BEFORE THE STATE OF FLORIDA COMMISSION ON ETHICS

In re DEBORAH L. BEUTEL,)	Financial Disclosure Appeal No. FD 19-078
Appellant.)	Final Order No.

FINAL ORDER

This matter came before the Commission on Ethics (Commission), meeting in public session on January 21, 2022, on appeal of the Appellant, pursuant to Section 112.3145(8)(g), 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, the Appellant serves or had served as a member of the Planning and Zoning Board for the city of Port St. Lucie, a position requiring the filing of a CE Form 1, "Statement of Financial Interests," for the year 2018. In 2019, 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 July 1, 2019, the Supervisor of Elections of Saint Lucie County sent to the Appellant a 2018 CE Form 1. The blank 2018 CE Form 1 was mailed to the Appellant at 1773 SW Catalonia St., Port St. Lucie, FL 34987.

- 3. No later than July 31, 2019, the Supervisor of Elections of Saint Lucie County sent to the Appellant a Notice of delinquency via certified mail to remind her of her obligation to file a 2018 CE Form 1. This notice was sent to the Appellant at the 1773 SW Catalonia St. address. Records from the United States Postal Service (USPS) indicate the certified mail was delivered.
- 4. On August 9, 2019, the Supervisor of Elections of Saint Lucie County mailed to the Appellant a postcard intended to remind her of her obligation to file a 2018 CE Form 1. The postcard was mailed to the 1773 SW Catalonia St. address.
- 5. On August 27, 2019, the Supervisor of Elections of Saint Lucie County sent a courtesy email to the Appellant's email address to remind her of her obligation to file a 2018 CE Form 1.
- 6. On September 6, 2019, the Supervisor of Elections of Saint Lucie County sent a courtesy notice to the Appellant indicating that fines were beginning to accrue. This notice was sent to the 1773 SW Catalonia St. address.
- 7. As of November 5, 2019, the Appellant had not filed her 2018 CE Form 1 with the Supervisor of Elections of Saint Lucie County within 60 days of the grace period date and had, therefore, incurred the maximum fine amount of \$1,500.
- 8. On November 20, 2019, the Commission received a written certification from the Supervisor of Elections of Saint Lucie County stating that the Appellant had not filed her 2018 CE Form 1.
- 9. On March 4, 2020, the Commission sent to the Appellant a Notice of Assessment of Automatic Fine via certified mail. The notice was sent to the 1773 SW Catalonia St. address. It indicated the total of the Appellant's accrued automatic fine, and included a notice of the right

to appeal the fine, stating that the appeal had to be received by the Commission on or before April 3, 2020, to be considered timely. USPS records indicate that the notice was delivered.

- 10. On June 11, 2021, the Commission sent to the Appellant the second and final Notice of Assessment of Automatic Fine. This notice was sent to the Appellant's new address at 1401 SE Merion Ct., Port St. Lucie, FL 34952-5418. This notice informed the Appellant that if she did not pay the assessed fine by July 12, 2021, the Commission will enter a Default Final Order against the Appellant for failure to file her 2018 CE Form 1. The Appellant did not file her 2018 CE Form 1 by the July 12 deadline.
- 11. On September 10, 2021, the Commission affirmed the fine of \$1,500 and on September 15, 2021, a Default Final Order was entered against the Appellant. Pursuant to the Default Final Order, the Appellant had thirty (30) days from the date of the Default Order (i.e., on or before October 18, 2021) to pay the fine to the Commission where after non-payment would result in collection proceedings. A Notification of issuance of the Default Final Order including a copy of the Default Final Order was mailed to the Appellant's 1401 SE Merion Ct. address.
- 12. On October 8, 2021, the Appellant engaged in a telephonic conversation with the Commission staff and stated that she may have allegedly emailed her 2018 CE Form 1 to the Supervisor of Elections of Saint Lucie County. The Commission staff could only find the Appellant's 2017 CE Form 1 filed via email, as opposed to the 2018 CE Form 1. The Appellant was informed accordingly.
- 13. On November 19, 2021, the Appellant submitted her 2018 CE Form 1 to the Commission via email and the Commission accepted the form on behalf of the Supervisor of Elections of Saint Lucie County.

