

BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In re SHELDON MCCARTNEY,)
)
Appellant.)
_____)

Financial Disclosure Appeal No. FD 21-031

Final Order No. 24-XXX

FINAL ORDER

This matter came before the Commission on Ethics, meeting in public session on September 13, 2024, on the appeal of Appellant, pursuant to Section 112.3145(8)(f), Florida Statutes, which assesses an automatic fine of \$25 per day on a person who fails to timely file a required CE Form 1, Statement of Financial Interests. The Commission may waive the fine in whole or in part for good cause shown, based on "unusual circumstances" surrounding the failure to file by the designated date. There are no matters in dispute. Appellant did not request a hearing before the Commission.

Findings of Fact

1. According to information provided to the Commission, Appellant serves as a member of the Broward County Historic Preservation Board, a position requiring the filing of a 2020 CE Form 1, Statement of Financial Interests. In 2021, the designated due date for submitting a 2020 CE Form 1 was July 1, 2021, with a grace period ending on September 1, 2021.

2. No later than June 1, 2021, the Broward County Supervisor of Elections sent Appellant a 2020 CE Form 1. This notice was sent to Appellant at 5790 SW 130th Ave, SW Ranches, FL 33330.

3. No later than August 1, 2021, the Broward County Supervisor of Elections sent Appellant a notice of delinquency by certified mail. This Notice was sent to Appellant at the 5790 SW 130th Ave address.

4. On August 20, 2021, the Commission on Ethics mailed Appellant a postcard intended to remind him of his obligation to file a 2020 CE Form 1. The Commission mailed the postcard to the 5790 SW 130th Ave address.

5. On September 9, 2021, Appellant submitted his 2020 CE Form 1 to the Broward County Supervisor of Elections, which was eight days after the expiration of the penalty-free grace period.

6. On October 11, 2023, the Commission sent Appellant a notice of assessment of his automatic fine. The notice was sent by mail to 23388 NW 27th St, Morriston, FL 32668. It indicated the total of Appellant's automatic fine was \$200.

7. On October 26, 2023, the Commission received Appellant's appeal of automatic fine for Form Year 2020. In part B of his appeal form, Appellant checked "lack of notification—failure to receive notice" as the general reason for his appeal. In part C of his appeal form, where an appellant is asked to provide detailed explanation of his or her appeal, Appellant wrote that his address changed and the notices were not sent to his new address. Additionally, Appellant noted that when he realized he needed to file his 2020 CE Form 1, there was a delay in receiving the forms due to the COVID-19 Pandemic.

Conclusions of Law

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

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

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

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

11. Here, Appellant claims he did not receive timely notice of his filing obligation, because the notices were being sent to his old address. Additionally, Appellant noted that once he realized he needed to file a 2020 CE Form 1, there was a delay in receiving the forms due to the COVID-19 Pandemic. There is no evidence to dispute Appellant's claim that he failed to receive timely notice. Considering Appellant's claim of lack of notice, and that there is no evidence showing otherwise, there are "unusual circumstances" here that justify waiving the \$200 fine.

Order

Based on the foregoing facts and conclusions of law, the Commission hereby finds that unusual circumstances for failure to file have been demonstrated. We therefore waive the assessed fine of \$200.

ORDERED by the State of Florida Commission on Ethics meeting in public session on Friday, September 13, 2024.

Date Rendered

XXXXX

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.

XXX: sjz/aln

Mr. Sheldon McCartney
2338 NW 27th St
Morrison, FL 32668

267084

21-031



STATE OF FLORIDA COMMISSION ON ETHICS

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

OCT 26 2023

RECEIVED

APPEAL OF AUTOMATIC FINE FOR FORM YEAR 2020

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

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

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

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

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

PLEASE SEND YOUR COMPLETED FORM TO ONE OF THE FOLLOWING:

