BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In re PEGY BOULE, ) Financial Disclosure Appeal No. FD 17-135
) )
Appellant. ) )

____________________________________

FINAL ORDER

This matter came before the Commission on Ethics, meeting in public session on March 8, 2019, on the Commission’s own motion, 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 the 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 the information provided to the Commission, Appellant was a member of the North Miami Board of Adjustment and the North Miami Planning Commission. Positions that require the filing of a CE Form 1, Statement of Financial Interests, for the year 2016. In 2017, the designated due date for submitting a 2016 CE Form 1 annual filing was July 3, 2017, with a grace period ending on September 1, 2017.

2. On May 30, 2017, the Miami-Dade County Supervisor of Elections mailed Appellant a 2016 CE Form 1, Statement of Financial Interests. The Supervisor of Elections sent the form to Appellant at 300 Northwest 125th Street, Miami, Florida 33168.
3. On July 3, 2017, the Miami-Dade County Supervisor of Elections sent Appellant a Notice of Delinquency via certified mail. The Supervisor of Elections sent the notice to Appellant at the 300 Northwest 125th Street address. It was delivered to the 300 Northwest 125th Street address on July 6, 2017, at 9:20 a.m., where it was received and signed for by an unidentified individual.

4. On August 18, 2017, the Commission sent Appellant a courtesy postcard intended to remind her to file her 2016 financial disclosure form before the September 1st grace period deadline. The Commission mailed the courtesy reminder postcard to Appellant at the 300 Northwest 125th Street address.

5. One August 25, 2017, the Commission called the number it had listed on file as Appellant’s home phone number. The voicemail the Commission heard did not mention Appellant by name. The Commission left a voicemail explaining that her 2016 CE Form 1 had not yet been received by the Miami-Dade County Supervisor of Elections and for each day her form remains unfiled after the September 1st grace period deadline, fine begins to accrue at a rate of $25 a day. The Commission advised Appellant to call back if she had any additional questions.

6. On August 25, 2017, the Commission called the number it had listed on file as Appellant’s work phone number and was told by a Ms. Conner that Appellant had not worked at this office since June of 2016. Ms. Conner did not have a current home phone number for Appellant that she could relay to the Commission.

7. On August 25, 2017, the Commission sent Appellant an email at the email address it had listed for her: pegyboyle@hotmail.com. The Commission advised Appellant that according to its’ records she had not yet filed her 2016 CE Form 1 with the Miami-Dade County Supervisor of Elections. The Commission’s email further advised Appellant that the grace period for filing her
CE Form 1 before automatic fines begin to accrue is September 1, 2017. The Commission advised Appellant that she is required to file a CE Form 1, for the 2016 form year due to her participation with the North Miami-Board of Adjustment and North Miami-Planning Commission. The Commission informed Appellant that it had been in touch with the Financial Disclosure Coordinator for both of these groups and according to her Appellant is listed as being one of the individuals required to file annual financial disclosure. The Commission advised Appellant that if she has left both boards she needs to contact the Financial Disclosure Coordinator so that she can then confirm with the Commission that Appellant is no longer a member of either board. However, if Appellant was a member of either board through December 31, 2016, the Commission advised her that she is required to file a CE Form 1 for 2016 and if Appellant left either or both boards she was required to file a 2016 CE Form 1F for each.

8. On September 7, 2017, the Commission sent Appellant a Courtesy Notice of Accruing Fine. The Commission mailed this notice to Appellant at the 300 Northwest 125th Street address.

9. On January 8, 2018, Appellant called the Commission regarding her potential fine. Appellant advised the Commission that she is no longer on either of the boards as she left both of them last year. The Commission explained to Appellant that she was still required to file a 2016 CE Form 1 before September 1, 2017 because as of December 31, 2016 she had still been listed a member of both boards. Appellant advised the Commission that she had previous filed her 2016 CE Form 1 several times with the City of North Miami City Clerk's office and the Miami-Dade County Supervisor of Election's office. The Commission advised Appellant she needed to contact the Miami-Dade County Supervisor of Election's office because according to the records they had received from the Supervisor of Election's office Appellant had not yet filed her 2016 CE Form 1.
Appellant told the Commission she would contact the Miami-Dade County Supervisor of Elections office to get them to check their records.

10. On January 8, 2018, the Commission emailed the Miami-Dade County Supervisor of Elections office asking them if they have a 2016 CE Form 1 on file for Appellant. The Commission explained that Appellant had received a phone call from Appellant earlier in which she claimed to have previously filed her 2016 CE Form 1 with the Miami-Dade County Supervisor of Elections, although the records the Commission had received from them have Appellant listed as still not having filed her 2016 CE Form 1. The Miami-Dade County Supervisor of Elections emailed the Commission back advising it that Appellant had just called them about her 2016 CE Form 1 and they had advised her that according to their records they had still not received a 2016 CE Form 1 from her. Appellant then told the Supervisor of Elections office that she had previously completed the form and given it to the Supervisor of Elections coordinator. The Supervisor of Elections office advised Appellant to check with the coordinator.

11. On February 28, 2018, an automatically accrued fine was levied against Appellant.

12. The total amount of the automatic fine levied against Appellant was $1,500.

13. On March 1, 2018, the Commission sent Appellant a Notice of Assessment of Automatic Fine via certified mail. The Commission sent the notice to Appellant at the 300 Northwest 125th Street address. The notice informed Appellant of the total amount of her fine and it advised her that she had until April 2, 2018 to file an appeal. On March 3, 2018, at 9:46 a.m., the notice was delivered to the 300 Northwest 125th Street address where it was received and signed for by Appellant's uncle.

