

BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In re JESSICA SWIFT, Appellant. <hr/>)))))	Financial Disclosure Appeal No. FD 19-096 Final Order No.
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FINAL ORDER RESCINDING FINE

This matter came before the Commission on Ethics, meeting in public session on March 8, 2024, in the matter of Jessica Swift,¹ pursuant to Section 112.3145(8)(g) [formerly Section 112.3145(7)(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 as a member of the Zoning Board of Adjustments for Lake Clarke Shores in Lake Clarke Shores, Florida, a position that requires the filing of a CE Form 1, Statement of Financial Interests, for the year 2018. The designated due date for submitting a 2018 CE Form 1 annual filing was July 1, 2019, with a grace period ending on September 3, 2019.

2. No later than June 1, 2019, the Palm Beach County Supervisor of Elections sent Appellant a 2018 CE Form 1. This mailing was sent to Appellant c/o the Zoning Board of

¹ Ms. Swift is also known as Jessica Fontaine Swift.

Adjustments, 8020 South Lake Drive, Lake Clarke Shores, FL 33406. It is unknown if the Appellant received this mailing.

3. No later than July 31, 2019, the Palm Beach County Supervisor of Elections sent Appellant a Notice of Delinquency by certified mail. This notice was sent to the 8020 South Lake Drive address. It is unknown if the Appellant received this mailing.

4. On August 19, 2019, the Commission mailed Appellant a postcard intended to remind her of her obligation to file a 2018 CE Form 1. The Commission mailed the postcard to the 8020 South Lake Drive address. It is unknown if Appellant received this mailing.

5. On September 6, 2019, three days after the grace period expired, the Commission mailed Appellant a courtesy notice informing her that her 2018 CE Form 1 had not been received by the Palm Beach County Supervisor of Elections and that she was being fined \$25 per day, up to a maximum of \$1,500. The Commission mailed this notice to the 8020 South Lake Drive address. It is unknown if Appellant received this mailing.

6. On October 10, 2019, the Commission received Appellant's completed 2018 CE Form 1.

7. On July 19, 2021, the Commission sent Appellant a Notice of Assessment of Automatic Fine by certified mail to the 8020 South Lake Drive address, which indicated that Appellant had accrued a \$1,500 fine and informed her of her right to appeal the fine. It stated that the appeal had to be received by the Commission by August 18, 2021, to be considered timely. Postal records indicate the notice was received on August 4, 2021, and was signed for by an unknown recipient.

8. On September 20, 2021, the Commission sent Appellant a Final Notice of Assessment of Automatic Fine for failure to timely file her 2018 CE Form 1. This was sent to the 8020 South Lake Drive address.

9. On December 9, 2021, the Commission mailed Appellant a notification of issuance of Default Final Order (issued on December 8, 2021), which confirmed her \$1,500 fine and instructed her to pay the fine by January 10, 2022. This was sent to Appellant at 202 Greenwood Drive, West Palm Beach, FL 33405-1914.

10. On September 29, 2022, the Commission sent Appellant an Amended Notice of Assessment of Automatic Fine by certified mail to the 202 Greenwood Drive address, which indicated (by means of a correction) that Appellant had accrued a \$925 fine and informed her of her right to appeal the fine. It stated that the appeal had to be received by the Commission by October 31, 2022, to be considered timely. Postal records indicate the notice was received on October 12, 2022, and was signed for by Trent Swift, Appellant's attorney.

11. On October 31, 2022, the Commission received Appellant's completed Appeal of Automatic Fine for Form Year 2018, which had been signed on October 26, 2022.

12. In her appeal, Appellant stated that she was pregnant with a high-risk pregnancy, which necessitated regular visits with her Obstetrician and a high-risk Obstetrician. She states that she found out she was pregnant on or about August 1, 2019. She states that she filed her 2018 CE Form 1 on October 10, 2019, and was 37 days late. She states that her medical condition and the required visits with her primary and the specialist explain the 37 day delinquency. She requests that this be viewed as unusual circumstances and that the fine be waived. She adds that all her other forms filed before and after her 2018 CE Form 1 were timely filed.

Conclusions of Law

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

14. Financial disclosure is required of public officials and employees because it enables the public to evaluate potential conflicts of interest, deters corruption, and increases public confidence in government.

15. Section 112.3145(8)(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 had no control and which directly result in the failure to act in accordance with the filing requirements. Circumstances which allow for time in which to take those steps necessary to assure compliance with the filing requirements shall be deemed not to constitute unusual circumstances.

17. Appellant's appeal is accepted as timely. While the initial notice containing appellate rights was sent to Appellant at the Zoning Board of Adjustments' address, 8020 South Lake Drive, Lake Clarke Shores, FL 33406, the record contains no evidence that Appellant

received the notice. When Appellant was sent the amended notice on September 29, 2022, the Commission received Appellant's appeal within the time prescribed in the notice.

18. The designated due date for submitting the 2018 CE Form 1 was July 1, 2019. Appellant found out she was pregnant with a high-risk pregnancy on or about August 1, 2019. Due to the nature of the pregnancy, Appellant had to have multiple appointments with her obstetrician and her high-risk obstetrician. The grace period, during which time assessments of late fees are tolled, ended on September 4, 2019. Appellant filed her 2018 CE Form 1 on October 10, 2019, i.e., 37 days after the grace period expired. Appellant requests that the Commission waive the fine due to the unusual circumstances of her pregnancy. The definition of "unusual circumstances," in relevant part, is "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. . . ." See Rule 34-8.215, F.A.C. Appellant had no control over her high-risk pregnancy and she filed her 2018 CE Form 1 within 37 days of the expiration of the grace period.

19. Due to the information provided to the Commission, including postal records, Appellant's statements and documentation provided with his appeal, we find Appellant's reason for appealing to constitute "unusual circumstances" that justify rescinding the \$925 fine.

Order

Based on the foregoing facts and conclusions of law, the Commission hereby rescinds the Default Final Order entered on December 8, 2021, and waives the assessed fine of \$925.

