

BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In re JERRY LOWER	)	Financial Disclosure Appeal No. FD 22-035
	)	
Appellant.	)	Final Order No. XXX
	)	

FINAL ORDER

This matter came before the Commission on Ethics, meeting in public session on October 23, 2026, on its own motion, pursuant to Section 112.3145(8)(g), Florida Statutes, (subsequently renumbered to Section 112.3145(8)(f) 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.

Findings of Fact

1. According to information provided to the Commission, Appellant served as the Chairman of the Briny Breezes Planning & Zoning Board, a position requiring the filing of a 2021 CE Form 1, Statement of Financial Interests. In 2022, the designated due date for submitting a 2021 CE Form 1 was July 1, 2022, with a grace period ending on September 1, 2022.

2. No later than June 1, 2022, the Palm Beach County Supervisor of Elections sent Appellant a 2021 CE Form 1.

3. No later than August 1, 2022, the Palm Beach County Supervisor of Elections sent Appellant a notice of delinquency by certified mail. The Palm Beach County Supervisor of Elections did not provide the Commission with any record of a certified mail receipt.

4. On September 13, 2022, the Commission on Ethics mailed Appellant a courtesy notice of fines accruing. This notice was sent to Appellant at 5000 N Ocean Blvd # E-203, Briny Breezes, FL 33435-7341.

5. On November 4, 2022, Appellant submitted his 2021 CE Form 1.

6. On October 27, 2023, the Commission mailed Appellant a Notice of Assessed Fine. The notice was sent by certified mail to 2 Harbour Dr N, Ocean Ridge, FL 33435-6212. It indicated the total of Appellant's accrued automatic fine was \$1,500 (\$25 per day for up to 60 days late) and provided that the Commission must receive an appeal of the fine by November 27, 2023.

7. On November 28, 2023, the Commission received Appellant's appeal of his automatic fine for Form Year 2021 via email. Records (including emails, a certified mail receipt and USPS tracking data) reflect that Appellant sent his appeal by certified mail on November 22, 2023 (prior to the deadline) and it was delayed, so he contacted the Commission and emailed his appeal form. The Commission received the appeal form in the mail on December 5, 2023. In part B of his appeal form, Appellant checked "Lack of notification" as the general reason for his appeal. In part C of his appeal form, where an appellant is asked to provide a detailed explanation of his or her appeal, Appellant wrote that he lives in Ocean Ridge but also owns property in Briny Breezes. Appellant stated that his Briny Breezes address was on file, but he is rarely there (he explained that he only uses the trailer as a spare bedroom for family in the peak of season). Appellant also noted that the mailroom at that address does not forward any mail to his Ocean Ridge home. Appellant stated that he has since changed his address on file to his primary residence in Ocean Ridge.

Conclusions of Law

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

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

10. Section 112.3145(8)(g)3., Florida Statutes, (subsequently renumbered to Section 112.3145(8)(f)(2)) states:

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

11. Pursuant to Rule 34-8.215(4), F.A.C., "unusual circumstances" means 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.

12. Here, regarding the timeliness of the appeal, it is clear from the records provided that Appellant sent it by certified mail five days prior to the deadline and it was delayed, so he contacted the Commission and submitted it by email the day after the deadline. Regarding the

merits of the appeal, Appellant explained that he is rarely at the address that was on file and that the mailroom there does not forward his mail to his primary residence. Appellant has since updated his address to his primary residence. Considering Appellant's claims, and that there is no evidence showing otherwise, there are "unusual circumstances" here that prevented the timely filing of the financial disclosure form that justify waiving the \$1,500 fine.

Order

Based on the foregoing facts and conclusions of law, the Commission hereby finds that unusual circumstances for failure to timely file have been demonstrated. We therefore waive the assessed fine of \$1,500.

ORDERED by the State of Florida Commission on Ethics meeting in public session on October 23, 2026.

Date Rendered

Jeremy M. Rodgers
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.

