	Partner	
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS	Yes	
NATURE OF MY OWNERSHIP INTEREST	Founding Principal	
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.		
<input type="checkbox"/> 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 <input type="checkbox"/>		
SIGNATURE OF FILER: Signature: _____ <i>Barry Miller</i> Date Signed: _____ September 1, 2021		CPA or ATTORNEY SIGNATURE ONLY If a certified public accountant licensed under Chapter 473, or attorney in good standing with the Florida Bar prepared this form for you, he or she must complete the following statement: I, _____, prepared the CE Form 1 in accordance with Section 112.3145, Florida Statutes, and the instructions to the form. Upon my reasonable knowledge and belief, the disclosure herein is true and correct. CPA/Attorney Signature: _____ Date Signed: _____
FILING INSTRUCTIONS: If you were mailed the form by the Commission on Ethics or a County Supervisor of Elections for your annual disclosure filing, return the form to that location. To determine what category your position falls under, see page 3 of instructions. Local officers/employees file with the Supervisor of Elections of the county in which they permanently reside. (If you do not permanently reside in Florida, file with the Supervisor of the county where your agency has its headquarters.) Form 1 filers who file with the Supervisor of Elections may file by mail or email. Contact your Supervisor of Elections for the mailing address or email address to use. <u>Do not email your form to the Commission on Ethics, it will be returned.</u> 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. <u>Do not file by both mail and email. Choose only one filing method.</u> 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: <i>Initially</i> , each local officer/employee, state officer, and specified state employee must file <i>within 30 days</i> 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 <u>not</u> relieve the filer of filing a CE Form 1 if the filer was in his or her position on December 31, 2020.		

USPS Tracking®

[FAQs >](#)

Track Another Package +

Tracking Number: 9414814902266849354207

Remove X

Your package will arrive later than expected, but is still on its way. It is currently in transit to the next facility.

In Transit, Arriving Late

August 5, 2021

Get Updates ✓

Text & Email Updates



Return Receipt Electronic



Tracking History



August 5, 2021

In Transit, Arriving Late

Your package will arrive later than expected, but is still on its way. It is currently in transit to the next facility.

August 1, 2021, 3:31 pm

Departed USPS Regional Facility

OPA LOCKA FL DISTRIBUTION CENTER

12/2/21, 4:03 PM

USPS.com® - USPS Tracking® Results

July 31, 2021, 5:53 am

Arrived at USPS Regional Facility

OPA LOCKA FL DISTRIBUTION CENTER

July 31, 2021, 4:38 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 ^

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs

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

In re **Barry Miller**
 Architectural Review Board Member
 Architectural Review Board
 Bal Harbour Village

PID#: 277597

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 September 13, 2021 with the Supervisor of Elections for Miami-Dade County, you are fined the amount of \$300.00 (\$25.00 per day for 12 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, 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.

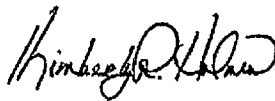
Please contact our office if you have any questions about this matter.

CERTIFICATE OF MAILING

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

Barry Miller
12345 Ne 6th Ave # A
North Miami, FL 33161 -5513

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

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

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

Tax Year	Name	FD#	ID#	Filing Status
2020	MILLER BARRY	FD050279	277597	Filed-Filed

Mailing Activity

<u>Mail Date</u>	<u>Address Mailed to</u>	<u>Correspondence</u>	<u>Certified</u>	<u>Delivered</u>	<u>Tracking#</u>
05/28/2021	12345 NE 6TH AVE # A, NORTH MIAMI, FL 33161-5513	FIRST FINANCIAL DISCLOSURE MAILING	N	Y	
07/29/2021	12345 NE 6TH AVE # A, NORTH MIAMI, FL 33161-5513	SECOND FINANCIAL DISCLOSURE MAILING	Y	Y	94148149022668493 54207

Filing Activity

<u>Form Name</u>	<u>Filed Date</u>	<u>Valid</u>	<u>Comments</u>	<u>County</u>	<u>Date Filed in County</u>
Form 1	09/13/2021	Y		MIAMI-DADE	