ORDERED by the State of Florida Commission on Ethics meeting in public session on
Friday, March 8, 2024.

Date Rendered

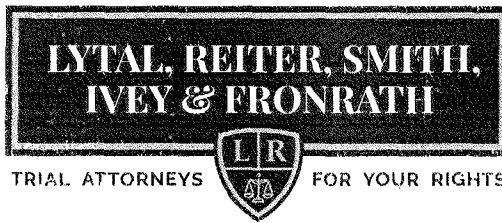
Ashley Lukis
Chair, Florida Commission on Ethics

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:kbh

Copy furnished to:

Trent Swift, Attorney for Appellant
Lytal, Reiter, Smith, Ivey & Fronrath
515 N. Flagler Drive, 10th Floor
West Palm Beach, FL 33401



FLORIDA
COMMISSION ON ETHICS

OCT 31 2022

RECEIVED

515 N. Flagler Drive, 10th Floor
West Palm Beach, FL 33401
(800) 4-RIGHTS (744487)
Tel (561) 655-1990 • Fax (561) 832-2932
www.ForYourRights.com
Phone: (561) 820-2218
Email: tswift@foryourrights.com

October 27, 2022

Via E-Mail: Disclosure@Ledge.State.FL.US,
Fax: (850)488-3077 and U.S. Mail

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

In re: Jessica Swift

Address: 202 Greenwood Drive, West Palm Beach, Florida 33405
Previously: 8020 S. Lake Dr., Lake Clark Shores, Florida 33406
Cell Number: (561) 797-5181
Public Position: Zone Board Member, Town of Lake Clark Shores

**APPEAL UNDER SECTION 112.3145(8)(g)(3) FLORIDA STATUTES AND COMMISSION
RULE 34-8.215 FLORIDA ADMINISTRATIVE CODE**

Dear Sir/Madam:

I hereby appeal the notice of assessment of automatic fine on the following basis:

- a) I was pregnant with a high-risk pregnancy. Specifically, I was diagnosed with an incompetent cervix, and had to attend regular visits with my OB as well as the high-risk OB. I have requested supporting documentation from both but am not in receipt of same at least within the timeframe to have this Appeal filed timely. My son was born April 14, 2020, and I found out I was pregnant on or about August 1, 2019.



BY APPOINTMENT ONLY

PORT ST. LUCIE
(772) 888-8881
1860 SW Fountainview Blvd., Suite 100
Port St. Lucie FL, 34986

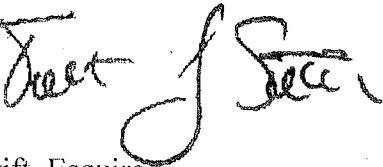
BOCA RATON
(561) 655-1990
150 E Palmetto Park Road, Suite 840
Boca Raton FL, 33432

FORT LAUDERDALE
(754) 888-8881
110 SE 6th Street, Suite 1714
Fort Lauderdale FL, 33301

- b) As per the Notice that I received, the form was filed on October 10, 2019 and was unfortunately 37 days late. I apologize for the late filing but believe that the medical condition and the required visits with both my primary and specialist explains the 37 day delinquency. All other forms, both prior to and subsequent to were filed timely, and I apologize for this oversight and request that these circumstances be viewed as unusual circumstances and the Commission will waive the fine of \$925.00.
- c) I have left the position, as my husband and I no longer reside in Lake Clark Shores. In addition, I hold no public office. Again, I respectfully request that the Commission waive the fine of \$925.00.

If there is any further documentation, I would be happy to provide it to the Commission.

Sincerely,



Trent Swift, Esquire
on behalf of Jessica Swift

----- BY APPOINTMENT ONLY -----

PORT ST. LUCIE
(772) 888-8881
1860 SW Fountainview Blvd., Suite 100
Port St. Lucie, FL 34986

BOCA RATON
(561) 655-1990
150 E Palmetto Park Road, Suite 840
Boca Raton, FL 33432

FORT LAUDERDALE
(754) 888-8881
110 SE 6th Street, Suite 1714
Fort Lauderdale, FL 33301



19-096

265358

FLORIDA
COMMISSION ON ETHICS

OCT 31 2022

RECEIVED



**STATE OF FLORIDA
COMMISSION ON ETHICS**

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

APPEAL OF AUTOMATIC FINE FOR FORM YEAR 2018

DIRECTIONS: The information you provide in this form is critical for processing your appeal in a timely manner.

In Part A, please provide current contact information. If your contact information changes while your appeal is being processed, please notify us.

In Part B, please check any boxes that specify the general reason(s) for your appeal.

In Part C, please explain in detail the reason(s) for your appeal. In addition to your written explanation in Part C, you may attach any documents that support your appeal.

IMPORTANT: TO PRESERVE YOUR RIGHT TO APPEAL, THIS FORM OR OTHER WRITTEN APPEAL (AND ANY ATTACHMENTS) MUST BE FILED WITH (RECEIVED BY) THE COMMISSION ON ETHICS WITHIN THIRTY (30) DAYS OF THE DATE THE NOTICE OF ASSESSMENT OF AUTOMATIC FINE WAS MAILED TO YOU.

PLEASE SEND YOUR COMPLETED FORM TO ONE OF THE FOLLOWING:

Mailing Address: Commission on Ethics
P.O. Drawer 15709
Tallahassee, FL 32317-5709

Physical Address: Commission on Ethics
325 John Knox Road
Building E, Suite 200
Tallahassee, FL 32303

Fax: (850) 488-3077

Email: disclosure@leg.state.fl.us

PART A: YOUR INFORMATION

Name: Jessica Swift

Address: 202 Greenwood Dr. City: West Palm Beach State: FL Zip: 33405

Daytime Tel.: 561-797-5181 Cell: 561-797-5181

Email: Jessica L Fontaine@gmail.com Filer ID# (if known): _____

Public Employer: _____

Public Position: _____

CONTINUED ON REVERSE SIDE

PART B: GENERAL REASON(S) FOR YOUR APPEAL

Please choose any/all reasons that apply to your appeal.