JMR: aln

Jerry Lower
2 Harbour Dr N
Ocean Ridge, FL 33435-6212

221783 22-035

FLORIDA
COMMISSION ON ETHICS

DEC 05 2023

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 2021

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: Terry Lower

Address: 2 Hahan Dr North City: Green Ridge State: FL Zip: 33435

Daytime Tel.: _____ Cell: 561-313-9195

Email: publika@the coastal star.com Filer ID# (if known): PIP 221783

Public Employer: Brim Breezes

Public Position: chairman Planning + Zoning

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, 2021** (Explain in Part C and provide confirmation from agency that your office-holding/employment ended before 12/31/2021)
- e. ☐ **Other unusual circumstance** (Explain in Part C and provide documentation explaining uncommon, rare, or sudden occurrence that prevented timely filing prior to deadline)
- f. ☐ **Not required to file** (Explain in Part C and provide documentation that supports reason for not required to file)

PART C: DETAILED EXPLANATION OF YOUR APPEAL

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

See Attachments

pardon my Handwriting

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.

11/21/21
DATE

SIGNATURE

November 21, 2023
Kimberly R Holmes
Program Administrator
Florida Commission on Ethics

Dear Kimberly,

I live in Ocean Ridge and also own property in adjacent community of Briny Breezes where I have served as the Chairman of the Planning and Zoning board for more than a decade.

I made the mistake of not having my mail from your agency sent to my Ocean Ridge home address and let the notice of ethics form be delivered to in my mailbox in Briny until after I had missed the deadline for the year ending 2021. I have since changed my mailing address with your agency to my home where I get the mail on a daily basis.

While I do own property in Briny, and do serve on the P&Z board, I only use the trailer as a spare-bedroom for family in the peak of season. So there are weeks and months go by that I do not stop in the mail room and they do not forward any mail to my Ocean Ridge home

I talked to one of your staff members (I believe it was Emily) in October of 22, and she said she would look at my case, and I thought that she said that there might be a letter coming from your office.

I later checked your site and saw that my filing requirements had been fulfilled. Attached page; So I let it go.

As a working journalist, I respect the role of the Commission on Ethics, and am embarrassed that I was late in filing my paperwork. I would prefer to not pay the entire potential fine, and ask for your forgiveness.

So I am appealing under the **Unusual Circumstance Letter - B Lack of Notice (Wrong Address)** from your letter.

Sincerely

Jerry Lower





Filer Information

Filer History for Jerry Lower

Form Year	Organizations	Statutory Filing Requirement	Filing Requirement Fulfilled
2012	Briny Breezes-Planning & Zoning Board	Form 1 with Palm Beach County SOE	✓ 05/31/2013
2013	Briny Breezes-Planning & Zoning Board	Form 1 with Palm Beach County SOE	✓ 07/01/2014
2014	Briny Breezes-Planning & Zoning Board	Form 1 with Palm Beach County SOE	✓ 07/31/2015
2015	Briny Breezes-Planning & Zoning Board	Form 1 with Palm Beach County SOE	✓ 06/29/2016
2016	Briny Breezes-Planning & Zoning Board	Form 1 with Palm Beach County SOE	✓ 07/13/2017
2017	Briny Breezes-Planning & Zoning Board	Form 1 with Palm Beach County SOE	✓ 08/07/2018
2018	Briny Breezes-Planning & Zoning Board	Form 1 with Palm Beach County SOE	✓ 07/22/2019
2019	Briny Breezes-Planning & Zoning Board	Form 1 with Palm Beach County SOE	✓ 06/18/2020
2020	Briny Breezes-Planning & Zoning Board	Form 1 with Palm Beach County SOE	✓ 07/10/2021
2021	Briny Breezes-Planning & Zoning Board	Form 1 with Palm Beach County SOE	✓ 11/04/2022
2022	Briny Breezes-Planning & Zoning Board	Form 1 with Palm Beach County SOE	✓ 08/11/2023

Go Back

November 21, 2023
Kimberly R Holmes
Program Administrator
Florida Commission on Ethics

FLORIDA
COMMISSION ON ETHICS

NOV 28 2023

RECEIVED

Dear Kimberly,

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So I am appealing under the **Unusual Circumstance Letter - B Lack of Notice (Wrong Address)** from your letter.

Sincerely

Jerry Lower

Prine.Emily

From: Jerry Lower <publisher@thecoastalstar.com>
Sent: Tuesday, November 28, 2023 3:05 PM
To: disclosure
Subject: Jerry Lower 221783
Attachments: Jerry Lower 221783 appeal.pdf

You don't often get email from publisher@thecoastalstar.com. [Learn why this is important](#)

Thank you for the opportunity to email in my form.

Even though I chose to use certified mail to send you my appeal on Nov 22, it still has not been delivered.

