BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In re TONY VALENTINE, ) Financial Disclosure Appeal No. FD 18-059
 )
Appellant. )
 ) Final Order No.

FINAL ORDER

This matter came before the Commission on Ethics, meeting in public session on July 26, 2019, on the timely appeal of Appellant, pursuant to Section 112.3145(7)(f), Florida Statutes, which assesses an automatic fine of $25 per day on a person who fails to timely file a required CE Form 1, Statement of Financial Interests. The Commission may waive the fine in whole or in part for good cause shown, based on "unusual circumstances" surrounding the failure to file by the designated date. There are no matters in dispute. Appellant did not request a hearing before the Commission.

Findings of Fact

1. According to information provided to the Commission, Appellant served as the finance director for the City of Sweetwater, a position requiring the filing of a CE Form 1, Statement of Financial Interests, for the year 2017. In 2018, the designated due date for submitting a 2017 CE Form 1 annual filing was July 2, 2018, with a grace period ending on September 4, 2018.

2. On April 15, 2019, an automatically accrued fine was levied against Appellant for failure to file.

3. The total amount of the automatic fine levied against Appellant was $1,500.
4. On April 26, 2019, the Commission received Appellant's 2017 CE Form 1, Statement of Financial Interests on behalf of the Broward County Supervisor of Elections.

5. On April 26, 2019, the Commission received Appellant's Appeal of Automatic Fine for Form Year 2017. In part A of his appeal form, Appellant listed his mailing address as: 14388 Northwest 15th Street Pembroke Pines, Florida 33028. 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, which asks an appellant to provide a detailed explanation of his or her appeal, including why the option they selected in part B of their appeal form is applicable to their situation, Appellant wrote: "I left the City in early May of 2018 and did not receive notification because the notices had been addressed to the City of Sweetwater and not to my home address. Wrong address."

Conclusions of Law

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

7. 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.

8. Section 112.3145(7)(f)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 made 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.

9. From the documents and record in this matter, it seems that all of the notices that were sent to Appellant prior to the grace period deadline were sent to him at an address which was
not his residential mailing address but the City Clerk for the City of Sweetwater's address. Therefore, there is a strong possibility Appellant never received any form of notice prior to the grace period deadline and absent any substantial evidence or an admission on his part that he received notice prior to the grace period deadline, he must be given the benefit of the doubt that he did not receive notice as he claims. Not receiving any form of notice whether it be a phone call, email or certified letter prior to the September 4th grace period deadline is the kind of unusual circumstance which justifies waiving Appellant's automatic 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, July 26, 2019.

Date Rendered

________________________________________
Guy W. Norris
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.

GWN: mlj
Tony Valentine
14388 Northwest 15th Street
Pembroke Pines, Florida 33028
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 13709
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: Tony Valentine
Address: 14358 NW 15th St City: Pembroke Pines State: FL Zip: 33028
Daytime Tel.: ______________________ Cell: 954-494-7930
Email: tvvalentine@yahoo.com Filer ID# (if known): ______________________
Public Employer: City of Sweetwater
Public Position: Director of Finance

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, 2017** (Explain in Part C and provide confirmation from agency that your office-holding/employment ended before 12/31/2017)

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)

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**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.

I left the City in early May 2018 and did not receive notification because it was addressed to the City and not my home address.

Wrong address.

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**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(5)(e)3 or Section 112.3145(7)(f)3, Florida Statutes. Commission meetings occur in Tallahassee.

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**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.

DATE: 4-35-2019

SIGNATURE: [Signature]
Dr. Brenda C. Snipes, the Supervisor of Elections of Broward 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 2, 2018 financial disclosure deadline and a blank Form 1, Statement of Financial Interests, not later than June 1, 2018;

(2) was determined to be delinquent in filing a Form 1, Statement of Financial Interests, by July 2, 2018;

(3) was sent a delinquency notice by certified mail not later than July 31, 2018 advising him or her of the grace period in effect until September 4, 2018; 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 3, 2018; 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
Good morning Kim,

Pardon the delay response, I just returned to the office. Attached is the certified package we mailed Mr. Valentine on 7/30/19. We do not have any returned mail or any further communication for him after we were notified by the City Clerk on 8/2/18 of his change of address.