- 14. On the same day, i.e., November 19, 2021, the Appellant submitted her Appeal of the Automatic Fine for Form Year 2018 to the Commission via email. In part B of the appeal form, the Appellant checked the "Claim of timely filing of financial disclosure" as the reason for her appeal. In part C of the appeal form, where the Appellant is asked to provide a detailed explanation of her appeal including why the options they selected in part B of their form are applicable to their situation, the Appellant stated that she had timely filed her 2018 CE Form 1 by leaving it in the drop box at the Supervisor of Elections' Office in August of 2018. The Appellant noted that she had moved to a new address after the 2018 CE Form filing period ended. The Appellant further acknowledges another address changed again thereafter and also explains that there has been a misunderstanding as to her form filing and as to the accuracy of her on-file addresses. The Appellant did not request a hearing.
- 15. On December 1, 2021, the Appellant contacted the Commission staff and sought directions on submitting a notarized statement of fact.
- 16. On December 3, 2021, the Commission received the Appellant's written, sworn and notarized statement that her 2018 CE Form 1 was mailed to the Supervisor of Elections' local office in Saint Lucie County on August 15, 2019, via first class mail.

Conclusions of Law

- 17. The Commission has jurisdiction over the subject matter of this proceeding pursuant to Section 112.3145, Florida Statutes.
- 18. 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.

19. 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.

- 20. The Appellant was notified of her appellate rights by notice on March 4, 2020, and was informed that her appeal needed to be received by the Commission on or before April 3, 2020, in accordance with the 30-day appeal period allowed by Section 112.3145(8)(g)3., Florida Statutes. The Appellant filed her appeal on November 19, 2021, which was outside the 30-day window.
- 21. "An elementary and fundamental requirement of due process in any proceeding which is to be accorded finality is notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and to afford them an opportunity to present their objections." Mullane v. Cent. Hanover Bank, 339 U.S. 306, 314(1950).
- 22. The Appellant was provided notice of her appellate rights and of her opportunity to be heard, and did not timely file an appeal. The Appellant did, however, submit a written, sworn and notarized statement that her 2018 CE Form 1 was mailed to the Supervisor of Elections' local office in Saint Lucie County on August 15, 2019, via first class mail. Furthermore, the Appellant did have to change her address during that period and her notice of appellate rights was also mailed

during the declared a state of emergency caused by the COVID-19 virus. Considering the Appellant's notarized statement on record, her change of addresses, and the coincidence of the 30-day appeal period with complications caused by the COVID-19 virus, her appeal is accepted as timely filed.

23. Turning to the merits of the Appellant's appeal, her basis for appealing the fine is that she did file her 2018 CE Form 1 in a timely manner with the Supervisor of Elections' local office in Saint Lucie County on August 15, 2019. The Appellant executed a written, sworn and notarized statement to that effect and submitted the statement as a supplement to her appeal. There is no evidence to conclusively refute the Appellant's claim. Because there is no evidence to dispute the Appellant's claim that she did not timely mail her 2018 CE Form 1, there are "unusual circumstances" here that justify waiving the \$1,500 fine.

Order

Based on the foregoing facts and conclusions of law, the Commission hereby waives the assessed fine of \$1,500.

ORDERED by the State of Florida Commission on Ethics meeting in public session on Friday, January 21, 2022.

Date Rendered	
XXXXXXX	
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:sc

Ms. Deborah L. Beutel 1041 SE Merion Court Port Saint Lucie, FL 34952-5418.



STATE OF FLORIDA COMMISSION ON ETHICS

325 John Knox Road Building E, Suite 200 Tallahassee, FL 32303 Telephone: (850) 488-7864 Fax: (850) 488-3077

Email: disclosure@leg.state.fl.us

FLORIDA COMMISSION ON ETHICS

NOV 1 9 2021

RECEIVED

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: Deborah Beutel
Address: 1041 SE Merion Court City: Port Saint Lucie State: FL Zip: 34952
Daytime Tel.: 772-359-0289 Cell: 772-359-0289
Email: beuteld@bellsouth.net Filer ID# (if known):
Public Employer: City of Port Saint Lucie Planning and Zoning Board
Public Position: Chairperson currently

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)

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.

f. [] Not required to file (Explain in Part C and provide documentation that supports reason for not

Recently, I was notified that my 2018 Form 1 was no received.