See my attachment

Thanks again

Jerry Lower
Publisher
The Coastal Star
5114 North Ocean Blvd.
Ocean Ridge, FL 33435
www.thecoastalstar.com
(561) 337-1553 Office
(561) 313-9195 Cell
Publisher@thecoastalstar.com

BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

Email to
Disclosure
Leg. State.
Fl. U.S.

In re Jerry Lower
P&Z Chairman, District III
Planning & Zoning Board
Briny Breezes

PID#: 221783

FLORIDA
COMMISSION ON ETHICS

NOV 28 2023

RECEIVED

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 2021 CE Form 1, Statement of Financial Interests. Under the law, your 2021 CE Form 1, Statement of Financial Interests, was due by July 1, 2022. The law provided for a penalty-free grace period extending the due date to September 1, 2022. 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 2021 CE Form 1 was filed November 4, 2022 with the Supervisor of Elections for Palm Beach County, you are fined the amount of \$1500.00 (\$25.00 per day for 64 day(s) late). This fine must be paid to the Commission on Ethics within 30 days of the date of this notice unless you appeal the fine to the Commission. The Commission has the authority to consider the appeal and waive the fine in whole or in part if your failure to file on time was due to "unusual circumstances" surrounding the failure to file. Unless the fine is successfully appealed, the Commission is required to investigate public officers and employees who receive the maximum \$1,500 fine, to determine whether their failure to file was willful. The penalty for willfully failing to file disclosure is removal from public office or employment.

HOW TO APPEAL

1. Read these instructions carefully before submitting your appeal.
2. **LEGAL AUTHORITY:** Appeals are governed by Section 112.3145(8)(g)3., Florida Statutes, and Commission Rule 34-8.215, Florida Administrative Code.
3. **FORMAT:** Your appeal must be in writing and mailed to Florida Commission on Ethics, P. O. Drawer 15709, Tallahassee, FL 32317-5709, or delivered to Florida Commission on Ethics, 325 John Knox Road, Building E, Suite 200, Tallahassee, FL 32303. The appeal may take the form of a letter or you may use the appeal form included in this mailing. The appeal form also is available at the Commission's website: www.ethics.state.fl.us. 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, 2022, 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, 2021:** confirmation of your last date of office or employment by your former agency, showing the last date to be before December 31, 2021; or
 - f. **UNCLAIMED CERTIFIED MAIL:** if delinquency notice was addressed correctly but not received, you must explain why.
6. **YOUR RIGHT TO A HEARING:** You have the right to have your appeal heard by the Commission and to appear before the Commission at the hearing, but, to exercise this right, you must specifically request a hearing in your appeal. If you do not request a hearing, you will waive your right to a hearing, the Commission will determine the outcome of your appeal based upon the written record (including the documentation you provide and any documentation in your case file), and you will receive no further notice until after the Commission decides your appeal.

FAILURE TO PAY FINE OR FILE APPEAL WITHIN 30 DAYS

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

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

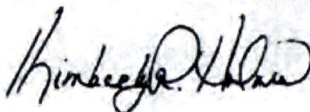
Please contact our office if you have any questions about this matter.

CERTIFICATE OF MAILING

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

**Mr Jerry Lower
2 Harbour Dr N
Ocean Ridge, FL 33435 -6212**

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



KIMBERLY R. HOLMES
Program Administrator

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

-or-

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

Tel.: (850) 488-7864

Fax: (850) 488-3077

Email: disclosure@leg.state.fl.us



Filer Information

Filer History for Jerry Lower

Form Year	Organizations	Statutory Filing Requirement	Filing Requirement Fulfilled
2012	• Briny Breezes-Planning & Zoning Board	Form 1 with Palm Beach County SOE	🕒 05/31/2013
2013	• Briny Breezes-Planning & Zoning Board	Form 1 with Palm Beach County SOE	🕒 07/01/2014
2014	• Briny Breezes-Planning & Zoning Board	Form 1 with Palm Beach County SOE	🕒 07/31/2015
2015	• Briny Breezes-Planning & Zoning Board	Form 1 with Palm Beach County SOE	🕒 06/29/2016
2016	• Briny Breezes-Planning & Zoning Board	Form 1 with Palm Beach County SOE	🕒 07/13/2017
2017	• Briny Breezes-Planning & Zoning Board	Form 1 with Palm Beach County SOE	🕒 08/07/2018
2018	• Briny Breezes-Planning & Zoning Board	Form 1 with Palm Beach County SOE	🕒 07/22/2019
2019	• Briny Breezes-Planning & Zoning Board	Form 1 with Palm Beach County SOE	🕒 06/18/2020
2020	• Briny Breezes-Planning & Zoning Board	Form 1 with Palm Beach County SOE	🕒 07/10/2021
2021	• Briny Breezes-Planning & Zoning Board	Form 1 with Palm Beach County SOE	🕒 11/04/2022
2022	• Briny Breezes-Planning & Zoning Board	Form 1 with Palm Beach County SOE	🕒 08/11/2023