14. On May 14, 2018, the Commission sent Appellant a Final Notice of Assessment of Automatic Fine for Failure to Timely File Form 1, Statement of Financial Interests. The
Commission sent the final notice to Appellant at the 300 Northwest 125th Street address. The final notice reminded Appellant that the original Notice of Assessment of Automatic Fine the Commission sent her on March 1, 2018, had advised her that if she wanted to appeal her fine she had until on or before April 2, 2018 to do so. The final notice further advised Appellant, that it had now been 42 days since the April 2nd deadline and she had neither paid her fine nor filed an appeal. The final notice advised Appellant that by not responding she had effectively waived her right to file an appeal. The final notice warned Appellant that if she did not either pay her fine or contact the Commission in order to make arrangements to pay her fine by June 14, 2018 (30 days from the date of this final notice), the Commission would then enter an order setting her fine at $1,500 and utilize all methods allowed by law to collect her fine; including referring it to a collection agency which could seek to garnish her wages.

15. On May 21, 2018, the North Miami City Clerk's office called the Commission on Appellant's behalf trying to figure out what had happened because they said Appellant had filed her 2016 CE Form 1 with their office in January of 2018 and they believed the Miami-Dade County Supervisor of Elections office should also have a copy. The North Miami City Clerk's office then advised the Commission that they were going to speak with Appellant and that they would call the Commission back. The Commission advised the City Clerk's officer to email it a copy of Appellant's 2016 CE Form 1 if they had it available.

16. On June 19, 2018, Appellant called the Commission regarding her fine. Appellant advised the Commission that she had given her 2016 CE Form 1 to the North Miami City Clerk's office as she had been told to file her financial disclosure form with the City Clerk's office with the understanding that they would then forward it to the Miami-Dade County Supervisor of Elections office. Appellant advised the Commission that the city clerk had acknowledged to her
that her form had been misplaced during a transition of employees at the city clerk's office. Appellant further advised the Commission that the city clerk would send the Commission documentation confirming their error. Appellant then requested that all future letters sent to her regarding her fine be emailed to her at pegyboule@hotmail.com.

17. On June 19, 2018, the Commission emailed Appellant a 2016 CE Form 1.

18. On June 20, 2018, the Miami-Dade County Supervisor of Elections received Appellant's 2016 CE Form 1, Statement of Financial Interests, which had been previously received by the City of North Miami City Clerk's office on January 9, 2018. On her 2016 CE Form 1, Appellant listed her mailing address as 300 Northwest 125th Street, North Miami, Florida 33168.

19. On August 20, 2018, the Commission drafted a Default Final Order for Appellant's fine.

20. On September 12, 2018, the Commission sent Appellant a Notification of Issuance of a Default Final Order which included the newly rendered Default Final Order included as an attachment. The Commission sent the Notification of Issuance of Default Final Order to Appellant at the 300 Northwest 125th Street address.

21. On October 15, 2018, the Commission sent Appellant an email advising her that she currently had a $1,500 fine for the late filing of her 2016 financial disclosure form. The Commission's email further advised Appellant that she could pay her fine one of two ways, either online or by mail.

22. On November 13, 2018, the Commission discovered a voicemail message Appellant had left for it on November 9, 2018 and called her back leaving her a message to call the Commission. Appellant responded by sending the Commission an email requesting to appeal her fine. The Commission then responded by emailing Appellant an appeal form.
23. On November 14, 2018, Appellant emailed the Commission advising it that because she would be in a workshop all day which would then be followed by an evening session, so she planned to submit her appeal to the Commission tomorrow.

24. On December 3, 2018, the Commission emailed Appellant advising her that according to its' records her appeal had still not been received by the Miami-Dade County Supervisor of Elections. The Commission further advised Appellant that if she is planning to appeal, to please submit her appeal by the close of the business day on December 13, 2018.

25. On December 4, 2018, Appellant emailed the Commission explaining that her sister is back in the hospital and therefore she had not been able to find the time to sit down and fill out her appeal form. Appellant promised the Commission that she would set aside sometime between today and tomorrow and fill out her appeal form and then submit it to the Commission.

26. On December 13, 2018, the Commission received Appellant's Appeal of Automatic Fine for Form Year 2016. On her appeal form, Appellant listed her mailing address as 300 Northwest 125th Street, North Miami, Florida 33168. In part B of her appeal form, Appellant checked lack of notification and other unusual circumstances as the general reasons for her appeal. In part C of her appeal form, Appellant stated that during the summer months of the year in question, she hand delivered her 2016 financial disclosure form to her City Clerk's office and they had subsequently misplaced it. After Appellant called the City Clerk's office to make them aware that she had been contacted by the Commission and told that according to its' records her 2016 financial disclosure form had still not been filed with the Miami-Dade County Supervisor of Elections, the City Clerk's office admitted that they had misplaced her form and they were working to rectify the matter. Nonetheless, the City Clerk's office did not rectify the matter. Appellant says that during this time her father passed away, her mother was later hospitalized, her sister suffered
a massive stroke and her son has been very sick with chronic asthma. Appellant states because of her sister's massive stroke she is now caring for her. Appellant states that during the applicable year she has suffered many hardships which have further aggravated this process. Appellant says there are two 300 Northwest 125th Street addresses and often times she receives the mail meant for the other address and the other address receives mail meant for her. Appellant requests the Commission consider these circumstances in addition to her being a single mother caring for her elderly and sick widow mother, her sickly child and her stroke ridden sister. Appellant claims it was never her intention to not turn in her financial disclosure form as she did turn it in to her City Clerk's office and they failed to forward it to the Miami-Dade County Supervisor of Elections office through no fault of hers. Appellant asks the Commission to take these matters into consideration when considering whether or not to waive her fine.

27. On December 13, 2018, the Commission rescinded the Default Final Order it had rendered against Appellant on September 12, 2018.

28. On December 21, 2018, the Commission sent Appellant a letter advising her it had received her appeal and would send all future correspondence regarding this matter to the 300 Northwest 125th Street address unless she notified the Commission of a change of her address. The letter advised Appellant that Commission staff would review her appeal along with any additional related documents she submitted with it and the Commission may contact it needs any additional information. The letter advised Appellant that once the Commission staff finished reviewing her appeal, it would then prepare a draft order which would then be placed on the agenda of an upcoming Commission meeting. The letter advised Appellant that she had a right to request a hearing regarding her appeal before the Commission at whichever upcoming Commission meeting had her appeal on its’ agenda. At this meeting, the Commission will make a ruling on her appeal.
and then enter a final order, a copy of which will be provided to Appellant usually within a week of the Commission meeting.