Hope this helps, but please do not hesitate to contact me if there is anything else I can help with.

Regards,

Ramon Castellanos Jr, Records Custodian
Government Affairs and Media Relations Division
Miami-Dade County Elections Department
2700 NW 87th Avenue
Miami, Florida 33172
Office 305-499-8541
http://www.miamidade.gov/elections
"Delivering Excellence Every Day"

Hi Ramon,

I hope all is well.
Do you have a copy of the certified mail receipt or any return mail for Tony Valentine (2017 Form 1)? He was on the Miami-Dade County list to file last year up until August 2018, then his county changed to Broward.

Thanks,
Kim

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
9214890138552801066349

Additional Information

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

Tracking History

August 1, 2018
In Transit, Arriving Late,

July 29, 2018
3:16 pm
Departed USPS Regional Facility,
OPA LOCKA FL DISTRIBUTION CENTER

July 28, 2018
12:11 am
Arrived at USPS Regional Facility,
OPA LOCKA FL DISTRIBUTION CENTER

July 27, 2018
10:56 pm
Accepted at USPS Origin Facility,
MIAMI, FL 33128

July 26, 2018
Pre-Shipment Info Sent to USPS, USPS Awaiting Item,
To: Local Officer

From: Christina White
Supervisor of Elections

Subject: Notice of Delinquency - Financial Disclosure Filing Requirement for the 2017 Tax Year

The position you held in 2017 was determined to be one that requires the filing of a financial disclosure form. Our records indicate that you were mailed a financial disclosure notice at the end of May, advising you that per Florida Statute 112.3145, you were required to file a Form 1, Statement of Financial Interests with our office by July 2, 2018. To date, we have not received the required form from you.

Pursuant to State law, I am writing to notify you that although you are delinquent in filing your financial disclosure form with our office, a grace period is in effect until Tuesday, September 4, 2018 to file your signed and dated Form 1 for the 2017 tax year with our office.

If your Form 1 is not received by September 4, 2018, a fine of $25 for each day late will be imposed, up to a maximum penalty of $1,500. In addition, I will be required by law to notify the State of Florida Commission on Ethics of the delinquency. In addition, pursuant to enacted legislation, the Commission on Ethics must initiate investigations of delinquent filers, in certain circumstances. This can result in your removal from public office or employment. See Section 112.3145(8)(c), Florida Statutes.

Please note that persons serving as of December 31, 2017 are required to file this year. If you left the position in 2017, you are required to file a Form 1F 2017 covering the portion of 2017 you served. If you left the position in 2018, you are required to file a Form 1 for 2017 and a Form 1F 2018 for the portion of 2018 you served. Also, if your home address is exempt from public records, please provide your office address or other mailing address. Instructions for completing this form are included and additional questions on how to complete this form should be directed to the State of Florida Commission on Ethics at 800-262-8824.

The Elections Department is the records custodian for these forms. As such, please send your completed, signed and dated financial disclosure statement via email to financial.disclosures@miamidade.gov so long as it is a legible scanned copy, or by returning it to the Miami-Dade County Supervisor of Elections, Financial Disclosure Section, PO Box 521550, Miami, Florida 33152. A business reply envelope has been provided for your convenience. The form may also be hand delivered. Please do not file this form with the Florida Commission on Ethics in Tallahassee.

You can check receipt of your financial disclosure form on the Miami-Dade Elections Department website at www.miamidade.gov/elections/disclosure. In the event that you already filed your financial disclosure form with the Miami-Dade County Elections Department, please contact our office immediately so that we may review our records and remove your name from the delinquency list, if applicable.

If you have any questions or need additional information, please contact Carmen Boffill, Miami-Dade Financial Disclosure Coordinator, at 305-499-8413 or via email at financial.disclosures@miamidade.gov.

If you think you have received this in error, please contact the coordinator for your agency who has provided your name based on your official position and responsibilities. If appropriate, the local agency’s coordinator will contact the Florida Commission on Ethics to remove your name from the list. To find your coordinator, you can contact Carmen Boffill at the number above or view the coordinator list provided on the Commission on Ethics’ website at http://www.ethics.state.fl.us.