Back in 2018, it was left in the drop box at the local supervisors office.

At the time of filing, my address was correct. Since that time we have moved

twice and my correct address is listed above. There has been a misunderstanding

and paying the fee would cause undue hardship to our family especially after the Pandemic.

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.

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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.

11/19/2021

required to file)

DATE

SIGNATURE

FD 19-078

FLORIDA COMMISSION ON ETHICS DEC 1 3 2021 RECEIVED

Beutel, Deborah L 1401 SE Merion Court Port Saint Lucie, FL 3452

December 3, 2021

State of Florida Commission on Ethics P.O. Drawer 14709 Tallahassee, Fl 32317-5709

Attention: Kimberly R. Homes

Dear Ms. Holmes;

Thank you for speaking to me on 12/1/2021. This serves as a statement of fact that my 2018 Form 1 was mailed on 8/15/2019 to the local office located in Saint Lucie County, Florida first class mail. The follows suit as to how the previous years were delivered.

Please accept this statement of fact and call 772-359-0289 if you have any questions or concerns with regard to this matter.

Deborah L. Beutel

Date

Notary

Date

LINDA HALL
Notary Public - State of Florida
Commission # GG 309234
My Comm. Expires Mar 7, 2023

Notary Stamp

Respectfully, Deborah L. Beutel

FORM 1		STATEM	IENT OF	ı		2018
Please print or type your name, mailing address, agency name, and position belo	ow:	FINANCIAL	INTERE	STS		FOR OFFICE USE ONLY: FLORIDA
LAST NAME FIRST NAME MID Beutel Deborah Lynn	DDLE N	AME :		and the second second		COMMISSION ON ETHICS
MAILING ADDRESS :					NOV 1 9 2021	
1773 SW Catalonia Stree	<u>t</u>					
						RECEIVED
CITY: Port Saint Lucie NAME OF AGENCY:	3498	ZIP: COUNTY: 37 Saint Lucie	}		•	260514
Planning and Zoning Boar						
NAME OF OFFICE OR POSITION H					PRO	CESSED
You are not limited to the space on the			ets, if necessary.	-	24 A2 A2	
CHECK ONLY IF CANDIDATI						
	<u>[H</u> P/	ARTS OF THIS SECT	TION MUST B	E COI	MPLET	ED ****
DISCLOSURE PERIOD: THIS STATEMENT REFLECTS YOU YEAR OR ON A FISCAL YEAR. F EITHER (must check one):	OUR FI	NANCIAL INTERESTS FOR T E STATE BELOW WHETHER	THE PRECEDING TA THIS STATEMENT	AX YEAI IS FOR	R, WHETI THE PRE	HER BASED ON A CALENDAR CEDING TAX YEAR ENDING
DECEMBER 31,	2018	OR ☐ SPECI	FY TAX YEAR IF OT	HER TH	AN THE C	CALENDAR YEAR:
MANNER OF CALCULATING R FILERS HAVE THE OPTION OF U CALCULATIONS, OR USING COI for further details). CHECK THE O	JSING F MPARA	REPORTING THRESHOLDS TIVE THRESHOLDS, WHICH	I ARE USUALLY BA	TE DOLI SED ON	AR VALU PERCE	JES, WHICH REQUIRES FEWER NTAGE VALUES (see instructions
•		CENTAGE) THRESHOLDS	<u>OR</u> 🗆	DOLL	AR VALU	JE THRESHOLDS
PART A PRIMARY SOURCES OF (If you have nothing to I			the reporting person -	- See inst	ructions]	
NAME OF SOURCE OF INCOME	-	1	URCE'S DRESS			SCRIPTION OF THE SOURCE'S RINCIPAL BUSINESS ACTIVITY
Beutel Family Enterprises	, LLC	1773 SW Catalonia	Street, PSL 34	1987	Restau	rant
GDB Restaurants, LLC		2801 SW Brighton S	t., PSL 34953		Restau	rant
PART B SECONDARY SOURCES [Major customers, clients (If you have nothing to	s, and ot	her sources of income to busine	sses owned by the rep	oorting pe	rson - See	instructions]
NAME OF BUSINESS ENTITY		ME OF MAJOR SOURCES OF BUSINESS' INCOME	ADDRE OF SOU			PRINCIPAL BUSINESS ACTIVITY OF SOURCE
				<u> </u>		
PART C REAL PROPERTY [Land, buildings owned by the reporting person - See instructions] (If you have nothing to report, write "none" or "n/a")						G INSTRUCTIONS for when
1773 SW Catalonia Street, Port Saint Lucie, FL 34987					locate	there to file this form are and at the bottom of page 2.
				this fo	RUCTIONS on who must file orm and how to fill it out on page 3.	