Conclusions of Law

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

30. 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.

31. Commission Rule 34-8.215, F.A.C., defines "unusual circumstances" as follows:

uncommon, rare or sudden events over which the reporting individual has no control and which directly result in the failure to act in accordance with the filing requirement. Circumstances which allow for time in which to take those steps necessary to assure compliance with the filing requirement shall be deemed not to constitute unusual circumstances.

32. The original Notice of Assessment of Automatic Fine was delivered to the 300 Northwest 125th Street address on March 3, 2018 where it was received and signed for by Appellant's uncle. There is no proof that Appellant's uncle passed the Notice of Assessment of Automatic Fine onto Appellant and therefore there is no proof Appellant received notice that she had until April 2, 2018 to appeal her fine. Therefore, Appellant's appeal cannot fail for being untimely and shall proceed on its' merits.

33. The Notice of Delinquency the Miami-Dade County Supervisor of Elections sent to the 300 Northwest 125th Street address was received and signed for by an unidentified on July 6, 2017, so there is no proof Appellant ever saw it. Considering that there is also no proof that any of the Commission's attempted phone calls or emails to Appellant that were made prior to September 1st reached her, there is no confirmable proof that Appellant received any notice
regarding her 2016 financial disclosure form filing obligation prior to the grace period deadline. The likeliness of Appellant not receiving any form of notice regarding her financial disclosure filing obligation prior to the grace period deadline is also higher considering Appellant's claim that there are two 300 Northwest 125th Street, Miami, Florida addresses and sometimes mail meant for her is sent to the other address. Not receiving timely notice of her obligation to file a 2016 financial disclosure form prior the grace period deadline is the kind of unusual circumstance which justifies waiving Appellant's 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, March 8, 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.

Pegy Boule
300 Northwest 125th Street
North Miami, Florida 33168
This appeal came after Rathler contacted file during wilful
pre-investigation. Ms. Blake advises
that notices were not received and
filing was originally sent to the city.

FROM: VIRGINIA, CHRIS, GRAY, CAROLINE, LANE, BANK, BOB, KEITH; TOM, BEAU, TRAVIS, RON

KATHLEEN; EMILY, STACI, MILLIE, KERRIE, LYNN, FRANCES, JASON, ZAC

Commission on Ethics
CE Form 10 (Rev. 1994)
STATE OF FLORIDA
COMMISSION ON ETHICS
325 John Knox Road
Building E, Suite 200
Tallahassee, FL 32303
Telephone: (850) 488-7864
Fax: (850) 488-3077
Email: disclosure@leg.state.fl.us

APPEAL OF AUTOMATIC FINE FOR FORM YEAR 2016

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

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PART A: YOUR INFORMATION

Name: Peggy Boule

Address: 300 Nw 125th St
City: North Miami
State: FL
Zip: 33168

Daytime Tel.: ____________________________ Cell: 786 380 9253

Email: pegyboule@hotmail.com

Filer ID# (if known): ____________________________

Public Employer: North Miami (NA)

Public Position: N/A (no longer on a board) → Board of Adjustment/Pennington Commission

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, 2016 (Explain in Part C and provide confirmation from agency that your office-holding/employment ended before 12/31/2016)

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.

Greetings, I am appealing for the following reasons: Lack of notification and other unusual circumstances. During the summer months of the year in question, I was in my financial disclosure form in our city clerk's office and they misplaced it. An employee from the clerk's office called the Ethics Commission after I made them aware of my concern. She admitted what they had done and apologized. She was working to rectify the matter. Nonetheless, it did not happen. To boot, my father passed away, my mother was hospitalized, my son had a very sick (chronic kidney failure) and my mother suffered a massive stroke (I am caring for her). Since the application year, I have suffered many hardships that has further affected this process. To make matters worse, there are two 300 E 25th Street (with the exception of 50) open times we have received their mail and theft. Our mail was returned and not delivered. Please consider these circumstances as I am a single mother caring for my sick and stroke ridden sister.

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.

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.

12/12/18

SIGNATURE
IMPORTANT: ENCLOSED AND MUST BE FILED BY JULY 3, 2017 YOUR ANNUAL DISCLOSURE FORM IS ADDRESS SERVICE REQUESTED

Miami, Florida 33132-1550
P.O. Box 221550
Financial Disclosure Section
 Supervisor of Elections
 Miami-Dade County
 2016 TAX YEAR (S)
Memorandum

To: Local Officer

From: Christina White
Supervisor of Elections

Subject: State Financial Disclosure Filing Requirement for the 2016 Tax Year

The position you held in 2016 was determined to be one that requires the filing of a financial disclosure form. According to Florida Statute 112.3145, the enclosed Form 1, Statement of Financial Interests (2016), must be filed with the Elections Department by Monday, July 3, 2017 to satisfy your financial disclosure filing requirement for the 2016 tax year.

Persons serving as of December 31, 2016 are required to file this year. If you left the position in 2016, you are required to file a Form 1F covering the portion of 2016 you served. If you left the position in 2017, you are required to file a Form 1 for 2016 and a Form 1F for the portion of 2017 you served. See the Form 1 instructions for more information, and additional forms may be downloaded on the Elections Department website at www.miamidade.gov/elections/disclosure.

The Elections Department is the records custodian for these forms. Please do not file this form with the Florida Commission on Ethics in Tallahassee. As such, kindly send your completed and signed financial disclosure form 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 33152-1550. A business reply envelope has been provided for your convenience.

Please note the following:

- You can check receipt of your financial disclosure form on the Miami-Dade Elections Department website at www.miamidade.gov/elections/disclosure.

- Persons who fail to file the appropriate financial disclosure form in a timely manner will be subject to automatic fines of $25 for each late day, up to $1,500.

- If your home address is exempt from public records, please provide your office or other address.

Instructions for completing this form are included. Additional questions on how to complete this form should be directed to the Florida Commission on Ethics at 800-262-8824. If you have questions regarding the distribution or collection of this form, please contact Carmen Bofill, Miami-Dade Financial Disclosure Coordinator, at 305-499-8413 or via email at financial.disclosures@miamidade.gov.