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

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

Fax: (850) 488-3077

Email: disclosure@leg.state.fl.us

PART A: YOUR INFORMATION

Name: SHELDON MCCARTNEY

Address: 23388 NW 27TH ST. City: MORRISTON State: FL Zip: 32669

Daytime Tel.: 954-261-3021 Cell: 954-261-3021

Email: PROJECTSTABLE@YMAIL.COM Filer ID# (if known): 267084

Public Employer: _____

Public Position: BROWARD COUNTY HISTORIC PRESERVATION BOARD

CONTINUED ON REVERSE SIDE

PART B: GENERAL REASON(S) FOR YOUR APPEAL

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

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

- a. **Sickness or injury** (Explain in Part C and attach a statement from attending physician, including dates and nature of illness or injury)
- b. **Lack of notification – Failure to receive notice** (Explain in Part C and provide documentation that supports your assertion that you never received certified mail delinquency notice: for example, incorrect address; misdelivered mail; change in employment; extended absence from home, etc.)
- c. **Claim of timely filing of financial disclosure** (Explain in Part C and provide copy of certified mail receipt and/or copy of completed form which had been previously filed, along with a sworn notarized statement that you filed prior to the deadline)
- d. **Left public position prior to December 31, 2020** (Explain in Part C and provide confirmation from agency that your office-holding/employment ended before 12/31/2020)
- e. **Other unusual circumstance** (Explain in Part C and provide documentation explaining uncommon, rare, or sudden occurrence that prevented timely filing prior to deadline)
- f. **Not required to file** (Explain in Part C and provide documentation that supports reason for not required to file)

PART C: DETAILED EXPLANATION OF YOUR APPEAL

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

MY ADDRESS CHANGED & NOTICE WAS NOT SENT TO NEW ADDRESS. WHEN I FINALLY RECEIVED THE FORMS, I IMMEDIATELY SENT THEM IN ALONG WITH AN EXPLANATION. SEE ENCLOSED MEMO. ALSO ENCLOSE BILL OF SALE OF PROPERTY AT FORMER ADDRESS.

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.

10/23/23
DATE


SIGNATURE

Please find enclosed my 2020 statement of financial interests.

The form was filed after the deadline due to several factors.

My mailing and email address changed and I did not receive the forms. When I realized I needed to file there was a delay in receiving the forms due to the Covid crisis.

If you need further explanation or need to contact me:

Sheldon McCartney

954-261-3021

projectstable@ymail.com

Current mailing address

23388 NW 27th St.

Morrison, FL 32668

Thank you and have a great day.

SBUT
9/7/21
JSPJ

Bill of Sale

Know All Men By These Presents, That this _____ day of June, 2012 A.D., That
SHELDON W. McCARTNEY and SANDRA L. McCARTNEY, husband and wife

of the County of Levy Manor, State of Florida, first parties, and
MATER FILIUS MIAMI, INC., a Florida coporation not for profit

whose address is: 1167 Chenille Circle, Weston, FL 33327

of the County of BROWARD, State of Florida, second party.

Witnesseth that the FIRST PARTIES, for and in consideration of the sum of

-----TEN DOLLARS (\$10)----- DOLLARS,
and other good and valuable consideration to FIRST PARTIES in hand paid by SECOND PARTY, the receipt whereof is hereby acknowledged, have granted, bargained, sold, transferred and delivered to the said SECOND PARTY and SECOND PARTY'S heirs, successors and assigns forever, the following goods and chattels:

All existing improvements and fixtures, including built-in appliances, built-in furnishings and attached wall-to-wall carpeting and flooring, including range/oven, refrigerator, dishwasher, disposal, ceiling fan(s), light fixtures, drapery rods and draperies, blinds, window treatments, smoke detector(s) security gate and other access devices, and storm shutters/panels, all as located at 5790 SW 130th Ave., Southwest Ranches, FL 33330.

To Have and to Hold the same unto second party, and the second party's heirs, personal representatives, successors and assigns forever.

And the first parties covenants with the second party, and the second party's heirs, personal representatives, successors and assigns that the first parties are the lawful owner of the said goods and chattels; that they are free from all encumbrances; that the first parties have good right to sell and transfer said property, goods and chattels; and that the first parties will warrant and defend the sale and transfer of the said property, goods and chattels hereby made to the second party, and the second party's heirs, personal representatives, successors and assigns, against the lawful claims and demands of all persons whomsoever. This covenant shall be binding upon the first parties and the first parties' heirs, personal representatives, successors and assigns.