PART D — INTANGIBLE PERSONAL PROPERTY [S (If you have nothing to report, write "no	tocks, bonds, certificates of dep	oosit, etc See ir	nstructions]	
TYPE OF INTANGIBLE	ESS ENTITY TO	WHICH THE PROPERTY RELATES		
N/A				
PART E — LIABILITIES [Major debts - See instruction (If you have nothing to report, write "not	ns] ne" or "n/a")			
NAME OF CREDITOR	1	ADDRE	SS OF CREDITOR	
Wells Fargo	Mortgage Holder to	1773 SW C	atalonia Street	
PART F — INTERESTS IN SPECIFIED BUSINESSES (If you have nothing to report, write "none	[Ownership or positions in ce " or "n/a") BUSINESS ENTIT		sinesses - See instructions] BUSINESS ENTITY # 2	
NAME OF BUSINESS ENTITY	Beutel Family Enterp		GDB Restaurants, LLC	
ADDRESS OF BUSINESS ENTITY	1773 SW Catalonia Street,	PSL 34987	2801 SW Brighton St., PSL 34953	
PRINCIPAL BUSINESS ACTIVITY	Restaurant	Restaurant		
POSITION HELD WITH ENTITY	Managing Member		Managing Member	
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS	Yes	Yes		
NATURE OF MY OWNERSHIP INTEREST	50%	50%		
aga 1900 kana merupaga persaga partiti ana atau para mangga pada maga pada mangga Pada na pada basa mendana me	HAVE COMPLETED	THE REQ	UIRED TRAINING.	
IF ANY OF PARTS A THROUGH G ARE	CONTINUED ON A SE	PARATE SHE	ET, PLEASE CHECK HERE	
SIGNATURE OF FILE	R: c	PA or ATT	ORNEY SIGNATURE ONLY	
Signature:	If a ce in goo	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:		
Deborah Lynn Beutel	instruc	I,, prepared the C Form 1 in accordance with Section 112.3145, Florida Statutes, and the instructions to the form. Upon my reasonable knowledge and belief, the		
Date Signed:	disclos	ure herein is true	and correct.	
8/15/2019	CPA/A	CPA/Attorney Signature:		
5,10/2019	Date S	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) 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 <u>not</u> relieve the filer of filing a CE Form 1 if the filer was in his or her position on December 31, 2018.

Print List

FLORIDA COMMISSION ON ETHICS NOV 2 0 2019 RECEIVED

Saint Lucie County

Florida Commission on Ethics Financial Disclosure Notification System 2019 Delinquency Certification Reported 11/05/2019

This is a list of all delinquent Saint Lucie County filers. The date indicated in the "Form Receipt Date" column is the date the form was received. Any persons with no form receipt date indicated have not filed.

Record Number	Form Receipt Date	ID	Name	Organization	Title	Filer Flags	Filing County	County
2000		260514	Debra Buetel	Port St. Lucie	At-Large Member		66	Saint Lucie

, Gertrude Walker

the Supervisor of Elections of Saint Lucie 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.