Communication

Miami Dade County Elections Department

Financial Disclosure Details

Tax Year	Name	FD#	ID#	Filing Status
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Type	Date	Comments
Email	09/13/2021	<p>From: Barry Miller <barry@savinomiller.com> Sent: Monday, September 13, 2021 3:29 PM To: Financial Disclosures (Elections) <FINDISCELEC@miamidade.gov> Cc: Adriana Savino <adriana@savinomiller.com> Subject: FW: Friendly Reminder: Financial Disclosure Forms are Due by July 1st, 2021</p> <p>EMAIL RECEIVED FROM EXTERNAL SOURCE Dear Miami-Dade Elections Department,</p> <p>Please see my Financial Disclosure Statement attached. I thought this requirement was null and void after resigning my position on June 16, 2021, but just now received a letter from the Commission of Ethics saying I still needed to comply. In fact, I sent my last meeting was on July 1, 2021. Just hoping the State will forgive the "automatic" fine being assessed; it's been a "strange" year!</p> <p>Respectfully submitted, Barry Miller</p> <p>Barry Miller, ASLA, PLA Principal</p> <p>O: 305.895.9082 x 302 C: 305.299.9076 SAVINO & MILLER DESIGN STUDIO 12345 NE 6th Avenue, Suite A - North Miami, FL 33161 www.savinomiller.com</p> <p>From: Dwight Danie <ddanie@balharbourfl.gov> Sent: Tuesday, June 8, 2021 12:48 PM To: Dwight Danie <ddanie@balharbourfl.gov> Subject: Friendly Reminder: Financial Disclosure Forms are Due by July 1st, 2021</p> <p>Good afternoon,</p>

Miami Dade County Elections Department

Financial Disclosure Details

Tax Year	Name	FD#	ID#	Filing Status
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You should be receiving your pre-filled 2020 Financial Disclosure Form-1 in the mail soon. I've also attached a fillable Form-1 in case you do not receive one in before mid-June.

Please remember to file your 2020 Financial Disclosure Form, if you haven't already done so. Your form must be received by the County Supervisor of Elections by July 1, 2021.

The County will accept you form by mail or email

Miami-Dade Elections Department

2700 NW 87th Ave.

Miami, FL 33172

or

P.O. Box 521550

Miami, FL 33152-1550

or

Email to

financial.disclosures@miamidade.gov

Copy me if you would like me to keep a record that the Form was filed.

Please contact me, if I can be of any assistance.

Thank you,

Dwight

From: [Barry Miller](#)
To: [Financial Disclosures \(Elections\)](#)
Cc: [Adriana Savino](#)
Subject: FW: Friendly Reminder: Financial Disclosure Forms are Due by July 1st, 2021
Date: Monday, September 13, 2021 3:29:28 PM
Attachments: [image001.png](#)
[Financial Statement Form.pdf](#)

EMAIL RECEIVED FROM EXTERNAL
SOURCE

Dear Miami-Dade Elections Department,

Please see my Financial Disclosure Statement attached. I thought this requirement was null and void after resigning my position on June 16, 2021, but just now received a letter from the Commission of Ethics saying I still needed to comply. In fact, I sent my last meeting was on July 1, 2021. Just hoping the State will forgive the "automatic" fine being assessed; it's been a "strange" year!

Respectfully submitted,
Barry Miller

Barry Miller, ASLA, PLA
Principal

O: 305.895.9082 x 302 C: 305.299.9076

SAVINO & MILLER DESIGN STUDIO
12345 NE 6th Avenue, Suite A - North Miami, FL 33161
www.savinomiller.com

From: Dwight Danie <ddanie@balharbourfl.gov>
Sent: Tuesday, June 8, 2021 12:48 PM
To: Dwight Danie <ddanie@balharbourfl.gov>
Subject: Friendly Reminder: Financial Disclosure Forms are Due by July 1st, 2021

Good afternoon,

You should be receiving your pre-filled 2020 Financial Disclosure Form-1 in the mail soon. I've also attached a fillable Form-1 in case you do not receive one in before mid-June.

Please remember to file your 2020 Financial Disclosure Form, if you haven't already done so. Your form **must be received** by the County Supervisor of Elections by July 1, 2021.

The County will accept you form by mail or email

Miami-Dade Elections Department

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Email to
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Copy me if you would like me to keep a record that the Form was filed.

Please contact me, if I can be of any assistance.