Enclosures
Dear Coordinator,

Find below the non-filer name and PID number, who has not yet submitted his Form 1. As we know the grace period ended on 09/04/2018.

Please contact him, as a friendly remainder due to penalties that may occur.

Tony Valentine 273426

Best Regards,

Denise Clayton
**STATEDMENT OF FINANCIAL INTERESTS**

Tony Valentine  
Finance Director  
Sweetwater  
Employees  
500 Sw 109th Ave  
Miami FL 33174 -1336

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

DISCLOSURE PERIOD:  
THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR THE PRECEDING TAX YEAR. WHETHER BASED ON A CALENDAR YEAR OR ON A FISCAL YEAR. PLEASE STATE BELOW WHETHER THIS STATEMENT IS FOR THE PRECEDING TAX YEAR ENDING EITHER (must check one):  
X DECEMBER 31, 2017  OR  J SPECIFY TAX YEAR IF OTHER THAN THE CALENDAR YEAR ________________

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

J COMPARATIVE (PERCENTAGE) THRESHOLDS  OR  X DOLLAR VALUE THRESHOLDS

**PART A -- PRIMARY SOURCES OF INCOME**  
(Major sources of income in the reporting period. See instructions)

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

<table>
<thead>
<tr>
<th>NAME OF SOURCE OF INCOME</th>
<th>SOURCE'S ADDRESS</th>
<th>DESCRIPTION OF THE SOURCE'S PRINCIPAL BUSINESS ACTIVITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>n/a</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**PART B -- SECONDARY SOURCES OF INCOME**  
(Major, secondary, and other sources of income in businesses named in the reporting period. See instructions)

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

<table>
<thead>
<tr>
<th>NAME OF BUSINESS ENTITY</th>
<th>NAME OF MAJOR SOURCES OF BUSINESS INCOME</th>
<th>ADDRESS OF SOURCE</th>
<th>PRINCIPAL BUSINESS ACTIVITY OF SOURCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>n/a</td>
<td></td>
<td></td>
<td></td>
</tr>
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</table>

**PART C -- REAL PROPERTY**  
(Real property owned by the reporting person. See instructions)

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

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

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

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</tbody>
</table>
**PART D — INTANGIBLE PERSONAL PROPERTY**

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

<table>
<thead>
<tr>
<th>TYPE OF INTANGIBLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>BUSINESS ENTITY TO WHICH THE PROPERTY RELATES</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
</tr>
</tbody>
</table>

**PART E — LIABILITIES**

(Mortgages - See instructions)

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

<table>
<thead>
<tr>
<th>NAME OF CREDITOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>ADDRESS OF CREDITOR</th>
</tr>
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<tbody>
<tr>
<td>N/A</td>
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</tbody>
</table>

**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")

<table>
<thead>
<tr>
<th>NAME OF BUSINESS ENTITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>ADDRESS OF BUSINESS ENTITY</th>
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<tbody>
<tr>
<td>N/A</td>
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</table>

<table>
<thead>
<tr>
<th>PRINCIPAL BUSINESS ACTIVITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
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</table>

<table>
<thead>
<tr>
<th>POSITION HELD WITH ENTITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>I OWN MORE THAN A 5% INTEREST IN THE BUSINESS</th>
</tr>
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<tr>
<td>N/A</td>
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</table>

<table>
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<tr>
<th>NATURE OF MY OWNERSHIP INTEREST</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
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</table>

**PART G — TRAINING**

For elected municipal officers - Complete Form 1, include this page, and return it to the Ethics Commission.

<table>
<thead>
<tr>
<th>N/A</th>
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</table>

☑️ I CERTIFY THAT I HAVE COMPLETED THE REQUIRED TRAINING.

**SIGNATURE OF FILER:**

**Signature:**

[Signature]

**Date Signed:**

4-25-2019

**CPA or ATTORNEY SIGNATURE ONLY**

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

Prepared by ___________________ 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 disclosures herein are 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 PO. Drawer 15703 Tallahassee, FL 32317-8709. Physical address: 325 John Knox Rd Suite 300 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.com as flat files. 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 of Supervisor of Elections.