FORM 1

STATEMENT OF FINANCIAL INTERESTS

2020

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

FOR OFFICE USE ONLY:

LAST NAME -- FIRST NAME -- MIDDLE NAME :

MCCARTNEY SHELDON

MAILING ADDRESS :

23388 NW 27TH ST.

MORRISTON FL 32668 MARION

CITY : ZIP : COUNTY :

BARBERS COUNTY HISTORIC PRESERVATION BOARD

NAME OF AGENCY :

BOARD CHAIR

NAME OF OFFICE OR POSITION HELD OR SOUGHT :

CHECK ONLY IF CANDIDATE OR NEW EMPLOYEE OR APPOINTEE

SUPERVISOR OF ELECTIONS

2020-9 PM12:19

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

DISCLOSURE PERIOD:

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR CALENDAR YEAR ENDING DECEMBER 31, 2020.

MANNER OF CALCULATING REPORTABLE INTERESTS:

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

COMPARATIVE (PERCENTAGE) THRESHOLDS OR DOLLAR VALUE THRESHOLDS

PART A -- PRIMARY SOURCES OF INCOME [Major sources of income to the reporting person - See instructions]

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

NAME OF SOURCE OF INCOME	SOURCE'S ADDRESS	DESCRIPTION OF THE SOURCE'S PRINCIPAL BUSINESS ACTIVITY
INVESTMENTS / CBS	315 DEADWICK ST - NASHVILLE TN 37238	STOCK BROKER
Social Security		US Gov
INVESTMENTS - ETRADE	10809 484 JESSIE CITY, NJ 07303	STOCK BROKER
RENTAL INCOME	5790 SW 13TH AVE SW PANAMA FL 32380	RENTAL PROPERTY

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")

23388 NW 27TH ST. MORRISTON FL 32668

5790 SW 13TH AVE, SW PANAMA, FL 32380

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

FILING INSTRUCTIONS for when and where to file this form are located at the bottom of page 2.

INSTRUCTIONS on who must file this form and how to fill it out begin on page 3.

PART D — INTANGIBLE PERSONAL PROPERTY (Stocks, bonds, certificates of deposit, etc. - See instructions)
 (If you have nothing to report, write "none" or "n/a")

TYPE OF INTANGIBLE	BUSINESS ENTITY TO WHICH THE PROPERTY RELATES
N/A	

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

NAME OF CREDITOR	ADDRESS OF CREDITOR
N/A	

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

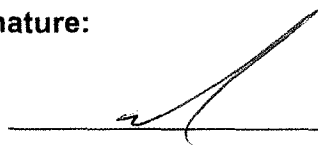
	BUSINESS ENTITY # 1	BUSINESS ENTITY # 2
NAME OF BUSINESS ENTITY		
ADDRESS OF BUSINESS ENTITY		
PRINCIPAL BUSINESS ACTIVITY		
POSITION HELD WITH ENTITY		
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS		
NATURE OF MY OWNERSHIP INTEREST		

PART G — TRAINING For elected municipal officers, 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: _____
 9/7/21

CPA or ATTORNEY SIGNATURE ONLY

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

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

CPA/Attorney Signature: _____

Date Signed: _____

FILING INSTRUCTIONS:

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

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

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

Candidates file this form together with their filing papers.

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

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

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

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

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

Please find enclosed my 2020 statement of financial interests.

The form was filed after the deadline due to several factors.

My mailing and email address changed and I did not receive the forms. When I realized I needed to file there was a delay in receiving the forms due to the Covid crisis.

If you need further explanation or need to contact me:

Sheldon McCartney

954-261-3021

projectstable@ymail.com

Current mailing address

23388 NW 27th St.

Morrison, FL 32668

Thank you and have a great day.