SUPERVISOR OF ELECTIONS

Confirm Cancel











U.S. POSTAGE >> PITNEY BOWES

U.S. POSTAGE >> PITNEY BOWES

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02 47 0000356767 JUL 25 2019

Port St. Lucie Planning And Zoning Board Debra Buetel 1773 Sw Catalonia St Port St Lucie, FL 34987

FORM 1 DELINQUENT FILING NOTICES Delinquent/Non-Filers as of 11/12/2019							
LAST NAME	NAME FIRST TRACKING # DATE NOTES						
Beutel	Debra	91 7199 9991 7034 4111 2447		Said she filed online. Advised we never received it. Emailed her a fillable PDF 8/15. Emailed Coordinator, Karen Phillips, requesting alternate contact info 8/21. Emailed reminder and form 8/28. Emailed reminder and fillable PDF 9/24			

BEFORE THE STATE OF FLORIDA COMMISSION ON ETHICS

In re Debra Buetel
At-Large Member
Planning And Zoning Board
Port St. Lucie

PID#: 260514

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 Saint Lucie 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 <u>Florida Commission on Ethics</u>, P. O. <u>Drawer 15709</u>, <u>Tallahassee</u>, <u>FL 32317-5709</u>, or delivered to <u>Florida Commission on Ethics</u>, <u>325 John Knox Road</u>, <u>Building E, Suite 200, Tallahassee</u>, <u>FL 32303</u>. 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: <u>www.ethics.state.fl.us</u>. Click on "Financial Disclosure" and then the link to the sample appeal form.
- 4. **DUE DATE:** Your appeal must be <u>received</u> by the Commission on Ethics on or before <u>April 3, 2020</u>. <u>NOTE</u>: 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;
- 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 deliquency 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 you 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

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

Debra Buetel 1773 Sw Catalonia St Port St Lucie, FL 34987 -2072

by Certified Mail on this Wednesday, March 04, 2020.

KIMBERLY R. HOLMES Program Administrator

eΩr-

Florida Commission on Ethics

P. O. Drawer 15709 Tallahassee, FL 32317-5709 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





9214 8901 0661 5400 0149 1670 42

RETURN RECEIPT (ELECTRONIC)

260514

DEBRA BUETEL
1773 SW CATALONIA ST
PORT ST LUCIE, FL 34987-2072

URGENT - Open Immediately!

CUT / FOLD HERE	Zone 4
6°X9° ENVELOPE CUT / FOLD HERE	
 CUT / FOLD HERE	
CUT / FOLD HERE	

Mail Piece Details



Print this page

Recipient Address

DEBRA BUETEL 1773 SW CATALONIA ST PORT ST LUCIE, FL 34987-2072

Record / Case Number: 260514

Return Address

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

Entry Point ZIP: 32317

Mail Piece Information

Tracking Number: 92148901066154000149167042

Date Created: 03/04/2020 02:44:36 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: DEBRA BUETEL 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, March 04, 2020, 02:44:36 PM, TALLAHASSEE,FL 32317

Pre-Shipment Info Sent To Usps, Usps Awaiting Item, March 04, 2020, 12:00:00 AM Pre-Shipment Info Sent Usps Awaits Item, March 04, 2020, 02:05:00 PM, TALLAHASSEE,FL

Accepted At Usps Origin Facility, March 04, 2020, 08:30:00 PM, TALLAHASSEE,FL 32317

Origin Acceptance, March 04, 2020, 08:30:00 PM, TALLAHASSEE,FL 32317

Arrived At Usps Regional Origin Facility, March 04, 2020, 09:45:00 PM

Processed Through Usps Facility, March 04, 2020, 09:45:00 PM, TALLAHASSEE,FL 32301