**WHEN TO FILE:**

1. 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.

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

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

**Finally,** file a final disclosure form (Form 1F) within 90 days of leaving office or employment. Filing a CE Form 1F or a Final Statement of Financial Interests does not relieve the filing of a CE Form 1 if the form was not in their other position on December 31, 2017.
BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In re Tony Valentine
Finance Director
Employees
Sweetwater

PID#: 273426

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(7)(f), Florida Statutes, due to your failure to timely file your 2017 CE Form 1, Statement Of Financial Interests. Under the law, your 2017 CE Form 1, Statement of Financial Interests, was due by July 2, 2018. The law provided for a penalty-free grace period extending the due date to September 4, 2018. 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(7)(f), Florida Statutes.

Inasmuch as your 2017 CE Form 1 has not been filed with the Supervisor of Elections for Broward County within the 60 days of the grace period date (September 4, 2018), 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(7)(f)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 May 15, 2019.

   **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 4, 2018, 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, 2017:** confirmation of your last date of office or employment by your former agency, showing the last date to be before December 31, 2017; 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 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**

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

Tony Valentine  
500 Sw 109th Ave  
Miami, FL 33174 -1336

by Certified Mail on this Monday, April 15, 2019.

\[Signature\]

KIMBERLY R. HOLMES
Program Administrator

Florida Commission on Ethics  
P. O. Drawer 15709 -or- 325 John Knox Road, Building E, Ste. 200  
Tallahassee, FL 32317-5709 Tallahassee, FL 32303  
Tel.: (850) 488-7864  
Fax: (850) 488-3077  
Email: disclosure@leg.state.fl.us
# Mail Piece Details

**Recipient Address**

TONY VALENTINE  
500 SW 109TH AVE  
MIAMI, FL 33174-1336

**Record / Case Number:**  
273426

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**Return Address**

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

**Entry Point ZIP:**  
32317

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# Mail Piece Information

**Tracking Number:** 92148901066154000137136517  
**Date Created:** 04/15/2019 10:43:52 AM  
**Mail Class:** USPS First Class Mail  
**Special Services:** Certified Mail  
Return Receipt Electronic  
**Memo:** --  
**Created By:** Kimberly Holmes - Commission on Ethics

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# Signature Information

**Signed For By:** TONY VALENTINE  
**Signature Status:** Available (Click Here)

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# Tracking Information

- **Mailed, April 15, 2019, 10:43:52 AM, TALLAHASSEE, FL 32317**
- **Pre-Shipmen Info Sent To Usps, Usps Awaiting Item, April 15, 2019, 12:00:00 AM**
- **Pre-Shipmen Info Sent Usps Awaits Item, April 15, 2019, 09:51:00 AM, TALLAHASSEE, FL 32317**
- **Accepted At Usps Origin Facility, April 15, 2019, 06:42:00 PM, TALLAHASSEE, FL 32317**
- **Origin Acceptance, April 15, 2019, 06:42:00 PM, TALLAHASSEE, FL 32317**
- **Arrived At Usps Regional Origin Facility, April 15, 2019, 07:57:00 PM**
- **Process Through Usps Facility, April 15, 2019, 07:57:00 PM, TALLAHASSEE, FL 32301**
- **Departed Usps Regional Facility, April 15, 2019, 09:45:00 PM**
- **Depart Usps Facility, April 15, 2019, 09:45:00 PM, TALLAHASSEE, FL 32301**
- **In Transit To Next Facility, April 16, 2019, 12:00:00 AM**
- **Arrived At Usps Regional Destination Facility, April 16, 2019, 03:14:00 PM**
- **Process Through Usps Facility, April 16, 2019, 03:14:00 PM, MIAMI, FL 33152**
- **Departed Usps Regional Destination Facility, April 16, 2019, 04:28:00 PM**
- **Process Through Usps Facility, April 16, 2019, 04:28:00 PM, MIAMI, FL 33152**
- **Arrived At Unit, April 17, 2019, 08:02:00 AM, MIAMI, FL 33184**
- **Arrival At Unit, April 17, 2019, 08:02:00 AM, MIAMI, FL 33184**
- **Sorting Complete, April 17, 2019, 08:17:00 AM, MIAMI, FL 33174**
- **Sorting/Processing Complete, April 17, 2019, 08:17:00 AM, MIAMI, FL 33174**
- **Out For Delivery, April 17, 2019, 08:27:00 AM, MIAMI, FL 33174**
- **Delivered, Front Desk/Reception/Mail Room, April 17, 2019, 10:41:00 AM, MIAMI, FL 33174**
April 22, 2019

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 0137 1365 17.