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)

- Return Receipt (hardcopy) \$ 1.00
- Return Receipt (electronic) \$ _____
- Certified Mail Restricted Delivery \$ _____
- Adult Signature Required \$ _____
- Adult Signature Restricted Delivery \$ _____

Postage

\$

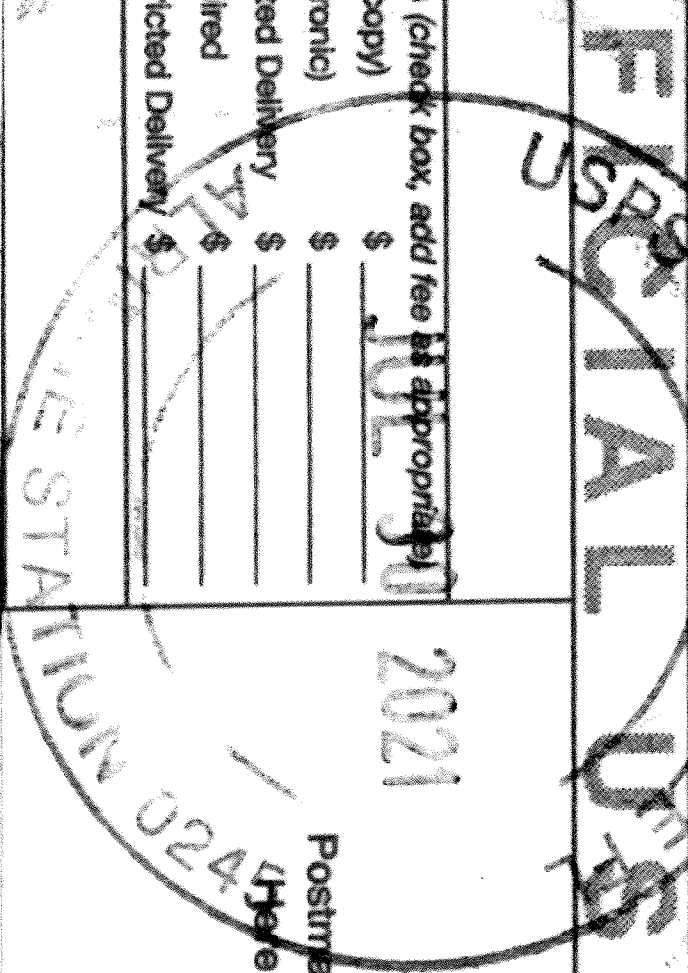
Tot

\$

Sei Sheldon McCartney - 267084

Siv 5790 Sw 130th Ave,

City Sw Ranches, FL 33330



Postmark
Here

0822 1118 0000 0292 2102

PS

Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Sheldon McCartney
 23388 NW 27th St
 Morriston, Florida 32668

9590 9402 3766 8032 8001 53



2. Article Number (Transfer from service label)

7018 0680 0000 0646 1940

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

S. Sheldon McCartney

C. Date of Delivery

8/7/12

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

SEP 7 2012

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery

Restricted Delivery

Priority Mail Express®

- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

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

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

OFFICIAL RECEIPT

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ _____
- Return Receipt (electronic) \$ _____
- Certified Mail Restricted Delivery \$ _____
- Adult Signature Required \$ _____
- Adult Signature Restricted Delivery \$ _____