If you think you have received this notification 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 Ms. Bofill at the number above or view the coordinator list provided on the Commission on Ethics' website at http://www.ethics.state.fl.us.

Enclosures
**FORM 1**

**STATEMENT OF FINANCIAL INTERESTS**

**LAST NAME -- FIRST NAME -- MIDDLE NAME:**

**BOULE, PEGGY**

**MAILING ADDRESS:**

**300 NW 125TH ST**

**CITY:**

**ZIP:**

**COUNTY:**

**NORTH MIAMI, FL 33168 MIAMI-DADE**

**NAME OF AGENCY:**

**NORTH MIAMI, BOARD OF ADJUSTMENT**

**NAME OF OFFICE OR POSITION HELD OR SOUGHT:**

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**CHECK ONLY IF ☐ CANDIDATE OR ☐ NEW EMPLOYEE OR APPOINTEE**

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

**DISCLOSURE PERIOD:**

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

- ☐ DECEMBER 31, 2016
- ☐ SPECIFY TAX YEAR IF OTHER THAN THE CALENDAR YEAR:_______

**MANNER OF CALCULATING REPORTABLE INTERESTS:**

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

- ☐ COMPARATIVE (PERCENTAGE) THRESHOLDS
- ☐ DOLLAR VALUE THRESHOLDS

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

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

<table>
<thead>
<tr>
<th>NAME OF SOURCE OF INCOME</th>
<th>SOURCES ADDRESS</th>
<th>DESCRIPTION OF THE SOURCE'S PRINCIPAL BUSINESS ACTIVITY</th>
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**PART B -- SECONDARY SOURCES OF INCOME** [Major customers, clients, and other sources of income to businesses owned by the reporting person - See instructions]

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

<table>
<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>
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**PART C -- REAL PROPERTY** [Land, buildings owned by the reporting person - See instructions]

(If you have nothing to report, write "none" or "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.
IMPORTANT:
YOUR ANNUAL DISCLOSURE FORM IS
ENCLOSED AND MUST BE FILED BY SEPTEMBER 1, 2017

USPS CERTIFIED MAIL

9214 8901 3855 2800 7232 67

PEGGY BOULE
300 NW 125TH STREET
MIAMI, FL 33168
To: Local Officer

From: Christina White  
Supervisor of Elections

Subject: Notice of Delinquency - Financial Disclosure Filing Requirement for the 2016 Tax Year

The position you held in 2016 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 3, 2017. 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 Friday, September 1, 2017 to file your originally signed and dated Form 1 for the 2016 tax year with our office.

If your Form 1 is not received by September 1, 2017, 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. If the Commission finds that you have failed to timely file your financial disclosure form within 60 days after the September 1, 2017 extension, you will also be subject to penalties provided in Florida Statute 112.317.

Please note that persons serving as of December 31, 2016 are required to file this year. If you left the position in 2016, you are required to file a Form 1F 2016 covering the portion of 2016 you served. If you left the position in 2017, you are required to file a Form 1 for 2016 and a Form 1F 2017 for the portion of 2017 you served. Also, if your home address is exempt from public records, please provide your office 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, originally 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 Bofill, 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 Bofill at the number above or view the coordinator list provided on the Commission on Ethics’ website at http://www.ethics.state.fl.us.

Enclosures
FORM 1
STATEMENT OF
FINANCIAL INTERESTS

2016

FOR OFFICE USE ONLY:

LAST NAME – FIRST NAME – MIDDLE NAME:

BOULE, PEGGY

MAILING ADDRESS:

300 NW 125TH STREET

CITY:

ZIP:

COUNTY:

MIAMI, FL 33168

MIAMI-DADE

NAME OF AGENCY:
NORTH MIAMI, BOARD OF ADJUSTMENT

NAME OF OFFICE OR POSITION HELD OR SOUGHT:

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

CHECK ONLY IF ☐ CANDIDATE OR ☐ NEW EMPLOYEE OR APPOINTEE

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

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

☐ DECEMBER 31, 2016 OR ☐ SPECIFY TAX YEAR IF OTHER THAN THE CALENDAR YEAR:

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

☐ COMPARATIVE (PERCENTAGE) THRESHOLDS OR ☐ DOLLAR VALUE THRESHOLDS

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

<table>
<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>
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</tr>
</tbody>
</table>

PART B -- SECONDARY SOURCES OF INCOME
[Major customers, clients, and other sources of income to businesses owned by the reporting person - See instructions]
(If you have nothing to report, write "none" or "n/a")

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

PART C -- REAL PROPERTY [Land, buildings owned by the reporting person - See instructions]
(If you have nothing to report, write "none" or "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.
### Miami Dade County Elections Department

**Financial Disclosure Details**

<table>
<thead>
<tr>
<th>Tax Year</th>
<th>Name</th>
<th>FD#</th>
<th>ID#</th>
<th>Filing Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>Boule Peggy</td>
<td>FD022544</td>
<td>258370</td>
<td>Not Filed-Not Filed</td>
</tr>
</tbody>
</table>

#### Mailing Activity

<table>
<thead>
<tr>
<th>Mail Date</th>
<th>Address Mailed to</th>
<th>Correspondence</th>
<th>Certified</th>
<th>Delivered</th>
<th>Tracking#</th>
</tr>
</thead>
<tbody>
<tr>
<td>05/30/2017</td>
<td>300 NW 125TH STREET, MIAMI, FL 33168</td>
<td>FIRST FINANCIAL DISCLOSURE MAILING</td>
<td>N</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>07/03/2017</td>
<td>300 NW 125TH STREET, MIAMI, FL 33168</td>
<td>SECOND FINANCIAL DISCLOSURE MAILING</td>
<td>Y</td>
<td>T</td>
<td>9214 8901 3655 2800 7232 67</td>
</tr>
</tbody>
</table>

#### Email Activity

<table>
<thead>
<tr>
<th>Email Date</th>
<th>Email Subject</th>
<th>Email Address</th>
</tr>
</thead>
</table>

#### Filing Activity

<table>
<thead>
<tr>
<th>Form Name</th>
<th>Filed Date</th>
<th>Valid</th>
<th>Comments</th>
<th>County</th>
<th>Date Filed in County</th>
</tr>
</thead>
</table>

#### Communication

<table>
<thead>
<tr>
<th>Type</th>
<th>Date</th>
<th>Comments</th>
</tr>
</thead>
</table>

---

FD_PRINT_ACTIVITY_SAZ  
Page 1 of 1  
Run Date: 11/15/2017
Date Produced: 07/10/2017

MIAMI DADE COUNTY COMMISIONERS:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 3855 2800 7232 67. Our records indicate that this item was delivered on 07/06/2017 at 09:20 a.m. in MIAMI, FL 33168. The scanned image of the recipient information is provided below.