The following is in response to your request for proof of delivery on your item with the tracking number: 9214 8901 0661 5400 0137 1365 17.

<table>
<thead>
<tr>
<th>Item Details</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Status:</strong></td>
<td>Delivered, Front Desk/Reception/Mail Room</td>
</tr>
<tr>
<td><strong>Status Date / Time:</strong></td>
<td>April 17, 2019, 10:41 am</td>
</tr>
<tr>
<td><strong>Location:</strong></td>
<td>MIAMI, FL 33174</td>
</tr>
<tr>
<td><strong>Postal Product:</strong></td>
<td>First-Class Mail®</td>
</tr>
<tr>
<td><strong>Extra Services:</strong></td>
<td>Certified Mail™ Return Receipt Electronic</td>
</tr>
<tr>
<td><strong>Recipient Name:</strong></td>
<td>TONY VALENTINE</td>
</tr>
</tbody>
</table>

**Recipient Signature**

Signature of Recipient:  

Address of Recipient:  

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004

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

Reference ID: 92148901066154000137136517
273426
TONY VALENTINE
500 SW 109th Ave
Miami, FL 33174-1336
Dear Officer:

I have attached the Appeal of Automatic Fine and the Statement of Financial Interests in accordance with your request. It should be noted that each document is two pages because I was unable to scan front and back on one page.

Respectfully submitted,

Tony Valentine
The filer has fines for: 2018 (Appeal)

### 2018 Fines and Appeals

<table>
<thead>
<tr>
<th>Form Year 2017 Filed Forms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Received Date</td>
</tr>
<tr>
<td>04/26/19</td>
</tr>
</tbody>
</table>

### 2018 Fine Information

<table>
<thead>
<tr>
<th>Fine Balance</th>
<th>Fine Status</th>
<th>Fine Date</th>
<th>Original Assessment</th>
<th>Fine Amount</th>
<th>Last Payment Date</th>
<th>Payment Plan Start Date</th>
<th>Payment Plan Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1,500.00</td>
<td>Appeal</td>
<td>4/15/2019</td>
<td>$1,500.00</td>
<td>$1,500.00</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Fine Address 14388 NW 15th St Pembroke Pines FL 33028
Org/Suborg Sweetwater-Employees

### 2018 Fine Payment History

<table>
<thead>
<tr>
<th>Date Posted</th>
<th>Description</th>
<th>Amount</th>
<th>Method</th>
<th>Payment ID</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>4/15/2019</td>
<td>Fine Levied</td>
<td>+ $1,500.00</td>
<td></td>
<td></td>
<td>Fined $1500.00</td>
</tr>
</tbody>
</table>

Current Balance: $1,500.00

http://fdms/admin/protected/content/coe/filer_fines_appeals.cfm?filer_id=273426  
5/13/2019
### 2018 Fine Year Event