Postage

\$

1.77

Total Postage

\$

7.16

Sent To

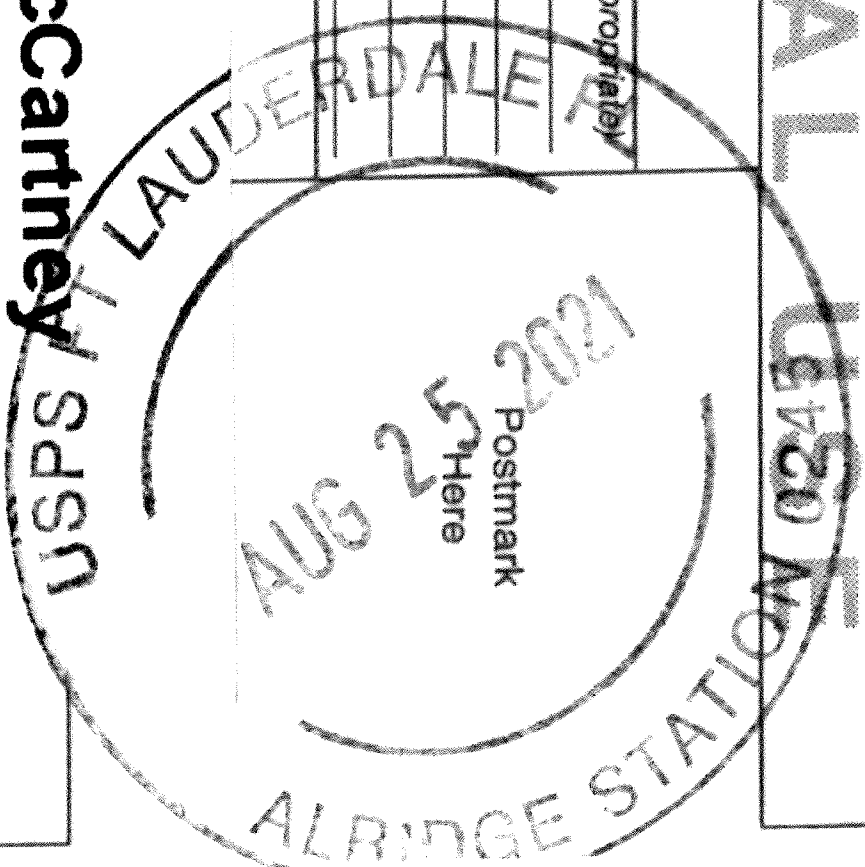
Street and Ap

City, State, Zi

Sheldon McCartney / SDSN

23388 NW 27th St

Morrison, Florida 32668



0461 9490 0000 0890 0102

Prine.Emily

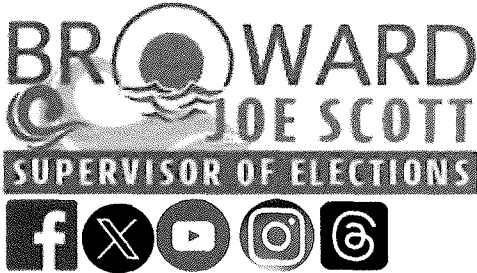
From: Shameika Williams <Shameika.w@browardvotes.gov>
Sent: Wednesday, March 13, 2024 12:24 PM
To: Prine.Emily
Subject: RE: Sheldon McCartney
Attachments: McCartney, Sheldon -2020.pdf; McCartney, Sheldon- 2020 (2).pdf; McCartney, Sheldon-2020.pdf

Absolutely no problem.

Please see attached Form 1 and Certified Mail receipts.

Best Regards,

Shameika Williams
Administrative Support Specialist
Broward County Supervisor of Elections
115 South Andrews Avenue, Room 102 • Ft. Lauderdale, FL 33301
Office: 954-712-1973 Mobile: 954-405-7919 • Fax: 954-357-7070
BrowardVotes.gov



Under Florida law, most e-mail messages to or from Broward County Supervisor of Elections Office are public records available to inspect or copy upon request. Therefore, any e-mail message made or received by the Supervisor's Office, inclusive of any e-mail address contained therein, may be subject to public disclosure.

From: Prine.Emily <PRINE.EMILY@leg.state.fl.us>
Sent: Wednesday, March 13, 2024 12:13 PM
To: Shameika Williams <Shameika.w@browardvotes.gov>
Subject: Sheldon McCartney

Me again, so sorry!

Would you mind sending me a copy of Form 1 2020 filed by Sheldon McCartney on 9-9-2021?

PID 267084

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*

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

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

In re **Sheldon McCartney**
Historic Preservation Board
Broward County

PID#: 267084

NOTICE OF ASSESSMENT OF AUTOMATIC FINE

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

Inasmuch as your 2020 CE Form 1 was filed September 9, 2021 with the Supervisor of Elections for Broward County, you are fined the amount of \$200.00 (\$25.00 per day for 8 day(s) late). This fine must be paid to the Commission on Ethics within 30 days of the date of this notice unless you appeal the fine to the Commission. The Commission has the authority to consider the appeal and waive the fine in whole or in part if your failure to file on time was due to "unusual circumstances" surrounding the failure to file.