[Go Back](#)

9589 0710 5270 0433 6894 11

www.usps.com

Tallahassee, FL 32317

15
42 012

\$

as appropriate)

\$ 25.00

S. 21.11

\$ 51.00

\$ 20.70

\$ 21

2

\$

3

301

Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

PS Form 3800, January 2023 PSN 7530-02-000-9047

See Reverse for Instructions



USPS Tracking®

Tracking



Track Packages
Anytime, Anywhere

Get the free Informed Delivery® feature to receive automated notifications on your packages

Tracking Number:

9589071052700433689411



Copy



Add to Informed Delivery

Latest Update

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

Get More Out of USPS Tracking:



USPS Tracking Plus®

Delivered

Out for Delivery

Preparing for Delivery

Moving Through Network

In Transit to Next Facility, Arriving Late

November 26, 2023

Arrived at USPS Regional Origin Facility

WEST PALM BEACH FL DISTRIBUTION CENTER

November 22, 2023, 9:46 pm

Departed Post Office

BOYNTON BEACH, FL 33435

November 22, 2023, 7:33 pm

USPS in possession of item

BOYNTON BEACH, FL 33435

November 22, 2023, 4:01 pm

Hide Tracking History

FORM 1

STATEMENT OF
FINANCIAL INTERESTS

2021

FOR OFFICE USE ONLY:

FLORIDA
COMMISSION ON ETHICS

NOV 08 2022

RECEIVED

221783

PROCESSED

CHECK ONLY IF ☐ CANDIDATE OR ☐ NEW EMPLOYEE OR APPOINTEE**** THIS SECTION MUST BE COMPLETED ****

DISCLOSURE PERIOD:

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR CALENDAR YEAR ENDING DECEMBER 31, 2021.

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 THRESHOLDSPART 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
The Coastal Star	5114 Ocean Blvd Ocean Ridge FL 33435	newspaper

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
~~Charm Restaurant~~	~~Person~~	~~435 Michigan Ave~~	~~Person~~
NA			

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

2 Harbor Drive North Ocean Ridge FL 33435
 E-203 Eagle Drive Briny breezes FL 33435
 1 Road Road Little Harbor Abaco, Bahamas

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
retirement savings	ACE

PART E — LIABILITIES [Major debts - See instructions]

(If you have nothing to report, write "none" or "n/a")

NAME OF CREDITOR	ADDRESS OF CREDITOR
ACE	

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	BUSINESS ENTITY # 1	BUSINESS ENTITY # 2
	The Coastal Star	
ADDRESS OF BUSINESS ENTITY	5114 N Ocean Blvd - Ocean Ridge FL 33435	
PRINCIPAL BUSINESS ACTIVITY	News Paper	
POSITION HELD WITH ENTITY	Publisher	
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS	39%	
NATURE OF MY OWNERSHIP INTEREST	My wife + I started the News Paper	

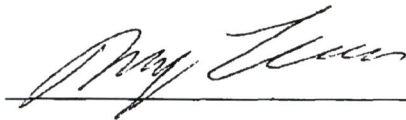
PART G — TRAINING For elected municipal officers, appointed school superintendents, and commissioners of a community redevelopment agency created under Part III, Chapter 163 required to complete annual ethics training pursuant to section 112.3142, F.S.



I CERTIFY THAT I HAVE COMPLETED THE REQUIRED TRAINING.

IF ANY OF PARTS A THROUGH G ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE ☐**SIGNATURE OF FILER:**

Signature:



Date Signed:

11/3/22

CPA or ATTORNEY SIGNATURE ONLY

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

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

CPA/Attorney Signature _____

Date Signed: _____

FILING INSTRUCTIONS:

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

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

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

Candidates file this form together with their filing papers.

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

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

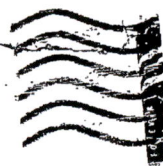
Candidates must file at the same time they file their qualifying papers.