I hereby appeal the Notice of Assessment of Automatic Fine on the following basis:

- a. **Sickness or injury** (Explain in Part C and attach a statement from attending physician, including dates and nature of illness or injury)
- b. **Lack of notification – Failure to receive notice** (Explain in Part C and provide documentation that supports your assertion that you never received certified mail delinquency notice: for example, incorrect address; misdelivered mail; change in employment; extended absence from home, etc.)
- c. **Claim of timely filing of financial disclosure** (Explain in Part C and provide copy of certified mail receipt and/or copy of completed form which had been previously filed, along with a sworn notarized statement that you filed prior to the deadline)
- d. **Left public position prior to December 31, 2018** (Explain in Part C and provide confirmation from agency that your office-holding/employment ended before 12/31/2018)
- e. **Other unusual circumstance** (Explain in Part C and provide documentation explaining uncommon, rare, or sudden occurrence that prevented timely filing prior to deadline)
- f. **Not required to file** (Explain in Part C and provide documentation that supports reason for not required to file)

PART C: DETAILED EXPLANATION OF YOUR APPEAL

Please provide a detailed explanation of your appeal, including why each option you selected in Part B is applicable to you. You may use the space provided and/or attach additional pages.

Please see attached correspondence

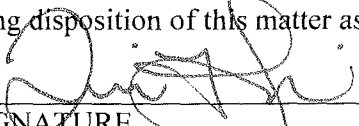
OPTIONAL REQUEST FOR HEARING

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.

10/26/22
DATE


SIGNATURE

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

In re **Jessica Swift**
Board Member
Zoning Board Of Adjustments
Lake Clarke Shores

PID#: 265358

**AMENDED
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 2018 CE Form 1, Statement Of Financial Interests. Under the law, your 2018 CE Form 1, Statement of Financial Interests, was due by July 1, 2019. The law provided for a penalty-free grace period extending the due date to September 3, 2019. 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 2018 CE Form 1 was filed October 10, 2019 with the Supervisor of Elections for Palm Beach County, you are fined the amount of \$925.00 (\$25.00 per day for 37 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 **October 31, 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 3, 2019, 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, 2018:** confirmation of your last date of office or employment by your former agency, showing the last date to be before December 31, 2018; or
 - f. **UNCLAIMED CERTIFIED MAIL:** if delinquency notice was addressed correctly but not received, you must explain why.
6. **YOUR RIGHT TO A HEARING:** You have the right to have your appeal heard by the Commission and to appear before the Commission at the hearing, but, to exercise this right, you must specifically request a hearing in your appeal. If you do not request a hearing, you will waive your right to a hearing, the Commission will determine the outcome of your appeal based upon the written record (including the documentation you provide and any documentation in your case file), and you will receive no further notice until after the Commission decides your appeal.

FAILURE TO PAY FINE OR FILE APPEAL WITHIN 30 DAYS

If you do not timely file an appeal or pay the assessed fine within 30 days of this Notice, a default order will be entered against you and the Commission will take the steps provided by law to collect the fine, including:

- Referral to the CFO of the Department of Financial Services, if you are a salaried state officer or employee, for withholding of a portion of your salary until the fine is satisfied; or
- Referral to your agency's governing body for withholding of a portion of your salary until the fine is satisfied;
- Referral to a collection agency, which can seek garnishment of your wages; and/or
- An additional civil penalty, not limited by this automatic fine, may be imposed if your disclosure statement is filed more than 60 days late and a complaint is filed against you pursuant to Section 112.324, Florida Statutes.

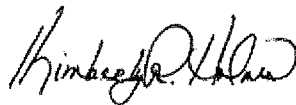
Please contact our office if you have any questions about this matter.

CERTIFICATE OF MAILING

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

**Jessica Swift
202 Greenwood Dr
West Palm Bch, FL 33405 -1914**

by Certified Mail on this Thursday, September 29, 2022.



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**

JESSICA SWIFT
202 GREENWOOD DR
WEST PALM BEACH, FL 33405-1914

Record / Case Number:
265358

Return Address

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

Mail Piece Information

Tracking Number: 92148901066154000179526116
Date Created: 09/29/2022 03:10:01 PM
Mail Class: USPS First Class Mail
Special Services: Certified Mail
Return Receipt Electronic
Memo: Fine Recalculated-Resend
Created By: Kimberly Holmes - Commission on Ethics

Signature Information

Signed For By: JESSICA SWIFT
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, September 29, 2022, 12:00:00 AM
Pre-Shipment Info Sent Usps Awaits Item, September 29, 2022, 02:20:00 PM, TALLAHASSEE,FL 32317
Accepted At Usps Origin Facility, September 29, 2022, 08:41:00 PM, TALLAHASSEE,FL 32317
Arrived At Usps Regional Origin Facility, September 29, 2022, 09:56:00 PM
Departed Usps Regional Facility, September 29, 2022, 11:03:00 PM
In Transit, Arriving On Time, September 30, 2022, 12:00:00 AM
In Transit, Arriving On Time, October 01, 2022, 12:00:00 AM
In Transit, Arriving On Time, October 02, 2022, 12:00:00 AM
In Transit To Next Facility, October 03, 2022, 12:00:00 AM
Processed Through Usps Facility, October 04, 2022, 02:08:00 AM, WEST PALM BEACH FL DISTRIBUTION 33416
No Authorized Recipient Available, October 04, 2022, 02:47:00 PM, WEST PALM BEACH,FL 33405
Delivered Individual Picked Up At Po, October 12, 2022, 12:53:00 PM, WEST PALM BEACH,FL 33416



October 12, 2022

Dear MAIL MAIL:

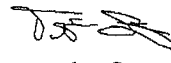
The following is in response to your request for proof of delivery on your item with the tracking number:
9214 8901 0661 5400 0179 5261 16.