HOW TO APPEAL

1. Read these instructions carefully before submitting your appeal.
2. **LEGAL AUTHORITY:** Appeals are governed by Section 112.3145(8)(g)3., Florida Statutes, and Commission Rule 34-8.215, Florida Administrative Code.
3. **FORMAT:** Your appeal must be in writing and mailed to Florida Commission on Ethics, P. O. Drawer 15709, Tallahassee, FL 32317-5709, or delivered to Florida Commission on Ethics, 325 John Knox Road, Building E, Suite 200, Tallahassee, FL 32303. The appeal may take the form of a letter or you may use the appeal form included in this mailing. The appeal form also is available at the Commission's website: www.ethics.state.fl.us. Click on "Financial Disclosure" and then the link to the sample appeal form.
4. **DUE DATE:** Your appeal must be received by the Commission on Ethics on or before **November 9, 2023**. **NOTE:** Failure to timely file an appeal will constitute a waiver of your right to appeal and will result in the entry of a default order against you.
5. **UNUSUAL CIRCUMSTANCES:** An appeal must demonstrate that you submitted your CE Form 1 after the extended due date because of "unusual circumstances." "Unusual circumstances" is defined in Commission Rule 34-8.215(4), Florida Administrative Code, as "uncommon, rare, or sudden events over which the reporting individual had no control and which directly result in the failure to act in accordance with the filing requirements." Therefore, circumstances that allowed for time to take steps necessary to file on time do not constitute "unusual circumstances" that will allow the Commission to waive the fine. You have the burden to establish "unusual circumstances." Your appeal must specifically state the circumstances that led to your not filing by September 1, 2021, and must include any documentation or evidence supporting your appeal, such as:
 - a. **SICKNESS/INJURY:** a statement from attending physician, including dates and nature of the illness or injury;
 - b. **LACK OF NOTICE (WRONG ADDRESS):** documentation that you did not reside at the address to which notice was sent;
 - c. **LACK OF NOTICE (ABSENCE FROM HOME):** documentation establishing the period of time of your absence covering the notification period;

- d. **CLAIM OF TIMELY FILING OF FINANCIAL DISCLOSURE:** (1) an affidavit from you attesting under oath or affirmation that you filed your financial disclosure and your recollection of when and how you filed and (2) a copy of a certified mail receipt and/or a copy of the completed form which was filed. If you have witnesses to your filing, we also will need an affidavit from each witness. **NOTE:** A claim of having filed the CE Form 1F for the current year does not satisfy the CE Form 1 filing requirement or excuse a late filing;
- e. **LEFT PUBLIC POSITION BEFORE DECEMBER 31, 2020:** confirmation of your last date of office or employment by your former agency, showing the last date to be before December 31, 2020; or
- f. **UNCLAIMED CERTIFIED MAIL:** if delinquency notice was addressed correctly but not received, you must explain why.
6. **YOUR RIGHT TO A HEARING:** You have the right to have your appeal heard by the Commission and to appear before the Commission at the hearing, but, to exercise this right, you must specifically request a hearing in your appeal. If you do not request a hearing, you will waive your right to a hearing, the Commission will determine the outcome of your appeal based upon the written record (including the documentation you provide and any documentation in your case file), and you will receive no further notice until after the Commission decides your appeal.

FAILURE TO PAY FINE OR FILE APPEAL WITHIN 30 DAYS

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

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

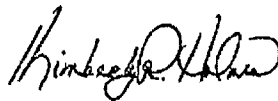
Please contact our office if you have any questions about this matter.

CERTIFICATE OF MAILING

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

Sheldon McCartney
23388 Nw 27th St
Morrison, FL 32668 -7921

by Certified Mail on this Wednesday, October 11, 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

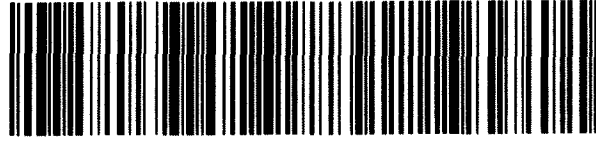
Tel.: (850) 488-7864

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 0189 6957 65

RETURN RECEIPT (ELECTRONIC)

267084

SHELDON MCCARTNEY
23388 NW 27TH ST
MORRISTON, FL 32668-7921

URGENT - Open Immediately!