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

Finally, file a final disclosure form (Form 1F) within 60 days of leaving office or employment. Filing a CE Form 1F (Final Statement of Financial Interests) does not relieve the filer of filing a CE Form 1 if the filer was in his or her position on December 31, 2021.

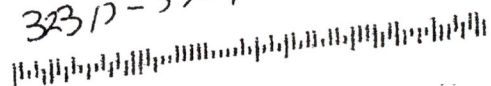
Lower
E 203 Briny Breezes FL
33435

WEST PALM BCH FL 334
4 NOV 2022 PM 4 L



Kimberly Holmes
State of Florida
Commission Ethics
PO Drawer 15709
Tallahassee FL
32317-5709

32317-570909



Prine.Emily

From: Daniel Reyes <daniel@votepalmbeach.gov>
Sent: Thursday, August 13, 2026 4:48 PM
To: Prine.Emily
Cc: Wendy Link
Subject: RE: Jerry Lower
Attachments: 2021 Lower, Jerry.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

Per your request, attached please find the data for your request.

From: Prine.Emily <PRINE.EMILY@leg.state.fl.us>
Sent: Thursday, August 13, 2026 9:18 AM
To: Wendy Sartory Link <wendylink@votepalmbeach.gov>
Cc: Daniel Reyes <daniel@votepalmbeach.gov>
Subject: Jerry Lower
Importance: High



This is an external email!

Please BE CAREFUL when clicking links or opening attachments!
Think before you click! When in doubt, contact your IT Department!



Remember: STOP! THINK! ACT!



Good morning,

Would you please send me in PDF format all materials for Jerry Lower, delinquent filer back in 2022, on filing Form 1 2021.

I do not find the material in the certification folder.

Thank you!

Sincerely,

Emily E. Prine
Program Specialist/Financial Disclosure
850-488-7864
Florida Commission on Ethics
Post Office Drawer 15709
Tallahassee, FL 32317-5709

**Florida Commission on Ethics
Financial Disclosure Notification System
Delinquency Certification (2022)**

I Wendy Sartory Link, the Supervisor of Elections of Palm Beach 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, 2022 financial disclosure deadline and a blank Form 1, Statement of Financial Interests, not later than June 1, 2022;

(2) was determined to be delinquent in filing a Form 1, Statement of Financial Interests, by July 1, 2022;

(3) was sent a delinquency notice by certified mail not later than August 1, 2022 advising him or her of the grace period in effect until September 1, 2022; 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, 2022; 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

46		221783	Mr Jerry Lower	Briny Breezes	P&Z Chairman, District III		60	Palm Beach
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**BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS**

In re **Jerry Lower
P&Z Chairman, District III
Planning & Zoning Board
Briny Breezes**

PID#: 221783

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 2021 CE Form 1, Statement Of Financial Interests. Under the law, your 2021 CE Form 1, Statement of Financial Interests, was due by July 1, 2022. The law provided for a penalty-free grace period extending the due date to September 1, 2022. 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 2021 CE Form 1 was filed November 4, 2022 with the Supervisor of Elections for Palm Beach County, you are fined the amount of \$1500.00 (\$25.00 per day for 64 day(s) late). This fine must be paid to the Commission on Ethics within 30 days of the date of this notice unless you appeal the fine to the Commission. The Commission has the authority to consider the appeal and waive the fine in whole or in part if your failure to file on time was due to "unusual circumstances" surrounding the failure to file. Unless the fine is successfully appealed, the Commission is required to investigate public officers and employees who receive the maximum \$1,500 fine, to determine whether their failure to file was willful. The penalty for willfully failing to file disclosure is removal from public office or employment.

HOW TO APPEAL

1. Read these instructions carefully before submitting your appeal.
2. **LEGAL AUTHORITY:** Appeals are governed by Section 112.3145(8)(g)3., Florida Statutes, and Commission Rule 34-8.215, Florida Administrative Code.
3. **FORMAT:** Your appeal must be in writing and mailed to Florida Commission on Ethics, P. O. Drawer 15709, Tallahassee, FL 32317-5709, or delivered to Florida Commission on Ethics, 325 John Knox Road, Building E, Suite 200, Tallahassee, FL 32303. The appeal may take the form of a letter or you may use the appeal form included in this mailing. The appeal form also is available at the Commission's website: www.ethics.state.fl.us. 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, 2022, 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, 2021:** confirmation of your last date of office or employment by your former agency, showing the last date to be before December 31, 2021; or
 - f. **UNCLAIMED CERTIFIED MAIL:** if delinquency notice was addressed correctly but not received, you must explain why.
6. **YOUR RIGHT TO A HEARING:** You have the right to have your appeal heard by the Commission and to appear before the Commission at the hearing, but, to exercise this right, you must specifically request a hearing in your appeal. If you do not request a hearing, you will waive your right to a hearing, the Commission will determine the outcome of your appeal based upon the written record (including the documentation you provide and any documentation in your case file), and you will receive no further notice until after the Commission decides your appeal.