#### Chronology

<table>
<thead>
<tr>
<th>Date</th>
<th>Type</th>
<th>Description</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>08/7/2018</td>
<td>Filer</td>
<td>From: disclosure Sent: Tuesday, August 07, 2018 3:44 PM To: 'Financial Disclosures (Elections)'; Holmes, Kim Cc: CGARCIACITYOFSWEEDEWATER.FL.GOV; Claudette Hamilton ; John Way Subject: RE: Tony Valentine PID 273426 County has been changed, may take system up to 24 hours to reflect. Thank you. Sincerely, Emily E. Prine Program Specialist Financial Disclosure Section Florida Commission on Ethics Post Office Drawer 15709 Tallahassee, FL 32317-5709 From: Financial Disclosures (Elections) Sent: Tuesday, August 07, 2018 3:39 PM To: Holmes, Kim Cc: disclosure ; Financial Disclosures (Elections) ; CGARCIACITYOFSWEEDEWATER.FL.GOV Subject: Tony Valentine PID 273426 Good afternoon Kim, Our office has just been notified by the Sweetwater City Clerk, copied above, that Mr. Valentine actually resides in Broward. As such, at your earliest convenience, could you please transfer him to the appropriate list? 14388 NW 15 Street, Pembroke Pines, FL 33028. Thank you, Ramon Castellanos Jr, Records Custodian Government Affairs and Media Relations Division Miami-Dade County Elections Department 2700 NW 87th Avenue Miami, Florida 33172</td>
<td>Emily Prine</td>
</tr>
<tr>
<td>08/16/2018</td>
<td>Postcard Sent</td>
<td>Courtesy Postcard Reminder</td>
<td>Print</td>
</tr>
</tbody>
</table>

Queue: 8/16/2018

Printing
Letter Sent To:
Mr Tony Valentine
500 Sw 109th Ave
Miami, FL 33174 -1336

08/24/2018 Filer Communication: Sent an email message to filer reminding them of their obligation to file a Form 1. For Fone Fun Day.

09/06/2018 Letter Sent Print

Letter Sent To:
Mr Tony Valentine
500 Sw 109th Ave
Miami, FL 33174 -1336

04/15/2019 Fine Levied Journal: Fined $1500.00
4/15/2019 9:20 AM

04/15/2019 Notice of Journal: Initial Fine Notice
4/15/2019 10:07 AM

04/15/2019 Letter Sent Print Queue: Notice of Assessed Fine - Filer 1st Fine
Letter 4/15/2019

04/15/2019 Letter Sent Print

04/23/2019 Filer Communication: Mr. Valentine called regarding notice he received that was forwarded to his Holmes
home from the City of Sweetwater. He stated that he left employment with the City in May 2018 and did not receive any notice until now. I asked about the 500 SW address on file, Mr. Valentine stated that it was the city's address, which explained why he did not receive the notices. I explained of his requirement to file and of the appeal process. He will complete form and appeal the fine.

04/26/2019 Form Received Form 1 Received, Signed

Form Received By: Kim Holmes
Filing Location: Broward County SOE
Record Created By: Kim Holmes on 04/29/2019

05/8/2019 Fine Appeal FD 18-059

05/8/2019 Letter Sent Fine Appeal

Letter Sent To:
Mr Tony Valentine
14388 NW 15th St
Pembroke Pines, FL 33028

Journal: 5/8/2019 11:19 AM
Print Queue: 5/8/2019
Printing Confirmed: 5/8/2019
<table>
<thead>
<tr>
<th>2018 Fine Appeal</th>
</tr>
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<tbody>
<tr>
<td>FD 18-059</td>
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</table>

<table>
<thead>
<tr>
<th>Appeal Status:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Active</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Appeal Receipt</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date: 04/26/2019</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Timely Filed: Yes</th>
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</table>

<table>
<thead>
<tr>
<th>Print Appeal Letter: Yes</th>
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<table>
<thead>
<tr>
<th>Hearing Requested: No</th>
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<table>
<thead>
<tr>
<th>Appeal Reason: Lack of Notification</th>
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<table>
<thead>
<tr>
<th>Appeal Notes:</th>
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<table>
<thead>
<tr>
<th>Appeal Number: FD 18-059</th>
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<table>
<thead>
<tr>
<th>Appeal Analyst Assigned:</th>
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<table>
<thead>
<tr>
<th>Final Order Number:</th>
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<table>
<thead>
<tr>
<th>Final Order Date:</th>
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<table>
<thead>
<tr>
<th>Update Appeal</th>
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<tbody>
<tr>
<td>Assign Attorney</td>
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<table>
<thead>
<tr>
<th>Withdraw Appeal</th>
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<tbody>
<tr>
<td>Request More Info</td>
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<table>
<thead>
<tr>
<th>Record Appeal Outcome:</th>
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</table>