Departed Usps Regional Facility, March 04, 2020, 11:25:00 PM

Depart Usps Facility, March 04, 2020, 11:25:00 PM, TALLAHASSEE,FL 32301

In Transit, Arriving On Time, March 05, 2020, 12:00:00 AM

In Transit, Arriving Late, March 06, 2020, 12:00:00 AM

In Transit To Next Facility, March 07, 2020, 12:00:00 AM

In Transit To Next Facility, March 08, 2020, 12:00:00 AM

Arrived At Usps Regional Destination Facility, March 08, 2020, 04:04:00 PM

Processed Through Usps Facility, March 08, 2020, 04:04:00 PM, WEST PALM BEACH,FL 33416

Departed Usps Regional Destination Facility, March 08, 2020, 08:01:00 PM

Processed Through Usps Facility, March 08, 2020, 08:01:00 PM, WEST PALM BEACH,FL 33416 Delivered Left With Individual, March 09, 2020, 01:25:00 PM, PORT SAINT LUCIE,FL 34953

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Date Produced: 03/10/2020

THE MAIL GROUP INC - 1 / CONFIRM DELIVERY INC:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 0661 5400 0149 1670 42. Our records indicate that this item was delivered on 03/09/2020 at 01:25 p.m. in PORT SAINT LUCIE, FL 34953. The scanned image of the recipient information is provided below.

Signature of Recipient:

RIN 4000 RHILL BEVLOI

Address of Recipient:

Dy Sw Datuth

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely, United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

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: 92148901066154000149167042 260514 DEBRA BUETEL 1773 SW Catalonia St Port St Lucie, FL 34987-2072 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

"A Public Office is a Public Trust"

C. Christopher Anderson, III

Executive Director/

General Counsel

Kerrie J. Stillman
Deputy Executive Director

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

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

TO:

Debra Beutel 260514

Port St. Lucie

Planning And Zoning Board

FROM:

Kimberly R. Holmes, Program Administrator

DATE:

June 11, 2021

On March 4, 2020, 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 July 12, 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:

Debra Beutel 260514 1401 Se Merion Ct Port St Lucie FL 34952 -5418

By United States Mail on this Friday, June 11, 2021.

Kimberly R. Holmes

Program Administrator

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

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Kerrie J. Stillman
Executive Director

Caroline M. Klancke
Deputy Executive Director/
General Counsel

Kinker De VIII

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

NOTIFICATION OF ISSUANCE OF DEFAULT FINAL ORDER

TO:

Debra Beutel 260514

At-Large Member Port St. Lucie

Planning And Zoning Board

FROM:

Kimberly R. Holmes, Program Administrator

DATE:

September 15, 2021

Enclosed is an Order issued by the Commission on Ethics at its meeting on September 10, 2021.

If you do not pay the assessed fine by October 18, 2021 (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	Debra Beutel,)	2018 CE Form 1
)	
)	
)	

DEFAULT FINAL ORDER

This matter comes before the Commission on Ethics for the failure of Debra Beutel 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. Debra Beutel, Port St. Lucie, Planning And Zoning Board, 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, Debra Beutel 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 Debra Beutel were also made by Commission staff.
- 3. However, Debra Beutel did not file a 2018 CE Form 1 by the designated due date. Debra Beutel 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 Debra Beutel.

- 4. More than 60 days have elapsed since the notice of payment due was transmitted without Debra Beutel 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. Debra Beutel'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 Debra Beutel 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 Port St. Lucie, as appropriate, for withholding of salary until the debt is satisfied.
- 9. If Debra Beutel 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 Debra Beutel 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 September 10, 2021.

Date Rendered

Date Rendered

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:

Debra Beutel 1401 Se Merion Ct Port St Lucie FL 34952 -5418

JG/kh

cc: Sally Walsh



Appeals - PID 260514 - Deborah Beutel

Filer Information

Org Membership

Forms

Communications

Fines and Appeals >

View All

Filer Flags

 $\begin{array}{c|cccc} 2000 & 2001 & 2002 & 2003 & 2004 \\ \hline 2005 & 2006 & 2007 & 2008 & 2009 \\ \hline 2010 & 2011 & 2012 & 2013 & 2014 \\ \hline 2015 & 2016(\$) & 2017 & 2018(\$) \\ \hline & 2019 & 2020 & \\ \hline \end{array}$

<< 2020 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: 2019 (Appeal) 2017 (Collection - Transmitted to Collection Agency 1) view all

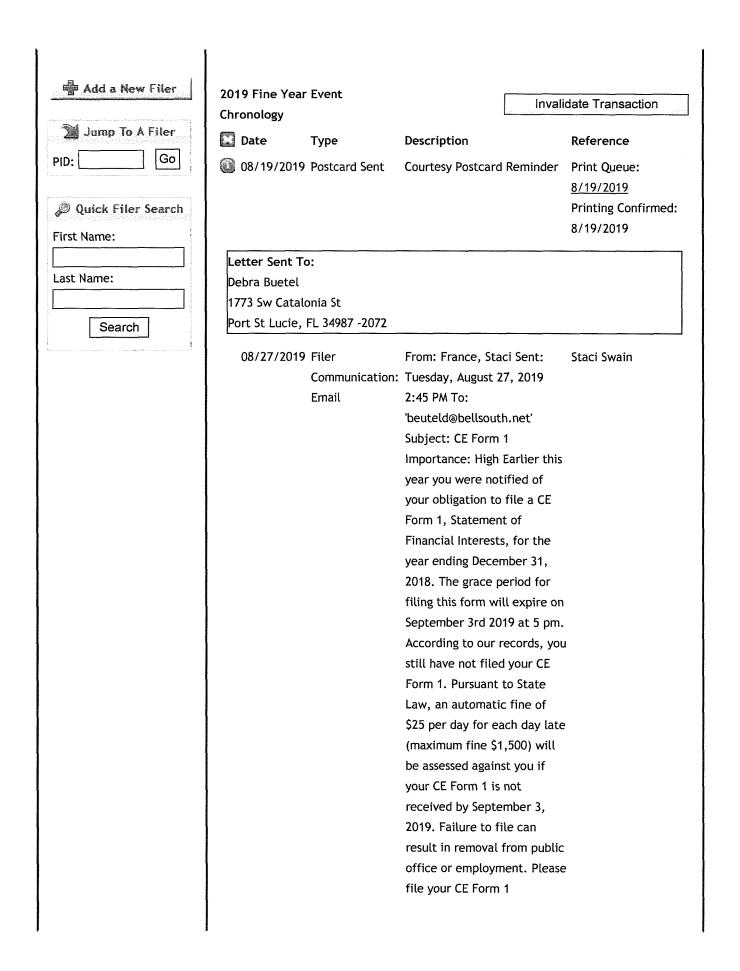
2019 Fines and Appeals

Form Year 2018 Filed Forms						
Received Date	Form Type	Form Signed	Filed by Email	Filing Location	Updated	Comments
11/19/21	Form 1	Yes	Yes	SOE	HOLMESK on 11/19/2021	Received by COE on behalf of Saint Lucie Supervisor of Elections

2019 Fine Information				Update Fine Information			
			Assign Agency Contact				tact
Fine Balance	Fine Status	Fine Date	Original Assessment	Fine Amount	Last Payment Date	Payment Plan Start Date	Payment Plan Amount
\$1,500.00	Appeal	2/19/2020	\$1,500.00	\$1,500.00			

Fine Address 1401 Se Merion Ct Port St Lucie FL 34952-5418
Org/Suborg Port St. Lucie-Planning And Zoning Board

2019 Fine Pay	ment History					
Date Posted	Description	Amount	Method	Payment ID	Comments	
2/19/2020	Fine Levied	+ \$1,500.00			Fined \$1500.00	
Current Balance: \$1,500.00						