Signature of Recipient:

[Signature]

Address of Recipient:

[Address]

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.

Customer Reference Number: C453259.2886698
USPS Tracking® Results

Track Another Package +

Tracking Number: 9214890138552800723267

Delivered

Product & Tracking Information

Postal Product: First-Class Mail®
Features: Certified Mail™

See Available Actions

<table>
<thead>
<tr>
<th>DATE &amp; TIME</th>
<th>STATUS OF ITEM</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 6, 2017, 9:20 am</td>
<td>Delivered, Left with Individual</td>
<td>MIAMI, FL 33168</td>
</tr>
</tbody>
</table>

Your item was delivered to an individual at the address at 9:20 am on July 6, 2017 in MIAMI, FL 33168.

July 1, 2017, 9:11 pm  Departed USPS Regional Facility  OPA LOCKA FL DISTRIBUTION CENTER

July 1, 2017, 1:52 am  Arrived at USPS Regional Facility  OPA LOCKA FL DISTRIBUTION CENTER

https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tLc=2&text28777=&tLab...  10/10/2017
DATE & TIME
July 1, 2017, 12:37 am

STATUS OF ITEM
Accepted at USPS Origin Facility

LOCATION
MIAMI, FL 33128

Available Actions

Return Receipt Email

Can’t find what you’re looking for?
Go to our FAQs section to find answers to your tracking questions.

FAQs (http://faq.usps.com/?articleId=220900)
BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In re Peggy Boule
Planning Commission
Board Of Adjustment
North Miami

PID#: 258370

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 2016 CE Form 1, Statement Of Financial Interests. Under the law, your 2016 CE Form 1, Statement of Financial Interests, was due by July 3, 2017. The law provided for a penalty-free grace period extending the due date to September 1, 2017. 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 2016 CE Form 1 has not been filed with the Supervisor of Elections for Miami-Dade County within the 60 days of the grace period date (September 1, 2017), 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.

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 April 2, 2018.

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, 2017, 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, 2016:** confirmation of your last date of office or employment by your former agency, showing the last date to be before December 31, 2016; 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:

Peggy Boule  
300 Nw 125th St  
North Miami, FL 33168-3650  

by Certified Mail on this Thursday, March 01, 2018.

/Kimberly R. Holmes/  
Program Administrator

Florida Commission on Ethics  
P. O. Drawer 15709  
Tallahassee, FL 32317-5709  
-or-  
Florida Commission on Ethics  
325 John Knox Road, Building E, Ste. 200  
Tallahassee, FL 32303  

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

Recipient Address
PEGGY BOULE
300 NW 125TH ST
NORTH MIAMI, FL 33168-3650

Record / Case Number:
258370

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

Entry Point ZIP:
32317

Mail Piece Information

Tracking Number: 92148901066154000120241525
Date Created: 03/01/2018 12:21:05 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: PEGGY BOULE
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 01, 2018, 12:21:05 PM, TALLAHASSEE,FL 32317
Pre-Shipment Info Sent To Usps, Usps Awaiting Item, March 01, 2018, 12:00:00 AM
Pre-Shipment Info Sent Usps Awaits Item, March 01, 2018, 11:41:00 AM, TALLAHASSEE,FL 32317
Accepted At Usps Origin Facility, March 01, 2018, 10:18:00 PM, TALLAHASSEE,FL 32317
Origin Acceptance, March 01, 2018, 10:18:00 PM, TALLAHASSEE,FL 32317
Arrived At Usps Regional Origin Facility, March 01, 2018, 11:33:00 PM
Processed Through Usps Facility, March 01, 2018, 11:33:00 PM, TALLAHASSEE,FL 32301
Departed Usps Regional Facility, March 02, 2018, 04:18:00 AM
Depart Usps Facility, March 02, 2018, 04:18:00 AM, TALLAHASSEE,FL 32301
Arrived At Usps Regional Destination Facility, March 02, 2018, 07:22:00 PM
Processed Through Usps Facility, March 02, 2018, 07:22:00 PM, MIAMI,FL 33152
Delivered, Left With Individual, March 03, 2018, 09:46:00 AM, MIAMI,FL 33168
Date: April 18, 2018

MAIL MAIL:

The following is in response to your April 18, 2018 request for delivery information on your Certified Mail™/RRE item number 92148901066154000120241525. The delivery record shows that this item was delivered on March 3, 2018 at 9:46 am in MIAMI, FL 33168. The scanned image of the recipient information is provided below.

Signature of Recipient:

[Signature]

Address of Recipient:

[Address]

Thank you for selecting the Postal Service for your mailing needs.

If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,
United States Postal Service

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: 92148901066154000120241525
258370
PEGGY BOULE
300 NW 125th St
North Miami, FL 33168-3650
FINAL NOTICE OF ASSESSMENT OF AUTOMATIC FINE FOR FAILURE TO TIMELY FILE FORM 1, STATEMENT OF FINANCIAL INTERESTS

TO: Peggy Boule 258370
North Miami
Board Of Adjustment

FROM: Kimberly R. Holmes, Program Administrator

DATE: May 14, 2018

On March 1, 2018, we notified you that your Form 1, Statement of Financial Interests, for the year 2016 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 June 14, 2018 (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. In addition, by law, the Commission on Ethics must initiate investigations of delinquent filers in certain circumstances. This can result in your being removed from your public office or employment. See Section 112.3145(8)(c), Florida Statutes.