Thank you,

Dwight

BAL HARBOUR

- VILLAGE -

DWIGHT S. DANIE
VILLAGE CLERK

655 96th St, Bal Harbour, FL 33154
T + 305.866.4633 ext. 318
F + 305.993-5163
ddanie@balharbourfl.gov

Note: The Village of Bal Harbour is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws, and thus subject to disclosure.
Please consider our planet before printing this e-mail.



Financial Disclosure Management System

THE FLORIDA COMMISSION ON ETHICS

Filer - Fines and Appeals - PID 277597 - Barry Miller

Filer Information

Org Membership

Forms

Communications

Fines and Appeals >

View All

Filer Flags

[2000](#) [2001](#) [2002](#) [2003](#) [2004](#)
[2005](#) [2006](#) [2007](#) [2008](#) [2009](#)
[2010](#) [2011](#) [2012](#) [2013](#) [2014](#)
[2015](#) [2016](#) [2017](#) [2018](#) [2019](#)
[2020\(\\$\)](#) [2021](#) [2022](#) [2023](#) [2024](#)

<<2024 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: [2021 \(Appeal\)](#)

2021 Fines and Appeals

Form Year 2020 Filed Forms

Received Date	Form Type	Form Signed	Filed by Email	Filing Location	Updated	Comments
09/13/21	Form 1	Yes	Yes	SOE	HOLMESK(SOE IMPORT) on 12/13/2021	Miami-Dade

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
\$300.00	Appeal	10/25/2023	\$300.00	\$300.00			

Fine Address 12345 Ne 6th Ave # A North Miami FL 33161-5513

Org/Suborg Bal Harbour Village-Architectural Review Board

2021 Fine Payment History

Date Posted	Description	Amount	Method	Payment ID	Comments
10/25/2023	Fine Levied	+ \$300.00			Fined \$300.00

Current Balance: \$300.00

2021 Fine Year Event

Chronology

[Invalidate Transaction](#)

Date	Type	Description	Reference
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[Add a New Filer](#)

**Jump To A Filer**

PID:

**Quick Filer Search**

First Name:

Last Name:



08/20/2021 Postcard Sent

Courtesy Postcard

Print Queue:

Reminder

8/20/2021

Printing Confirmed:

8/20/2021

Letter Sent To:

Barry Miller

12345 Ne 6th Ave # A

North Miami, FL 33161 -5513



09/8/2021 Letter Sent

Courtesy Notice of Fines

Print Queue:

Accruing

9/8/2021

Printing Confirmed:

9/8/2021

Letter Sent To:

Barry Miller

12345 Ne 6th Ave # A

North Miami, FL 33161 -5513



09/13/2021 Form Received

Form 1 Received, Signed

Form 1 Received by

Miami-Dade SOE

Form Received By: Miami-Dade County SOE**Filing Location:** Miami-Dade County SOE**Record Created By:** HOLMESK(SOE IMPORT) on 12/13/2021

09/13/2021 Filer

Returned call to Mr. Miller

Kimberly Holmes

Communication: regarding letter of accruing

Phone

fine. Mr. Miller

acknowledged that he did

not resign from the board

until this year, he thought

the form was for previous

employment. He will

complete form and file

today with the SOE office.

10/25/2023 Fine Levied

Fined \$300.00

Journal: 10/25/20239:58 AM

10/25/2023 Notice of

Initial Fine Notice

Journal: 10/25/2023

Assessed Fine

10:20 AM

10/26/2023 Letter Sent

Notice of Assessed Fine -

Print Queue:

Filer 1st Fine Letter

10/26/2023

Printing Confirmed:

10/26/2023

Letter Sent To:

Barry Miller
12345 Ne 6th Ave # A
North Miami, FL 33161 -5513

02/7/2024 Fine Appeal FD 21-068

Journal: 2/7/20245:44 PM

2021 Fine Appeal –
FD 21-068

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

No Hearing Requested

Active

Appeal Receipt**Date:** 11/27/2023**Timely Filed:** Yes**Print Appeal Letter:**

Yes

Hearing Requested:

No

Appeal Reason: Lack
of Notification**Appeal Notes:****Appeal Number:** FD
21-068**Appeal Analyst****Assigned:****Final Order****Number:****Final Order Date:**