immediately with your county Supervisor of Elections! If you have any questions please contact 800-262-8824 or 850-488-7864 @ 09/6/2019 Letter Sent **Courtesy Notice of Fines** Print Queue: Accruing 9/6/2019 Printing Confirmed: 9/6/2019 Letter Sent To: Debra Buetel 1773 Sw Catalonia St Port St Lucie, FL 34987 -2072 02/19/2020 Fine Levied Fined \$1500.00 Journal: 2/19/2020 11:14 AM 02/19/2020 Notice of Initial Fine Notice Journal: 2/19/2020 Assessed Fine 11:55 AM © 03/4/2020 Letter Sent Notice of Assessed Fine -Print Queue: Filer 1st Fine Letter 3/4/2020 Printing Confirmed: 3/4/2020 Letter Sent To: Debra Buetel 1773 Sw Catalonia St Port St Lucie, FL 34987 -2072 06/11/2021 Final Notice of 2nd Fine Notice Journal: 6/11/2021 Assessed Fine 9:38 AM **06/11/2021** Letter Sent Final Notice of Assessed Fine Print Queue: - Second Fine Notice 6/11/2021 Printing Confirmed: 6/11/2021 Letter Sent To: Debra Beutel 1401 Se Merion Ct Port St Lucie, FL 34952 -5418

08/24/2021 Collection Collection Order Notice Journal: 8/24/2021 Orders 10:34 AM @ 09/15/2021 Letter Sent Collection Orders - Prepare Print Queue: **Collection Orders** 9/15/2021 Printing Confirmed: 9/15/2021 Letter Sent To: Debra Beutel 1401 Se Merion Ct Port St Lucie, FL 34952 -5418 10/8/2021 Filer Ms. Beutel called stating that Kimberly Holmes Communication: she emailed her form to the SOE office for the 2018 form Phone year. I advised her to forward the original email to me. The email sent was for form year 2017. I advised Ms. Beutel that the \$1500 fine is for the 2018 form year, which was due in 2019. Ms. Beutel stated that she will continue to look for the email and contact me back. 11/19/2021 Form Received Form 1 Received, Signed Form 1 Received by Received by COE on behalf of Saint Lucie Supervisor of **Elections SOE** Form Received By: Kimberly Holmes Filing Location: Saint Lucie County SOE Record Created By: Kimberly Holmes on 11/19/2021 11/19/2021 Filer From: Holmes, Kim Sent: Kimberly Holmes Communication: Friday, November 19, 2021 Email 6:11 PM To: 'Deborah Beutel' Subject: RE: beutel form 1 from 2018 Good evening, This will acknowledge receipt of your 2018 Form 1,

received November 19, 2021. If you have any questions or need further assistance, please do not hesitate to contact our office. Sincerely, Kimberly R. Holmes Program Administrator Financial Disclosure Section Florida Commission on Ethics P.O. Drawer 15709 Tallahassee, FL 32317-5709 (850) 488-7864 (850) 488-3077 (Fax) www.ethics.state.fl.us Physical address: 325 John Knox Road Building E, Suite 200 Tallahassee, FL 32303 From: Deborah Beutel Sent: Friday, November 19, 2021 12:48 PM To: homes.kim@leg.state.fl.us; Holmes, Kim Subject: beutel form 1 from 2018 Good morning: Please confirm receipt of this information you requested. Did send to local office as well as city of psl. Cannot locate the form on that state web site asking for forgiveness on the allegit late filing. Would you kindly forward the appeal form. Thank you very much for

11/19/2021 Filer

Rescind Collection Order due Kimberly Holmes

Communication: to appeal received November

your assistance.

Other 19, 2021

12/1/2021 Fine Appeal

FD 19-078

Journal: <u>12/1/2021</u>

3:26 PM

12/1/2021 Filer

Returned call to Ms. Beutel

Respectfully, Debbie Beutel

Kimberly Holmes

Comn Phone	nunication: regarding receipt of appeal and form. Ms. Beutel will also be sending to our office a notarized statement to include with her appeal.
2019 Fine Appeal — FD 19-078	Update Appeal Withdraw Appeal Assign Attorney Request More Info Record Appeal Outcome
Appeal Status: Active Appeal Receipt Date: 11/19/2021 Timely Filed: No Print Appeal Letter: Yes Hearing Requested: No Appeal Reason: Previously Filed Financial Disclosure Appeal Notes: Appeal Number: FD 19-078 Appeal Analyst Assigned: Final Order Number: Final Order Date:	No Hearing Requested