CUT FOLD HERE

Zone 2

CUT FOLD HERE

CUT FOLD HERE

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

I Joe Scott, the Supervisor of Elections of Broward County, hereby certify that each person whose ID number, name, agency, and position appears above or on the attached list:

(1) was sent a notice of the July 1, 2021 financial disclosure deadline and a blank Form 1, Statement of Financial Interests, not later than June 1, 2021;

(2) was determined to be delinquent in filing a Form 1, Statement of Financial Interests, by July 1, 2021;

(3) was sent a delinquency notice by certified mail not later than August 1, 2021 advising him or her of the grace period in effect until September 1, 2021; and of the penalties that could be imposed as provided in Section 112.3145(8)(c), Florida Statutes; and

(4) did not file a Form 1, Statement of Financial Interests, until the date shown or, had not filed a Form 1, Statement of Financial Interests by October 31, 2021; and further

(5) that the date of filing shown is based upon the earliest of the following:
(a) when the Form 1 was actually received by my office;
(b) when the Form 1 was postmarked;
(c) when the certificate of mailing (if any) was dated; or
(d) when the receipt (if any) from an established courier company was dated.

Signed



SUPERVISOR OF ELECTIONS

7018 0680 0000 0646 1940

**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)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage \$ _____

Total Postage \$ 171

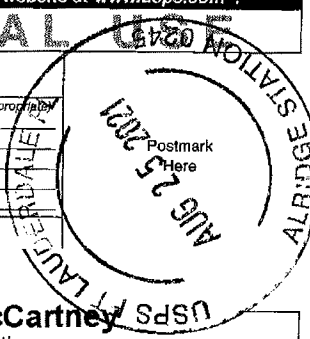
Sent To \$ 7.16

Street and Ap _____

City, State, Zi _____

Sheldon McCartney
23388 NW 27th St
Morriston, Florida 32668

PS Form 3800, April 2015 PSN 7530-02-000-8047 See Reverse for Instructions



7017 2620 0000 8118 2280

**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)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage \$ _____

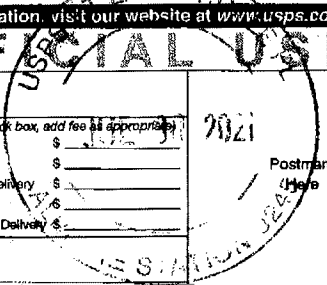
Total \$ _____

Sent To **Sheldon McCartney - 267084**

Street and Ap **5790 Sw 130th Ave,**

City, State, Zi **Sw Ranches, FL 33330**

PS _____ Instructions




SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Sheldon McCartney
23388 NW 27th St
Morriston, Florida 32668


9590 9402 3766 8032 8001 53

2. Article Number (transfer from service label)

7018 0680 0000 0646 1940

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) Sheldon McCartney

C. Date of Delivery 9/7/21

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

SEP 7 2021

3. Service Type

Adult Signature Priority Mail Express®

Adult Signature Restricted Delivery Registered Mail™

Certified Mail® Registered Mail Restricted Delivery

Certified Mail Restricted Delivery Return Receipt for Merchandise

Collect on Delivery Signature Confirmation™

Collect on Delivery Restricted Delivery Signature Confirmation Restricted Delivery

Domestic Return Receipt



Financial Disclosure Management System
THE FLORIDA COMMISSION ON ETHICS

Filer - Fines and Appeals - PID 267084 - Sheldon McCartney

Filer Information

Org Membership

Forms

Communications

Fines and Appeals >

View All

Filer Flags

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

<<2022 Form Year

Status

Filing: ACTIVE

Fine: No Fine

Flags

Public Address

Filing Extensions

Indefinite: None

Temporary:

None

Eligible for Fines

Update Flags


The filer has fines for: [2021 \(Appeal\)](#)

2021 Fines and Appeals

Form Year 2020 Filed Forms						
Received Date	Form Type	Form Signed	Filed by Email	Filing Location	Updated	Comments
09/09/21	Form 1	Yes	Yes	SOE	HOLMESK(SOE IMPORT) on 12/13/2021	Broward


2021 Fine Information					Update Fine Information		
					Assign Agency Contact		
Fine Balance	Fine Status	Fine Date	Original Assessment	Fine Amount	Last Payment Date	Payment Plan Start Date	Payment Plan Amount
\$200.00	Appeal	10/10/2023	\$200.00	\$200.00			
Fine Address 23388 Nw 27th St Murrison FL 32668-7921							
Org/Suborg Broward County-Historic Preservation Board							