Item Details

Status:	Delivered, Individual Picked Up at Post Office
Status Date / Time:	October 12, 2022, 12:53 pm
Location:	WEST PALM BEACH, FL 33416
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™ Return Receipt Electronic
Recipient Name:	JESSICA SWIFT

Recipient Signature

Signature of Recipient:



Trust Swift
202 GREENWOOD C
WEST PALM BEACH, FL 33405-1914

Address of Recipient:

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: 92148901066154000179526116
265358
JESSICA SWIFT
202 Greenwood Dr
West Palm Beach, FL 33405-1914
Fine Recalculated-Resend

JoAnne Leznoff
Chair
John Grant
Vice Chair
Michelle Anchors
Antonio Carvajal
Travis Cummings
Don Gaetz
Glenton "Glen" Gilzean, Jr.
William "Willie" N. Meggs
Jim Waldman



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

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

Kerrie J. Stillman
Executive Director

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

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

"A Public Office is a Public Trust"

**NOTIFICATION OF ISSUANCE OF
DEFAULT FINAL ORDER**

TO: Jessica Swift **265358**
Board Member
Lake Clarke Shores
Zoning Board Of Adjustments
FROM: Kimberly R. Holmes, Program Administrator
DATE: December 9, 2021

A handwritten signature in black ink, appearing to read "Kimberly R. Holmes", is written over the printed name of the Program Administrator.

Enclosed is an Order issued by the Commission on Ethics at its meeting on December 3, 2021.

If you do not pay the assessed fine by January 10, 2022 (30 days from the date of this letter) or contact our office to make arrangements to pay the fine in installments, the Commission will refer your fine to the Florida Department of Financial Services (DFS) and their contract collection agency—Transworld Systems Inc.—will undertake collecting the fine.

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

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

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

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

Enclosures

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

In re Jessica Swift,

)
)
)
)

2018 CE Form 1

DEFAULT FINAL ORDER

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

FINDINGS OF FACT

1. Jessica Swift, Lake Clarke Shores, Zoning Board Of Adjustments, was on the list of persons required to file a Statement of Financial Interests for the year 2018.
2. Pursuant to Section 112.3145(8)(g), Florida Statutes, Jessica Swift was mailed a copy of the 2018 CE Form 1 no later than June 1, 2019, and was mailed a delinquency notice by certified mail no later than July 31, 2019. Additional attempts to contact Jessica Swift were also made by Commission staff.
3. However, Jessica Swift did not file a 2018 CE Form 1 by the designated due date. Jessica Swift was sent a notice of payment due advising of the statutory rights to appeal or dispute the automatic fine in a hearing before the Commission if such appeal was received within 30 days of the notice of payment due. No timely appeal was received from Jessica Swift.
4. More than 60 days have elapsed since the notice of payment due was transmitted without Jessica Swift paying the fine.

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

CONCLUSIONS OF LAW

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

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

ORDER


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

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

WHEREFORE, the automatic fine that Jessica Swift accrued in the amount of \$1500 is affirmed. The fine shall be paid to the Florida Commission on Ethics within 30 days of the date this Default Final Order is entered. After that date, nonpayment will result in collection as provided for in Section 112.3145(8) and 112.31455, Florida Statutes.

ORDERED by the State of Florida Commission on Ethics meeting in public session on December 3, 2021.

December 8, 2021
Date Rendered


JOANNE LEZNOFF
CHAIR
FLORIDA COMMISSION ON ETHICS

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

Copy Furnished to:

Jessica Swift
202 Greenwood Dr
West Palm Bch FL 33405 -1914

JL/kh

cc: Mary Pinkerman

JoAnne Leznoff
Chair
John Grant
Vice Chair
Michelle Anchors
Antonio Carvajal
Travis Cummings
Don Gaetz
Glenton "Glen" Gilzean, Jr.
William "Willie" N. Meggs
Jim Waldman



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

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

Kerrie J. Stillman
Executive Director

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

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

"A Public Office is a Public Trust"

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

TO: Jessica Fountaine **265358**
Lake Clarke Shores
Zoning Board Of Adjustments
FROM: Kimberly R. Holmes, Program Administrator
DATE: September 20, 2021

On July 19, 2021, we notified you that your Form 1, Statement of Financial Interests, for the year 2018 was not filed and that you therefore have been assessed the maximum fine, for a total fine of \$1500. At that time, you were advised that you had 30 days from the date that letter was transmitted in which to either pay the fine or to appeal the fine to the Commission on Ethics.

It has been more than 30 days since we sent you that letter, and you have neither paid the fine nor filed an appeal. By not responding, you have waived your right to appeal the assessed fine.

If you do not pay the assessed fine by October 21, 2021 (30 days from the date of this letter) or contact our office to make arrangements for payment of the fine, the Commission on Ethics will enter an order setting your fine at \$1500 and will utilize all methods allowed by law to collect this fine including referral to a collection agency which can seek to garnish your wages.

Certificate of Mailing:

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

Jessica Fountaine **265358**
8020 South Lake Dr
Lake Clarke Shores FL 33406

By United States Mail on this Monday, September 20, 2021.

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

Kimberly R. Holmes
Program Administrator

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

In re **Jessica Fountaine**
Board Member
Zoning Board Of Adjustments
Lake Clarke Shores

PID#: 265358

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 2018 CE Form 1, Statement Of Financial Interests. Under the law, your 2018 CE Form 1, Statement of Financial Interests, was due by July 1, 2019. The law provided for a penalty-free grace period extending the due date to September 3, 2019. 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 2018 CE Form 1 has not been filed with the Supervisor of Elections for Palm Beach County within the 60 days of the grace period date (September 3, 2019), 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 **August 18, 2021**. **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 3, 2019, 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, 2018:** confirmation of your last date of office or employment by your former agency, showing the last date to be before December 31, 2018; or
 - f. **UNCLAIMED CERTIFIED MAIL:** if delinquency notice was addressed correctly but not received, you must explain why.
6. **YOUR RIGHT TO A HEARING:** You have the right to have your appeal heard by the Commission and to appear before the Commission at the hearing, but, to exercise this right, you must specifically request a hearing in your appeal. If you do not request a hearing, you will waive your right to a hearing, the Commission will determine the outcome of your appeal based upon the written record (including the documentation you provide and any documentation in your case file), and you will receive no further notice until after the Commission decides your appeal.