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

Peggy Boule 258370
300 Nw 125th St
North Miami FL 33168 -3650

By United States Mail on this Monday, May 14, 2018.

Kimberly R. Holmes
Program Administrator
NOTIFICATION OF ISSUANCE OF DEFAULT FINAL ORDER

TO: Peggy Boule 258370 Planning Commission North Miami Board Of Adjustment FROM: Kimberly R. Holmes, Program Administrator

DATE: September 12, 2018

Enclosed is an Order issued by the Commission on Ethics at its meeting on September 7, 2018.

If you do not pay the assessed fine by October 15, 2018 (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 Peggy Boule, )
) 2016 CE Form 1
) 
) }

DEFAULT FINAL ORDER

This matter comes before the Commission on Ethics for the failure of Peggy Boule to pay the assessed fine. Pursuant to Section 112.3145(7)(f), 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. Peggy Boule, North Miami, Board Of Adjustment, was on the list of persons required to file a Statement of Financial Interests for the year 2016.

2. Pursuant to Section 112.3145(7)(f), Florida Statutes, Peggy Boule was mailed a copy of the 2016 CE Form 1 no later than June 1, 2017, and was mailed a delinquency notice by certified mail no later than July 31, 2017. Additional attempts to contact Peggy Boule were also made by Commission staff.

3. However, Peggy Boule did not file a 2016 CE Form 1 by the designated due date. Peggy Boule 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 Peggy Boule.

4. More than 60 days have elapsed since the notice of payment due was transmitted without Peggy Boule 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. Peggy Boule’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(7) and 112.31455, Florida Statutes, the Commission on Ethics shall attempt to determine whether Peggy Boule 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 North Miami, as appropriate, for withholding of salary until the debt is satisfied.

9. If Peggy Boule 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 Peggy Boule 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(7) and 112.31455, Florida Statutes.

ORDERED by the State of Florida Commission on Ethics meeting in public session on September 7, 2018.
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:

Peggy Boule
300 Nw 125th St
North Miami FL 33168 -3650

GWN/kh

cc: Gerdie Genosier
**FORM 1**

**STATEMENT OF FINANCIAL INTERESTS**

**2016**

**FOR OFFICE USE ONLY:**

**PROCESSED**

**RECEIVED**

**JAN 09 2018**

**CITY OF NORTH MIAMI**

**CITY CLEER OFFICE**

**FLORIDA COMMISSION ON ETHICS**

**JUN 20 2018**

**RECEIVED**

**LAST NAME -- FIRST NAME -- MIDDLE NAME:**

*Coyle, Chris*

**MAILING ADDRESS:**

*300 NW 125th Street*

*North Miami Beach, Flade*

**CITY:**

**ZIP:**

**COUNTY:**

**NAME OF AGENCY:**

*Board of Adjusters Planning Commission*

**NAME OF OFFICE OR POSITION HELD OR SOUGHT:**

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

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

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

**DISCLOSURE PERIOD:**

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

- [ ] DECEMBER 31, 2016
- [ ] 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 REQUIRE 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
- [ ] DOLLAR VALUE THRESHOLDS

**PART A -- PRIMARY SOURCES OF INCOME**

(Major sources of income to the reporting person - See Instructions)

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

<table>
<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>City of Miami</td>
<td>3500 Pan American Rd</td>
<td></td>
</tr>
<tr>
<td>Kendall Farms</td>
<td>10501 Pine Blvd.</td>
<td></td>
</tr>
<tr>
<td>Pines</td>
<td>Pembroke Pines Fl, 33024</td>
<td></td>
</tr>
</tbody>
</table>

**PART B -- SECONDARY SOURCES OF INCOME**

(Major customers, clients, and other sources of income to businesses owned by the reporting person - See Instructions)

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

<table>
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<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><em>none</em></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**PART C -- REAL PROPERTY**

(Land, buildings owned by the reporting person - See Instructions)

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

*none*
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 # 1

BUSINESS ENTITY # 2

PART E — LIABILITIES [Major debts - See instructions]

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

NAME OF CREDITOR

P.O. Box 9533

ADDRESS OF CREDITOR

Niles - Barrie, De. 6778-95 52

PART F — INTERESTS IN SPECIFIED BUSINESSES [Ownership or positions in certain types of businesses - See instructions]

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

NAME OF BUSINESS ENTITY

BUSINESS ENTITY # 1

BUSINESS ENTITY # 2

ADDRESS OF BUSINESS ENTITY

PRINCIPAL BUSINESS ACTIVITY

POSITION HELD WITH ENTITY

I OWN MORE THAN A 5% INTEREST IN THE BUSINESS

NATURE OF MY OWNERSHIP INTEREST

PART G — TRAINING

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

☐ I CERTIFY THAT I HAVE COMPLETED THE REQUIRED TRAINING.

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

SIGNATURE OF FILER:

Signature: 

Date Signed: 1/9/2017

WHAT TO FILE:

After completing all parts of this form, including signing and dating it, send back only the first sheet (pages 1 and 2) for filing.

If you have nothing to report in a particular section, write "none" or "n/a" in that section(s).

NOTE:

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.

Facsimiles will not be accepted.

WHERE TO FILE:

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.

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.)

State officers or specified state employees file with the Commission on Ethics, P.O. Drawer 15709, Tallahassee, FL 32317-5709; physical address: 325 John Knox Road, Building E, Suite 200, Tallahassee, FL 32303.

Candidates file this form together with their qualifying papers.

To determine what category your position falls under, see page 3 of instructions.

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, 2016.
December 21, 2018

Peggy Boule
300 Nw 125th St
North Miami FL 33168 -3650

RE: In re Peggy Boule 258370, Financial Disclosure Appeal No.: FD 17-135

The Commission has received your appeal. We will send all future correspondence in this matter to you at the above-listed address unless you notify us of a change in your address.