2021 Fine Payment History						
Date Posted	Description	Amount	Method	Payment ID	Comments	
10/10/2023	Fine Levied	+ \$200.00			Fined \$200.00	
Current Balance: \$200.00						

 Add a New Filer

 Jump To A Filer

PID:



 Quick Filer Search

First Name:

Last Name:

2021 Fine Year Event

Chronology

 Date	Type	Description	Reference
 08/20/2021	Postcard Sent	Courtesy Postcard Reminder	Print Queue: 8/20/2021 Printing Confirmed: 8/20/2021

Letter Sent To:
Sheldon McCartney
5790 Sw 130th Ave
Sw Ranches, FL 33330 -3106

08/31/2021 Filer Sent email no contact Ana Sanchez

Communication: phone number. From:
Email SANCHEZ.ANA Sent:
Tuesday, August 31, 2021
4:43 PM To:
'shelmcc@bellsouth.net'
Subject: CE Form 1
Importance: High Hello and
Good Afternoon, I
attempted to reach you via
telephone but was
unsuccessful. This email
serves to advise you that as
of today August 31, 2021,
the required CE Form 1 for
the year of 2020 has not
been filed with the Florida
Commission on Ethics.
Earlier this year you were
notified of your obligation
to file this form. The form
was supposed to be file by
December 31, 2020, a grace
period was given but will
expiring on September 1,
2021 at 5:00 p.m. If you fail
to complete and submit the
CE Form 1 in or on

September 1, 2021 Pursuant to State Law, an automatic fine of \$25 per day for each day late (up to a maximum of \$1,500) will be assessed against you if the form is not received. Failure to file your CE Form 1 can result in removal from public office or employment. Please file your CE Form 1 immediately with your county Supervisor of Elections. Respectfully,
 Ana Sanchez Investigator
 Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:
 shelmcc@bellsouth.net
 (shelmcc@bellsouth.net)

09/8/2021 Letter Sent Courtesy Notice of Fines Print Queue:
 Accruing 9/8/2021
 Printing Confirmed:
 9/8/2021

Letter Sent To:
 Sheldon McCartney
 5790 Sw 130th Ave
 Sw Ranches, FL 33330 -3106

09/9/2021 Form Received Form 1 Received, Signed Form 1 Received by
 Broward SOE

Form Received By: Broward County SOE
 Filing Location: Broward County SOE
 Record Created By: HOLMESK(SOE IMPORT) on 12/13/2021

10/10/2023 Fine Levied Fined \$200.00 Journal: 10/10/2023
 9:33 AM
 10/10/2023 Notice of Initial Fine Notice Journal: 10/10/2023

Assessed Fine

9:46 AM

10/11/2023 Letter Sent Notice of Assessed Fine -
Filer 1st Fine Letter

Print Queue:
10/11/2023

Printing Confirmed:
10/11/2023

Letter Sent To:
Sheldon McCartney
23388 Nw 27th St
Morriston, FL 32668 -7921

11/12/2023 Fine Appeal FD 21-031

Journal: 11/12/2023
11:17 PM

2021 Fine Appeal – FD 21-031	<table border="1" style="margin: auto; border-collapse: collapse;"> <tr> <td style="padding: 2px 10px;">Update Appeal</td> <td style="padding: 2px 10px;">Withdraw Appeal</td> </tr> <tr> <td style="padding: 2px 10px;">Assign Attorney</td> <td style="padding: 2px 10px;">Request More Info</td> </tr> <tr> <td colspan="2" style="padding: 2px 10px;">Record Appeal Outcome</td> </tr> </table>	Update Appeal	Withdraw Appeal	Assign Attorney	Request More Info	Record Appeal Outcome	
Update Appeal	Withdraw Appeal						
Assign Attorney	Request More Info						
Record Appeal Outcome							
Appeal Status: Active Appeal Receipt Date: 10/26/2023 Timely Filed: Yes Print Appeal Letter: Yes Hearing Requested: No Appeal Reason: Lack of Notification Appeal Notes: Appeal Number: FD 21-031 Appeal Analyst Assigned: Final Order Number: Final Order Date:	No Hearing Requested						