FAILURE TO PAY FINE OR FILE APPEAL WITHIN 30 DAYS

If you do not timely file an appeal or pay the assessed fine within 30 days of this Notice, a default order will be entered against you and the Commission will take the steps provided by law to collect the fine, including:

- Referral to the CFO of the Department of Financial Services, if you are a salaried state officer or employee, for withholding of a portion of your salary until the fine is satisfied; or
- Referral to your agency's governing body for withholding of a portion of your salary until the fine is satisfied;
- Referral to a collection agency, which can seek garnishment of your wages; and/or
- An additional civil penalty, not limited by this automatic fine, may be imposed if your disclosure statement is filed more than 60 days late and a complaint is filed against you pursuant to Section 112.324, Florida Statutes.

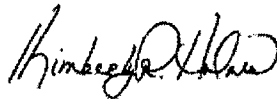
Please contact our office if you have any questions about this matter.

CERTIFICATE OF MAILING

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

**Jessica Fountaine
8020 South Lake Dr
Lake Clarke Shores, FL 33406**

by Certified Mail on this Monday, July 19, 2021.



**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

FOR OFFICE USE ONLY:

Jessica Fountaine
Board Member
Lake Clarke Shores
Zoning Board Of Adjustments
8020 South Lake Dr
Lake Clarke Shores FL 33406



2 6 5 3 5 8

265358

You are not limited to the space on the lines on this form. Attach additional sheets, if necessary.

CHECK ONLY IF [] CANDIDATE OR [] NEW EMPLOYEE OR APPOINTEE

Fountaine, Jessica

**** BOTH PARTS OF THIS SECTION MUST BE COMPLETED ****

DISCLOSURE PERIOD:

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR THE PRECEDING TAX YEAR, WHETHER BASED ON A CALENDAR YEAR OR ON A FISCAL YEAR. PLEASE STATE BELOW WHETHER THIS STATEMENT IS FOR THE PRECEDING TAX YEAR ENDING EITHER (must check one):

[] DECEMBER 31, 2018 OR [] SPECIFY TAX YEAR IF OTHER THAN THE CALENDAR YEAR: _____

MANNER OF CALCULATING REPORTABLE INTERESTS:

FILERS HAVE THE OPTION OF USING REPORTING THRESHOLDS THAT ARE ABSOLUTE DOLLAR VALUES, WHICH REQUIRES FEWER CALCULATIONS, OR USING COMPARATIVE THRESHOLDS, WHICH ARE USUALLY BASED ON PERCENTAGE VALUES (see instructions for further details). CHECK THE ONE YOU ARE USING (must check one):

[] COMPARATIVE (PERCENTAGE) THRESHOLDS OR [] DOLLAR VALUE THRESHOLDS

PART A -- PRIMARY SOURCES OF INCOME [Major sources of income to the reporting person - See instructions] (If you have nothing to report, write "none" or "n/a")

Table with 3 columns: NAME OF SOURCE OF INCOME, SOURCE'S ADDRESS, DESCRIPTION OF THE SOURCE'S PRINCIPAL BUSINESS ACTIVITY

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")

Table with 4 columns: NAME OF BUSINESS ENTITY, NAME OF MAJOR SOURCES OF BUSINESS' INCOME, ADDRESS OF SOURCE, PRINCIPAL BUSINESS ACTIVITY OF SOURCE

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

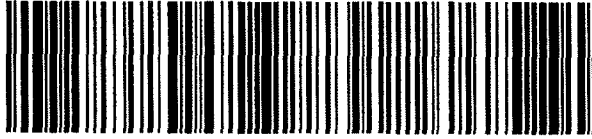
Table with 1 column for listing real property

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.



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



9214 8901 0661 5400 0164 7110 91

RETURN RECEIPT (ELECTRONIC)

265358

JESSICA FOUNTAINE
8020 S LAKE DR
LAKE CLARKE SHORES, FL 33406-7826

37

URGENT - Open
Immediately!

CUT / FOLD HERE

Zone 4

6"X9" ENVELOPE
CUT / FOLD HERE

CUT / FOLD HERE

Mail Piece Details

 [Print this page](#)

Recipient Address

JESSICA FOUNTAINE
8020 S LAKE DR
LAKE CLARKE SHORES, FL 33406-7826

Record / Case Number:
265358

Return Address

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

Entry Point ZIP:
32317

Mail Piece Information

Tracking Number: 92148901066154000164711091
Date Created: 07/19/2021 01:57:35 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: JESSICA FOUNTAINE
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 19, 2021, 01:57:35 PM, TALLAHASSEE,FL 32317
Pre-Shipment Info Sent To Usps, Usps Awaiting Item, July 19, 2021, 12:00:00 AM
Pre-Shipment Info Sent Usps Awaits Item, July 19, 2021, 01:17:00 PM, TALLAHASSEE,FL 32317
Accepted At Usps Origin Facility, July 19, 2021, 07:37:00 PM, TALLAHASSEE,FL 32317
Origin Acceptance, July 19, 2021, 07:37:00 PM, TALLAHASSEE,FL 32317
Arrived At Usps Regional Origin Facility, July 19, 2021, 08:52:00 PM
Processed Through Usps Facility, July 19, 2021, 08:52:00 PM, TALLAHASSEE FL DISTRIBUTION CEN 32301
Departed Usps Regional Facility, July 19, 2021, 11:03:00 PM
Depart Usps Facility, July 19, 2021, 11:03:00 PM, TALLAHASSEE FL DISTRIBUTION CEN 32301
In Transit, Arriving On Time, July 20, 2021, 12:00:00 AM
Arrived At Usps Regional Destination Facility, July 21, 2021, 08:37:00 AM
Processed Through Usps Facility, July 21, 2021, 08:37:00 AM, WEST PALM BEACH FL DISTRIBUTION 33416
Processed Through Usps Facility, July 21, 2021, 10:30:00 PM, WEST PALM BEACH FL DISTRIBUTION 33416
Departed Usps Regional Destination Facility, July 22, 2021, 01:59:00 AM
Processed Through Usps Facility, July 22, 2021, 01:59:00 AM, WEST PALM BEACH FL DISTRIBUTION 33416
Forwarded, July 22, 2021, 01:53:00 PM, WEST PALM BEACH,FL 33406
Arrived At Usps Regional Destination Facility, July 28, 2021, 01:15:00 PM
Processed Through Usps Facility, July 28, 2021, 01:15:00 PM, MIAMI FL DISTRIBUTION CENTER 33152
In Transit To Next Facility, July 29, 2021, 12:00:00 AM
In Transit To Next Facility, July 30, 2021, 12:00:00 AM
Arrived At Usps Regional Origin Facility, July 31, 2021, 09:45:00 AM
Processed Through Usps Facility, July 31, 2021, 09:45:00 AM, TALLAHASSEE FL DISTRIBUTION CEN 32301
Departed Usps Regional Origin Facility, July 31, 2021, 03:56:00 PM
Processed Through Usps Facility, July 31, 2021, 03:56:00 PM, TALLAHASSEE FL DISTRIBUTION CEN 32301
In Transit To Next Facility, August 01, 2021, 12:00:00 AM
In Transit To Next Facility, August 02, 2021, 12:00:00 AM
In Transit To Next Facility, August 03, 2021, 12:00:00 AM
Delivered Individual Picked Up At Po, August 04, 2021, 11:16:00 AM, TALLAHASSEE,FL 32317



Swift

August 4, 2021

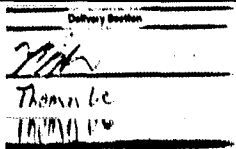

Dear MAIL MAIL:

The following is in response to your request for proof of delivery on your item with the tracking number:
9214 8901 0661 5400 0164 7110 91.

Item Details

Status: Delivered, Individual Picked Up at Post Office
Status Date / Time: August 4, 2021, 11:16 am
Location: TALLAHASSEE, FL 32317
Postal Product: First-Class Mail®
Extra Services: Certified Mail™
Return Receipt Electronic
Recipient Name: JESSICA FOUNTAINE

Recipient Signature

Signature of Recipient:	
Address of Recipient:	

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: 92148901066154000164711091
265358
JESSICA FOUNTAINE
8020 S Lake Dr
Lake Clarke Shores, FL 33406-7826

FORM 1

STATEMENT OF FINANCIAL INTERESTS

2018

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

FOR OFFICE USE ONLY:

LAST NAME - FIRST NAME - MIDDLE NAME:

Swift Jessica Fontaine

MAILING ADDRESS:

8020 S Lake Dr.

CITY:

Lake Clarke Shores

ZIP:

33404

COUNTY:

Palm Beach

NAME OF AGENCY:

Town of Lake Clarke Shores - zoning Board

NAME OF OFFICE OR POSITION HELD OR SOUGHT:

Board Member

You are not limited to the space on the lines on this form. Attach additional sheets, if necessary.

CHECK ONLY IF CANDIDATE OR NEW EMPLOYEE OR APPOINTEE

SUPERVISOR OF ELECTIONS
2019 OCT 10 PM 1:35
PALM BEACH COUNTY, FL.

**** **BOTH PARTS OF THIS SECTION MUST BE COMPLETED** ****

DISCLOSURE PERIOD:

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR THE PRECEDING TAX YEAR, WHETHER BASED ON A CALENDAR YEAR OR ON A FISCAL YEAR. PLEASE STATE BELOW WHETHER THIS STATEMENT IS FOR THE PRECEDING TAX YEAR ENDING EITHER (must check one):

DECEMBER 31, 2018 OR SPECIFY TAX YEAR IF OTHER THAN THE CALENDAR YEAR: _____

MANNER OF CALCULATING REPORTABLE INTERESTS:

FILERS HAVE THE OPTION OF USING REPORTING THRESHOLDS THAT ARE ABSOLUTE DOLLAR VALUES, WHICH REQUIRES FEWER CALCULATIONS, OR USING COMPARATIVE THRESHOLDS, WHICH ARE USUALLY BASED ON PERCENTAGE VALUES (see instructions for further details). CHECK THE ONE YOU ARE USING (must check one):

COMPARATIVE (PERCENTAGE) THRESHOLDS OR DOLLAR VALUE THRESHOLDS

PART A -- PRIMARY SOURCES OF INCOME [Major sources of income to the reporting person - See instructions] (If you have nothing to report, write "none" or "n/a")

NAME OF SOURCE OF INCOME	SOURCE'S ADDRESS	DESCRIPTION OF THE SOURCE'S PRINCIPAL BUSINESS ACTIVITY
Palm Beach Social Divry, LLC	PO Box 2477 Palm Beach, FL 33480	Marketing / Advertising

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

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

Homebased Only - N/A

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
CarMax Financial Services	2000 Ashbridge Rd. Boynton Beach, FL 33426
Sally Mae - Student Loans	P.O. Box 8989 Philadelphia PA 19101

PART F — INTERESTS IN SPECIFIED BUSINESSES [Ownership or positions in certain types of businesses - See instructions]
 (If you have nothing to report, write "none" or "n/a")

NAME OF BUSINESS ENTITY	BUSINESS ENTITY # 1	BUSINESS ENTITY # 2
		N/A
ADDRESS OF BUSINESS ENTITY		
PRINCIPAL BUSINESS ACTIVITY		
POSITION HELD WITH ENTITY		
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS		
NATURE OF MY OWNERSHIP INTEREST		

PART G — TRAINING

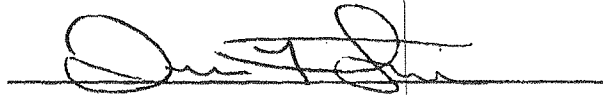
For elected municipal officers required to complete annual ethics training pursuant to section 112.3142, F.S.

I CERTIFY THAT I HAVE COMPLETED THE REQUIRED TRAINING.

IF ANY OF PARTS A THROUGH G ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE

SIGNATURE OF FILER:

Signature:



Date Signed:

10/9/2019

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, Travis J. Scott, Esq., 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:

 Number FL 111785

Date Signed: 10/9/19

FILING INSTRUCTIONS:

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

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

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

Candidates file this form together with their filing papers.

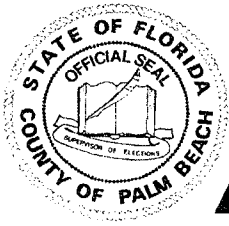
MULTIPLE FILING UNNECESSARY: A candidate who files a Form 1 with a qualifying officer is not required to file with the Commission or Supervisor of Elections.

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

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

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

Finally, file a final disclosure form (Form 1F) within 60 days of leaving office or employment. Filing a CE Form 1F (Final Statement of Financial Interests) does not relieve the filer of filing a CE Form 1 if the filer was in his or her position on December 31, 2018.



Wendy Sartory Link
Palm Beach County Supervisor of Elections

Palm Beach County
Florida Commission on Ethics
Financial Disclosure Notification System
2019 Delinquency Certification
Reported 11/07/2019

FLORIDA
COMMISSION ON ETHICS
NOV 15 2019
RECEIVED

I Wendy Sartory Link, the Supervisor of Elections of Palm Beach County, hereby certify that each person whose PID number, name, agency, and position appears above or on the attached list:

1. was sent a notice of the July 1, 2019 financial disclosure deadline and a blank Form 1, Statement of Financial Interests, not later than June 1, 2019;
2. was determined to be delinquent in filing a Form 1, Statement of Financial Interests, by July 1, 2019;
3. was sent a delinquency notice by certified mail not later than July 31, 2019 advising him or her of the grace period in effect until September 3, 2019; and of the penalties that could be imposed as provided in Section 112.3145(7)(c), Florida Statutes; and
4. did not file a Form 1, Statement of Financial Interests, until the date shown or, had not filed a Form 1, Statement of Financial Interests by November 2, 2019; and further
5. that the date of filing shown is based upon the earliest of the following:
 - a. when the Form 1 was actually received by my office;
 - b. when the Form 1 was postmarked;
 - c. when the certificate of mailing (if any) was dated; or
 - d. when the receipt (if any) from an established courier company was dated.

Signed *Wendy Sartory Link*
SUPERVISOR OF ELECTIONS

Certified Mail service provides the following benefits:

- A receipt (this portion of the Certified Mail label).
- A unique identifier for your mailpiece.
- Electronic verification of delivery or attempted delivery.
- A record of delivery (including the recipient's signature) that is retained by the Postal Service™ for a specified period.

Important:

- You may First-Class or Priority Certified Mail with Certified Mail Insuranc certain
- For an endorsement on the mailpiece, you may request the following services:
 - Return receipt service, which provides a record of delivery (including the recipient's signature). You can request a hardcopy return receipt or an electronic version. For a hardcopy return receipt, complete PS Form 3811, *Domestic Return Receipt*, attach PS Form 3811 to your mailpiece.



Certified Mail item at a post office™ or postmarking, if you don't need a postmark on this Certified Mail receipt, detach the backdated portion of this label, affix it to the mailpiece, apply appropriate postage, and deposit the mailpiece.

IMPORTANT: Save this receipt for your records.

PS Form 3800, April 2015 (Reverse) PSN 7530-02-000-9047

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

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

OFFICIAL USE

Certified Mail Fee		
Extra Services & Fees (check box, add fee as appropriate)		
<input type="checkbox"/> Return Receipt (hardcopy)	\$	
<input type="checkbox"/> Return Receipt (electronic)	\$	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
<input type="checkbox"/> Adult Signature Required	\$	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	
Postage	\$	
Total	\$	265358

Postmark Here

Sent Jessica Fountaine

Street Zoning Board Of Adjustments

City 8020 South Lake Dr

Lake Clarke Shores FL 33406

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



Filer - Fines and Appeals - PID 265358 - Jessica Swift

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\(S\)](#) [2019](#)
- [2020](#) [2021](#) [2022](#)

<<2022 Form Year

Status

Filing: INACTIVE

Fine: No Fine

Flags

Public Address

Filing Extensions

Indefinite: None

Temporary:

None

Eligible for Fines

[Update Flags](#)

[+ Add a New Filer](#)

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First Name:

Last Name:

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

2019 Fines and Appeals

Form Year 2018 Filed Forms

Received Date	Form Type	Form Signed	Filed by Email	Filing Location	Updated	Comments
10/10/19	Form 1	Yes	No	SOE	prine.emily on 01/27/2022	Received by COE on behalf of Palm Beach Supervisor of Elections

2019 Fine Information

[Update Fine information](#)

[Assign Agency Contact](#)

Fine Balance	Fine Status	Fine Date	Original Assessment	Fine Amount	Last Payment Date	Payment Plan Start Date	Payment Plan Amount
\$925.00	Appeal	3/19/2021	\$1,500.00	\$925.00			

Fine Address 202 Greenwood Dr West Palm Bch FL 33405-1914

Org/Suborg Lake Clarke Shores-Zoning Board Of Adjustments

2019 Fine Payment History

Date Posted	Description	Amount	Method	Payment ID	Comments
2/22/2022	Recalculate Fine	-\$575.00			Fine recalculated from \$1,500.00 to \$925.00 due to updated form receipt date.
3/19/2021	Fine Levied	+\$1,500.00			Fined \$1500.00

Current Balance: **\$925.00**

2019 Fine Year Event

[Invalidate Transaction](#)

Chronology

Date	Type	Description	Reference
08/19/2019	Postcard Sent	Courtesy Postcard Reminder	Print Queue: 8/19/2019 Printing Confirmed: 8/19/2019

Letter Sent To:

Jessica Fontaine
8020 South Lake Dr
Lake Clarke Shores, FL 33406

09/6/2019	Letter Sent	Courtesy Notice of Fines Accruing	Print Queue: 9/6/2019 Printing Confirmed: 9/6/2019
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Letter Sent To:
 Jessica Fountaine
 8020 South Lake Dr
 Lake Clarke Shores, FL 33406

10/10/2019 Form Received Form 1 Received, Signed Form 1 Received by Received by COE on behalf of Palm Beach Supervisor of Elections SOE

Form Received By:
Filing Location: Palm Beach County SOE
Record Created By: prine.emily on 01/27/2022

03/19/2021 Fine Levied Fined \$1500.00 Journal: 3/19/2021 4:23 AM
 06/11/2021 Notice of Assessed Fine Initial Fine Notice Journal: 6/11/2021 9:36 AM
 Invalidated
 07/19/2021 Letter Sent Notice of Assessed Fine - Filer 1st Fine Letter Print Queue: 7/19/2021 Printing Confirmed: 7/19/2021

Letter Sent To:
 Jessica Fountaine
 8020 South Lake Dr
 Lake Clarke Shores, FL 33406

09/20/2021 Final Notice of Assessed Fine 2nd Fine Notice Journal: 9/20/2021 1:52 PM
 Invalidated
 09/20/2021 Letter Sent Final Notice of Assessed Fine - Second Fine Notice Print Queue: 9/20/2021 Printing Confirmed: 9/20/2021

Letter Sent To:
 Jessica Fountaine
 8020 South Lake Dr
 Lake Clarke Shores, FL 33406

11/12/2021 Collection Orders Collection Order Notice. Invalidated Reason: Fine amount recalculated-Resend Default Order Journal: 11/12/2021 4:37 PM
 Invalidated
 12/9/2021 Letter Sent Collection Orders - Prepare Collection Orders Print Queue: 12/9/2021 Printing Confirmed:

12/9/2021

Letter Sent To:
 Jessica Swift
 202 Greenwood Dr
 West Palm Bch, FL 33405 -1914

01/27/2022 Filer

Communication:
 Email

From: Prine,Emily
Sent: Thursday, January 27, 2022 8:20 AM
To: Holmes, Kim
 <HOLMES.KIM@leg.state.fl.us>
Cc: Shotwell, Charles
 <SHOTWELL.CHARLES@leg.state.fl.us>
Subject: FW: Jessica Swift or could have
 filed under last name Fountaine

02/22/2022 Recalculate Fine

Journal:
 Fine recalculated 2/22/2022
 from 10:42 AM
 \$1,500.00
 to \$925.00
 due to
 updated
 form
 receipt
 date.

Kim,

Apparently the Form 1 2018 was
 received; Charlie is working on
 this filer.

I recorded and placed in Alchemy.

Sincerely,

Emily E. Prine

Program Specialist/Financial Disclosure

850-488-7864

Florida Commission on Ethics
Post Office Drawer 15709
Tallahassee, FL 32317-5709

From: Amber Sacks <

09/26/2022 Referred to
 Collection
 Invalidated Agency 1

Transmittal to Collection Agency 1
 (Transworld Systems Inc.). Invalidated
 Reason: Fine amount recalculated-Resend
 Default Order

Journal:
9/26/2022
2:53 PM

09/27/2022 Letter Sent

Referred to Collection Agency 1 - Referred
 to Collection Agency 1 for Collection.
 Creates a delimited file for the
 spreadsheet.

Print
Queue:
9/27/2022
Printing
Confirmed:
 9/27/2022

Letter Sent To:
 Jessica Swift

202 Greenwood Dr
West Palm Bch, FL 33405 -1914

09/29/2022 Notice of Initial Fine Notice Journal:
Assessed Fine 9/29/2022
2:53 PM

09/29/2022 Letter Sent Notice of Assessed Fine - Filer 1st Fine Print
Letter Queue:
9/29/2022
Printing
Confirmed:
9/29/2022

Letter Sent To:
Jessica Swift
202 Greenwood Dr
West Palm Bch, FL 33405 -1914

09/29/2022 Filer From: Rodgers, Cathy Sent: Thursday, Diana
Communication: September 29, 2022 3:05 PM To: Westberry
Email Westberry, Diana Subject: RE: Florida
Commission on Ethics The account has
been placed on hold please let me know
once it's good to continue to work. Thank
you ***Please note new office number
below*** Cathy Rodgers Account Manager
| TSI Client Services Office: 215-441-3895
Fax: 866-268-4267 Email:
cathy.rodgers@tsico.com From:
Westberry, Diana
[mailto:WESTBERRY.DIANA@leg.state.fl.us]
Sent: Thursday, September 29, 2022 2:42
PM To: Rodgers, Cathy Subject:
[EXTERNAL] RE: Florida Commission on
Ethics One more. Jessica Swift - 265358 -
\$925. Can you hold off on collecting this
one for the time being? We have to resend
her Default Collection Order. Thanks!
Thank you, Diana Westberry Office
Manager Florida Commission on Ethics Post
Office Drawer 15709 Tallahassee, FL
32317-5709 (850) 488-7864
ethics.state.fl.us

11/3/2022 Fine Appeal FD 19-096 Journal:
11/3/2022
10:46 AM

11/3/2022 Letter Sent Fine Appeal Print
Queue:
11/3/2022
Printing
Confirmed:
11/3/2022

Letter Sent To:
Jessica Swift
202 Greenwood Dr
West Palm Bch, FL 33405 -1914

2019 Fine Appeal – FD 19-096	Update Appeal	Withdraw Appeal	Assign Attorney	Request More Info
	Record Appeal Outcome			

Appeal Status: Active	No Hearing Requested
Appeal Receipt Date: 10/27/2022	
Timely Filed: Yes	
Print Appeal Letter: Yes	
Hearing Requested: No	
Appeal Reason: Illness or <i>Injury, Other</i>	
Appeal Notes:	
Appeal Number: FD 19-096	
Appeal Analyst Assigned:	
Final Order Number:	
Final Order Date:	