FAILURE TO PAY FINE OR FILE APPEAL WITHIN 30 DAYS

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

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

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

CERTIFICATE OF MAILING

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

**Mr Jerry Lower
2 Harbour Dr N
Ocean Ridge, FL 33435 -6212**

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



KIMBERLY R. HOLMES
Program Administrator

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

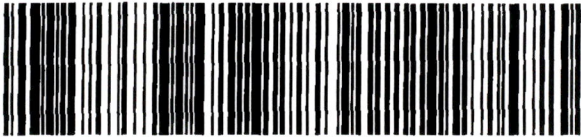
-or-

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

Tel.: (850) 488-7864
Fax: (850) 488-3077
Email: disclosure@leg.state.fl.us



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



9214 8901 0661 5400 0190 1605 80

RETURN RECEIPT (ELECTRONIC)

221783
JERRY LOWER
2 HARBOUR DR. N
OCEAN RIDGE, FL 33435-6212

29

CUT / FOLD HERE

Zone 4

6"X9" ENVELOPE
CUT / FOLD HERE

CUT / FOLD HERE

Mail Piece Details



Print this page

Recipient Address

JERRY LOWER
2 HARBOUR DR N
OCEAN RIDGE, FL 33435-6212

Record / Case Number:
221783

Return Address

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

Entry Point ZIP:
32317

Mail Piece Information

Tracking Number: 92148901066154000190160580

Date Created: 10/27/2023 11:57:10 AM

Mail Class: USPS First Class Mail

Special Services: Certified Mail
Return Receipt Electronic

Memo: --

Created By: Kimberly Holmes - Commission on Ethics

Signature Information

Signed For By: JERRY LOWER

Signature Status: Available ([Click Here](#))

Having issues viewing the signature file?

Make sure you are using the latest version of Adobe Acrobat Reader

Tracking Information

Pre-Shipment Info Sent To Usps, Usps Awaiting Item, October 27, 2023, 12:00:00 AM

Pre-Shipment Info Sent Usps Awaits Item, October 27, 2023, 11:22:00 AM, TALLAHASSEE,FL 32317

Notice Left (No Authorized Recipient Available), October 30, 2023, 02:11:00 PM, BOYNTON BEACH,FL 33435

Delivered, Individual Picked Up At Post Office, November 01, 2023, 11:09:00 AM, BOYNTON BEACH,FL 33435



November 1, 2023

Dear MAIL MAIL:

The following is in response to your request for proof of delivery on your item with the tracking number:
9214 8901 0661 5400 0190 1605 80.

Item Details

Status:	Delivered, Individual Picked Up at Post Office
Status Date / Time:	November 1, 2023, 11:09 am
Location:	BOYNTON BEACH, FL 33435
Postal Product:	USPS Ground Advantage™
Extra Services:	Certified Mail™ Return Receipt Electronic
Recipient Name:	JERRY LOWER

Recipient Signature

Signature of Recipient:	
Address of Recipient:	Jerry Lower 2 HARBOUR DR N OCEAN RIDGE, FL 33435-6212

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: 92148901066154000190160580
221783
JERRY LOWER
2 Harbour Dr N
Ocean Ridge, FL 33435-6212

Form Year 2021 Filed Forms

FORM TYPE	DATE SUBMITTED	FORM SIGNED	FILED BY EMAIL?	UPDATED BY	COMMENTS
Form 1	11/04/2022	No	No	Kimberly Holmes	Received by COE on behalf of Palm Beach Supervisor of Elections