The following information is to help you understand the process your appeal will follow. Please note: If you are currently being investigated for willfully failing to file financial disclosure, your appeal may not be heard until that process is complete. If we received your appeal more than 30 days after we sent you the notice of your right to appeal, it may be denied on that basis. Otherwise, the following will apply:

Initially, Commission staff will review your appeal and any documentation you submitted. We may contact you for more information. A draft order will then be prepared and agendaeed for a Commission meeting. The Commission meets approximately every six weeks. How soon your appeal will be heard depends on a number of things, including when it was received and the Commission’s workload. If you requested a hearing before the Commission when you filed your appeal, you will be provided with a copy of the draft order and will be notified of the date and time at which your appeal will be heard. At this meeting, the Commission will rule on your appeal. A final order will be entered and provided to you, usually within a week of the Commission meeting. If the fine is not waived, we will consider flexible payment options.

If you have any questions about this appeal or the appeal process, please feel free to contact me.

Sincerely,

Kimberly R. Holmes
Program Administrator
The filer has fines for: **2017 (Appeal)**

### 2017 Fines and Appeals

#### Form Year 2016 Filed Forms

<table>
<thead>
<tr>
<th>Received Date</th>
<th>Form Type</th>
<th>Form Signed</th>
<th>Filed by Email</th>
<th>Filing Location</th>
<th>Updated</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>06/20/18</td>
<td>Form 1</td>
<td>Yes</td>
<td>No</td>
<td>SOE</td>
<td>CAROLYN1 on 06/20/2018</td>
<td>Received by COE on behalf of Miami-Dade Supervisor of Elections</td>
</tr>
</tbody>
</table>

#### 2017 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>2/28/2018</td>
<td>$1,500.00</td>
<td>$1,500.00</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Fine Address**: 300 Nw 125th St North Miami FL 33168-3650

**Org/Suborg**: North Miami-Board Of Adjustment

#### 2017 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>2/28/2018</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

### 2017 Fine Year Event

**Chronology**

- **08/18/2017 Postcard Sent**: Courtesy Postcard Reminder

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http://fdms/admin/protected/content/coe/filer_fines_appeals.cfm?filer_id=258370

2/19/2019
Letter Sent To:
Peggy Boule
300 NW 125th street
1125 NE 125th Street 33161
Miami, FL 33168

08/25/2017 Filer

Communication: Called work phone of 305-691-1291, and was told by a Ms. Conner that Peggy Boule has not work at this office since June 2016. Ms. Conner said that she took Ms. Boule's place. I did not ask Ms. Conner if she is at the North Miami-Board of Adjustment or the North Miami-Planning Commission which are the entities that qualify Ms. Boule to file the Form 1. Ms. Conner did not have a home phone number available for Ms. Boule.

Communication: Called Peggy Boule at 786-380-9253 which is listed as her home number. The voice mail does not mention a name, only the phone number 786-380-9253. I left a message explaining the 25 dollar fine starting September 1. I told her to please call back if she had any questions. Told her to file the form with the Miami-Dade SOE.

Communication: pegyboule@hotmail.com Ms. Peggy Boule, Our records reflect that you have not filed your 2016 Form 1 Statement of Financial Interests. The grace period for filing ends September 1, 2017, and we are contacting you as a courtesy to file your form. You are required to file due to your participation with the North Miami-Board of Adjustment, and North Miami-Planning Commission. The Financial Disclosure Coordinator for these groups, Stephanie Thomas, 305-893-6511, has you listed as required to file the form. If you have left both boards contact Ms. Thomas and have her tell our office, Florida
Commission on Ethics, that you are no longer on the boards, if that applies. If you were on the Board through December 31, 2016, you are required to file the 2016 Form 1. If you left the Boards, you have to file a Form 1F. It is best that you call us if you are not clear on what you are supposed to file so we can advise you, Florida Commission on Ethics, 850-488-7864. Pursuant to state law, failure to file the 2016 Form 1 on or before September 1st will result in an automatic fine of $25 for each day late, up to the maximum amount of $1,500 (60 days late). If you file more than 60 days late and a complaint is filed against you, you may also be subject to additional penalties that include removal from your public position and a civil penalty of up to $10,000. Additionally, if a public official or employee fails or refuses to file a financial disclosure form and receives the maximum fine ($1,500), the Commission shall automatically investigate and conduct a public hearing to determine whether the person's failure to file was willful. If the failure to file is found to be willful, the Commission must enter an order recommending that the office/employee be removed from his or her position. Please file with the Miami-Dade County Supervisor of Elections Office by September 1st to avoid any fines. I trust that you will address filing your Form promptly.

Letter Sent To:
Peggy Boule
300 NW 125th street
1125 NE 125th Street 33161
Miami, FL 33168
Ms. Boule called regarding her potential fine. Kim Holmes

She advised that she is no longer on the boards and left last year. I explained that the 2016 Form 1 was due in 2017 by virtue of her membership on the boards as of December 31, 2016. She stated that she filed the 2016 several times with North Miami and the Miami-Dade County SOE office. I advised her to contact the SOE office as according to the records they provided to our office, she did not file. She stated that she will contact them to check their records.

From: Castellanos, Ramon (Elections) [mailto:Ramon.Castellanos2@miamidade.gov]
Sent: Monday, January 08, 2018 3:32 PM To: Holmes, Kim Cc: Financial Disclosures (Elections) Subject: RE: Peggy Boule Hi Kim, Happy New Year! No, she just called me and I told her that we never received it. She advised me that she gave the completed form to the coordinator. I told her to check with the coordinator and see. That upon receipt, we would notify you re the fines. Thank you, Ramon Castellanos Jr Elections Supervisor, Records Management Unit 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' From: Holmes, Kim [mailto:HOLMES.KIM@leg.state.fl.us] Sent: Monday, January 08, 2018 3:30 PM To: Castellanos, Ramon (Elections) Cc: Financial Disclosures (Elections) Subject: Peggy Boule Hi Ramon & Happy New Year! Do you have a 2016 Form 1 on file for Peggy Boule? Ms. Boule contacted our office advising that she filed the 2016 Form 1 with your office. She is on the list as being a non-filer. Thanks, Kim