Fine Year 2022 Fine Information

FINE BALANCE	STATUS	FINE DATE	ORIGINAL FINE AMOUNT	ADJUSTED FINE AMOUNT	LAST PAYMENT DATE	PAYMENT PLAN START DATE	PAYMENT PLAN AMOUNT	TOTAL PAYMENT PLAN AMOUNT DUE
\$1,500.00	Appeal	10/12/2023	\$1,500.00	\$1,500.00				
Fine Address: 5000 N Ocean Blvd # E-203, Briny Breezes, FL 33435-7341 Email: jlower@townofbrinybreezes-fl.gov Org/Suborg: Briny Breezes - Planning & Zoning Board								

Fine Year 2022 Appeal Information

2022 FINE APPEAL - FD 22-035				No Hearing Scheduled
APPEAL STATUS				Active
APPEAL RECEIPT DATE				11/28/2023
APPEAL TIMELY FILED				No
PRINT APPEAL LETTER				
HEARING REQUESTED				No
APPEAL REASON				Lack of Notification
APPEAL NOTES				
APPEAL NUMBER				FD 22-035
APPEAL ANALYST ASSIGNED				
FINAL ORDER NUMBER				
FINAL ORDER DATE				

Fine Year 2022 Payment Information

DATE POSTED	DESCRIPTION	AMOUNT	METHOD	PAYMENT ID	COMMENT
10/12/2023	Fine Levied	+\$1,500.00			Fined \$1500.00
Current Balance: \$1,500.00					

Fine Year 2022 Event Chronology

DATE	TYPE	DESCRIPTION	ADDRESS/EMAIL	REFERENCE
09/13/2022	Filer Correspondence Letter	Courtesy Notice of Fines Accruing - Courtesy Notice of Fines Accruing	5000 N Ocean Blvd # E-203, Briny Breezes, FL 33435-7341 publisher@thecoastalstar.com	KimberlyHolmes

10/12/2023	Fine Levied	Fined \$1500.00		Journal: <u>Fine Palm Beach 2023-10-12-02:18</u>
10/25/2023	Notice of Assessed Fine	Initial Fine Notice		Journal: <u>Fine1st 2023-10-25-02:36</u>
10/27/2023	Filer Correspondence Letter	Notice of Assessed Fine - Filer 1st Fine Letter	2 Harbour Dr N, Ocean Ridge, FL 33435-6212 publisher@thecoastalstar.com	Correspondence Queue: <u>2023-10-27 00:00:00</u> Correspondence Sent: 2023-10-27 00:00:00.0000000
06/05/2024	Filer Correspondence: Letter	Fine Appeal - Fine Appeal	5000 N Ocean Blvd # E-203, Briny Breezes, FL 33435-7341 jlower@townofbrinybreezes-fl.gov	Correspondence Queue: <u>2024-06-05 00:00:00</u> Correspondence Sent: 2024-06-05 00:00:00.0000000
06/05/2024	Fine Appeal	FD 22-035		Journal: <u>Appeal 2024-06</u>
08/09/2026	Fine Appeal Update	FD 22-035		Journal: <u>AppealUpdate 2026-08</u>

Created Date: 6/5/2024**Type:** Letter**Created By:** System**Description:** Fine Appeal - Fine Appeal**Created Date:** 11/28/2023**Type:** Email**Created By:** Emily E Prine**Description:****From:** Jerry Lower <publisher@thecoastalstar.com>**Sent:** Tuesday, November 28, 2023 3:05 PM**To:** disclosure <disclosure@leg.state.fl.us>**Subject:** Jerry Lower 221783

You don't often get email from publisher@thecoastalstar.com. [Learn why this is important](#)

Thank you for the opportunity to email in my form.

Even though I chose to use certified mail to send you my appeal on Nov 22, it still has not been delivered.

See my attachment

Thanks again

Jerry Lower

Publisher

The Coastal Star

5114 North Ocean Blvd.

Ocean Ridge, FL 33435

www.thecoastalstar.com

(561) 337-1553 Office

(561) 313-9195 Cell

Publisher@thecoastalstar.com

Created Date: 10/27/2023

Type: Letter

Created By: System

Description: Notice of Assessed Fine - Filer 1st Fine Letter

Created Date: 11/8/2022

Type: Other

Created By: admin system

Description: Sent to SOE

Created Date: 9/13/2022

Type: Letter

Created By: System

Description: Courtesy Notice of Fines Accruing - Courtesy Notice of Fines Accruing

Created Date: 8/18/2022

Type: Postcard

Created By: System

Description: Courtesy Postcard Reminder - Courtesy Postcard Reminder