Fined $1500.00

Journal:
2/28/2018
03/1/2018 Notice of Initial Fine Notice
Assessed Fine

Journal: 3/1/2018 11:07 AM

03/1/2018 Letter Sent Notice of Assessed Fine - Filer 1st Fine Letter
Print
Queue: 3/1/2018
Printing
Confirmed: 3/1/2018

Letter Sent To:
Peggy Boule
300 Nw 125th St
North Miami, FL 33168-3650

05/14/2018 Final Notice of 2nd Fine Notice
Assessed Fine

Journal: 5/14/2018 10:12 AM

05/14/2018 Letter Sent Final Notice of Assessed Fine - Second Fine Notice
Print
Queue: 5/14/2018
Printing
Confirmed: 5/14/2018

Letter Sent To:
Peggy Boule
300 Nw 125th St
North Miami, FL 33168-3650

05/21/2018 Filer Communication: Cheryl phoned on filer behalf trying to figure
Phone out what has happened/said she did file her
form with their office (City Clerk) January of
2018 thinks Miami-Dade should have copy.
Going to speak with filer and they will call
back. Told her to email me the form.

Emily Prine

06/19/2018 Filer Communication: Ms. Boule called regarding her fine. She
Phone stated that she had given her form to the
City Clerk as they are told to file with the
City Clerk's office and then they forward to
the SOE. She stated that the city clerk
acknowledged that her form was misplaced
during transition of employees. The City
Kim Holmes
Clerk will send documentation stating the error. Ms. Boule also requested that the letters mailed regarding the fine be emailed to pegyboule@hotmail.com.

From: Holmes, Kim Sent: Tuesday, June 19, 2018 2:49 PM To: 'pegyboule@hotmail.com'
Subject: Financial Disclosure Fine Ms. Boule,
Per your request, see attached. If you have any questions or need further assistance, please do not hesitate to contact me.
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

Form Received By: Kim Holmes
Filing Location: Miami-Dade County SOE
Record Created By: Carolyn Carbonell on 06/20/2018

Collection Order Notice

Journal:
8/20/2018
8:52 AM

Print Queue:
9/12/2018
Printing
Confirmed:
9/12/2018

Letter Sent To:
Peggy Boule
300 Nw 125th St
10/15/2018 Filer Email

Good Afternoon Ms. Boule, Please be advised that you currently have a $1,500 fine for the late filing of your Financial Disclosure Form 1 for the year 2016. You can pay this fine one of two ways, online or by mail. To pay online, please go to www.flageistore.com, click “Pay Fines” and type in your PID 258370. Only Visa, MasterCard, and Discover are accepted. To pay by mail, please send in a check for $1,500 made payable to Florida Commission on Ethics, P.O. Drawer 15709, Tallahassee, FL 32317-5709. If you would like to set up a payment plan instead, please call or email me back for details. If you have any other questions, please do not hesitate to ask.

Diana Westberry

11/13/2018 Filer Phone

Message left for me by Ms. Boule to call on November 9th, returned her call and left her a message to call me back.

Kim Holmes

11/13/2018 Filer Other

The 2016 Form 1 received in our office on June 20, 2018, was erroneously recorded by COE staff as a 2017 Form. Form year corrected.

Kim Holmes

11/13/2018 Filer Email

From: pegy boule Sent: Tuesday, November 13, 2018 11:14 AM To: Holmes, Kim Subject: Appeal Request Good morning Kimberly, Please let this email serve as a request to appeal the fine assess to me for year 2016. Kind Regards, Pegy Boule

Kim Holmes

11/13/2018 Filer Email

From: Holmes, Kim Sent: Tuesday, November 13, 2018 4:10:13 PM To: pegy boule Subject: RE: Appeal Request Good Afternoon Ms. Boule, Please email your reason for appeal. For your convenience, I have attached another appeal form if you cannot locate. 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

Kim Holmes
John Knox Road Building E, Suite 200
Tallahassee, FL 32303 From: pegy boule
Sent: Tuesday, November 13, 2018 11:14 AM
To: Holmes, Kim Subject: Appeal Request
Good morning Kimberly, Please let this email
serve as a request to appeal the fine assess
to me for year 2016. Kind Regards, Pegy
Boule

11/14/2018 Filer From: pegy boule Sent: Wednesday,
Communication: November 14, 2018 11:23 AM To: Holmes,
Email Kim Subject: Re: Appeal Request Good
afternoon Kim, I am in a workshop all day
and an evening session after that. I will
submit it by tomorrow. Kind Regards, Pegy
Boule

12/3/2018 Filer From: Holmes, Kim Sent: Monday, December
Communication: 03, 2018 3:56 PM To: 'pegy boule' Subject:
Email RE: Appeal Request Good Afternoon Ms.
Boule, According to our records, your appeal
has not been received. If you are planning to
appeal, please submit your appeal by the
close of business on December 13, 2018. If
you have any questions, do not hesitate to
contact me. 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

12/4/2018 Filer From: pegy boule Sent: Tuesday, December
Communication: 04, 2018 5:11 PM To: Holmes, Kim Subject:
Email Re: Appeal Request Good afternoon Ms.
Holmes, My apologies, my sister is back in
the hospital and I have not been able to sit
down and write the appeal letter. I will set
aside sometime between today and
tomorrow and submit it to you. My apologies
again. Kind Regards, Pegy

12/13/2018 Fine Appeal FD 17-135

12/13/2018 Filer Collection order rescinded.
Communication:
Other

12/21/2018 Letter Sent   Fine Appeal

Print
Queue:
12/21/2018
Printing
Confirmed:
12/21/2018

Letter Sent To:
Peggy Boule
300 NW 125th St
North Miami, FL 33168-3650

2017 Fine Appeal –
FD 17-135

Appeal Status:
Active
Appeal Receipt
Date: 12/13/2018
Timely Filed: No
Print Appeal Letter:
Yes
Hearing Requested:
No
Appeal Reason: Lack
of Notification, Other

Appeal Notes:
Appeal Number: FD 17-135
Appeal Analyst Assigned:
Final Order Number:
Final Order Date: