

BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In re BARRY RADOLAN,)	Financial Disclosure Appeal No. FD 19-090
)	
Appellant.)	Final Order No.
)	

FINAL ORDER

This matter came before the Commission on Ethics, on its own motion, meeting in public session on April 22, 2022, in the matter of Barry Radolan, pursuant to Section 112.3145(8)(g), Florida Statutes, which assesses an automatic fine of \$25 per day on a person who fails to timely file a required CE Form 1, Statement of Financial Interests. The Commission may waive the fine in whole or in part for good cause shown, based on "unusual circumstances" surrounding the failure to file by the designated date. There are no matters in dispute. Appellant did not request a hearing before the Commission.

Findings of Fact

1. According to the information provided to the Commission, Appellant served as a the Chair of the FRERC Community Development District's Board of Supervisors, a position that requires the filing of a CE Form 1, Statement of Financial Interests, for the year 2018. In 2019, the designated due date for submitting a 2018 CE Form 1 annual filing was July 1, 2019, with a grace period ending on September 3, 2019.

2. No later than June 1, 2019, the Orange County Supervisor of Elections sent Appellant—who, at the time, was residing in Orange County—a 2018 CE Form 1.

3. On July 30, 2019, the Orange County Supervisor of Elections sent Appellant a Notice of Delinquency by certified mail. The Supervisor's records indicate the Notice was sent to

Appellant at 7380 West Sand Lake Road, Suite 395, Orlando, Florida, and that it was returned, marked "Not Deliverable As Addressed" and "Unable to Forward."

4. On August 19, 2019, the Commission on Ethics mailed Appellant a postcard intended to remind him of his obligation to file a 2018 CE Form 1. The Commission mailed the postcard to Appellant at the 7380 West Sand Lake address.

5. On September 6, 2019, the Commission sent Appellant a courtesy notice that fines had begun to accrue. The notice was sent to the same 7380 West Sand Lake address.

6. The Commission sent Appellant a Notice of Assessment of Automatic Fine by certified mail on July 19, 2021. Because the Commission had learned Appellant was now residing in Brevard County, the mailing was sent to a new address – 3060 North Atlantic Avenue, Unit 508, Cocoa Beach, Florida. This mailing indicated the total of Appellant's accrued automatic fine, and included a notice of the right to appeal the fine, stating that the appeal had to be received by the Commission by August 18, 2021, to be timely. The mailing was returned to the Commission without having been delivered to Appellant.

7. The total amount of the automatic fine levied against Appellant was \$1500.

8. On September 20, 2021, following the expiration of the appeal period, a second and final Notice of Assessment of Automatic Fine was sent to Appellant. The Notice was again sent to the 3060 North Atlantic Avenue address.

9. On October 27, 2021, Appellant contacted the Commission and indicated he had just returned from Canada and received the notices regarding the fine. He informed a Commission representative that he had timely filed the 2018 CE Form 1 with the Supervisor of Elections' Office.

10. Subsequently, the Commission entered a default final order on December 8, 2021, imposing the \$1,500 fine.

11. Appellant then paid the entirety of his \$1,500 fine on January 19, 2022, and submitted his 2018 CE Form 1 to the Brevard County Supervisor of Elections' Office on January 24, 2022.

12. Following the payment of the fine, on February 9, 2022, Appellant again emphasized to a Commission representative that he had timely filed his 2018 CE Form 1, and that he did not receive timely notice of his right to appeal the \$1,500 fine. Appellant was then given thirty days to file an appeal concerning the fine.

13. On March 3, 2022, the Commission received Appellant's Appeal of Automatic Fine for Form Year 2018.¹ In the appeal, Appellant asserts in a notarized statement that he timely completed and returned his 2018 CE Form 1 in 2019. He further states he was unaware the Form was not "on record" until October 2021. Moreover, he indicates he did not receive timely notice of his right to appeal, and only received letters regarding his fine in December 2021, which was after the appeal window had closed.

Conclusions of Law

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

15. 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.

16. Section 112.3145(8)(g)3., Florida Statutes, states:

Any reporting person may appeal or dispute a fine, based upon unusual circumstances surrounding the failure to file on the designated due date, and may request and is entitled to a hearing

¹ The initial appeal was received by email, although—on March 14, 2022—Appellant submitted by mail the notarized statement that now accompanies his appeal.

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

17. Appellant was notified of his appellate rights on July 19, 2021, and informed that his appeal needed to be received by the Commission on or before August 18, 2021, in accordance with the 30-day appeal period allowed by Section 112.3145(8)(g)3., Florida Statutes. Appellant did not timely file an appeal. Appellant then filed his appeal on March 3, 2022, which was outside the 30-day window.

18. "An elementary and fundamental requirement of due process in any proceeding which is to be accorded finality is notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and to afford them an opportunity to present their objections." Mullane v. Cent. Hanover Bank, 339 U.S. 306, 314, 70 S.Ct.652, 94 L.Ed.865 (1950).

19. Appellant was provided notice of his appellate rights and of his opportunity to be heard, and did not timely file an appeal. However, it appears that Appellant did not timely receive the Notice of Appellate Rights sent on July 19, 2021, as this certified notice was returned to the Commission undelivered, and Appellant stated in a notarized statement that he did not receive any fine letters until December 2021. Moreover, he informed a Commission representative in October 2021 that he had "just returned" from an extended trip to Canada. As such, there is no evidence,

in this particular case, that Appellant personally received notice of his appellate rights before the expiration of the 30-day appeal period. For this reason, his appeal is accepted as timely filed.

20. Turning to the merits of Appellant's appeal, he claims he timely filed the 2018 CE Form 1 during 2019, and has attested to this in a notarized statement. While neither the Supervisor of Elections Office nor the Ethics Commission recorded receiving Appellant's 2018 Form 1 at any date prior to January 24, 2022, there is no evidence to dispute Appellant's claim. Appellant's credibility is buttressed by the fact that he called the Commission in late 2021, and, once informed that his disclosure had not been received, worked with the Commission and the Supervisor's Office to file the Form, handle the default order entered against him, and file his appeal. Considering the foregoing, it appears Appellant's basis for the appeal of his fine constitutes an "unusual circumstance" that justifies waiving the \$1,500 fine.

Order

Based on the foregoing facts and conclusions of law, the Commission hereby rescinds the Default Final Order entered on December 8, 2021, and waives the assessed fine of \$1,500.

ORDERED by the State of Florida Commission on Ethics meeting in public session on Friday, April 22, 2022.

Date Rendered

John Grant
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.

JG: gps

Mr. Barry Radolan
3060 N Atlantic Avenue
Unit 508
Cocoa Beach, FL 32931



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

277235
FLORIDA
COMMISSION ON ETHICS

MAR 14 2022

RECEIVED

APPEAL OF AUTOMATIC FINE FOR FORM YEAR 2018

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

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

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

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

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

PLEASE SEND YOUR COMPLETED FORM TO ONE OF THE FOLLOWING:

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

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

Fax: (850) 488-3077

Email: disclosure@leg.state.fl.us

PART A: YOUR INFORMATION

Name: Barry Radolan
Address: 3060 N Atlantic Ave #508 City: Cocoa Beach State: FL Zip: 32931
Daytime Tel.: 407-310-9575 Cell: 407-310-9575
Email: bf radolan@yahoo.com Filer ID# (if known): _____
Public Employer: _____
Public Position: Chair of FRERC Community Development District

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, 2018** (Explain in Part C and provide confirmation from agency that your office-holding/employment ended before 12/31/2018)
- e. ☐ **Other unusual circumstance** (Explain in Part C and provide documentation explaining uncommon, rare, or sudden occurrence that prevented timely filing prior to deadline)
- f. ☐ **Not required to file** (Explain in Part C and provide documentation that supports reason for not required to file)

PART C: DETAILED EXPLANATION OF YOUR APPEAL

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

See Attached

OPTIONAL REQUEST FOR HEARING

☐ In addition to this written appeal, I specifically request to appear before the Commission in a hearing pursuant to Section 112.3144(8)(f)3 or Section 112.3145(8)(g)3, Florida Statutes. Commission meetings occur in Tallahassee.

SIGNATURE

I have received and read the Notice of Assessment of Automatic Fine and its instructions on How to Appeal and I understand my options. I am requesting disposition of this matter as indicated.

03/03/2022
DATE

Be Radolan
SIGNATURE

Date: 03/10/2022

Barry Radolan

3060 N Atlantic Ave #508

Cocoa Beach FL 32931

To whom it may concern,

Please find for your review my revised appeal letter concerning my 2018 Financial Disclosure form.

My 2018 Financial Disclosure Form was filled out and returned on time in 2019.

I was informed by way of conversation in late Oct-Nov timeframe of 2021 that the 2018 Form was not on record.

It was a surprise to me and I mentioned I had sent in. I said I would research my records to see if I could find a copy. I was not successful in finding it.

I received a fine letter in December 2021 but do not recall receiving a right to appeal letter.

I have since then filled out another 2018 Financial Disclosure Form which you have on record.

In February 2022, I was emailed an appeal form which I am returning within the 30-day time limit.

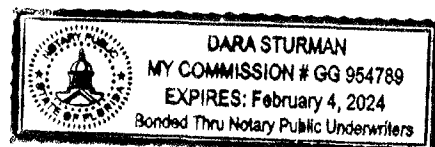
I respectfully ask that my fine be rescinded and payment be returned to me.

If you have any further questions, please call me at 407-310-9575 or email me at bfradolan@yahoo.com

Sincerely

Barry Radolan
Barry Radolan

State of Florida County of Brevard
The foregoing instrument was acknowledged before me
via ☒ physical presence OR ☐ online notarizations
this 10 day of March, 20 22.
By Barry Radolan
Personally known ☒ OR produced identification _____
Type of identification produced _____
Dara Sturman
NOTARY NAME HERE, Notary Public
My Commission Expires 2/4/2024





19-090 277235

**STATE OF FLORIDA
COMMISSION ON ETHICS**

325 John Knox Road
Building E, Suite 200
Tallahassee, FL 32303
Telephone: (850) 488-7864
Fax: (850) 488-3077
Email: disclosure@leg.state.fl.us

**FLORIDA
COMMISSION ON ETHICS**

MAR 03 2022

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Tallahassee, FL 32303

Fax: (850) 488-3077

Email: disclosure@leg.state.fl.us

PART A: YOUR INFORMATION

Name: Barry Radolan

Address: 3060 N Atlantic Ave #508 City: Cocoa Beach State: FL Zip: 32931

Daytime Tel.: 407-310-9575 Cell: 407-310-9575

Email: bfradolan@yahoo.com Filer ID# (if known): _____

Public Employer: _____

Public Position: Chair of FRERC Community Development District

CONTINUED ON REVERSE SIDE

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03/03/2022
DATE

Be Radolan
SIGNATURE

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Sincerely


Barry Radolan

03/03/2022

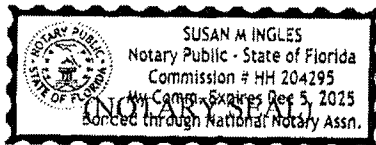
Notaries Statements

In an Individual Capacity:

Pursuant to Section 117.05(13)(a), Florida Statutes, the following notarial certificates is sufficient for an acknowledgment in an individual capacity.

STATE OF FLORIDA
COUNTY OF Brevard

The foregoing instrument was acknowledged before me this 3 day of March, 2022, by (Barry Rdolan).



Personally Known _____ OR Produced Identification X
Type of Identification Produce FLDL R34506653441.0

FLORIDA
COMMISSION ON ETHICS

NOV 15 2019

REC

2019 AUG 29 A 9:50

Florida Commission on Ethics
Financial Disclosure Notification System
Delinquency Certification

FLORIDA
COMMISSION ON ETHICS

NOV 15 2019

RECEIVED

I BILL COWLES, the Supervisor of Elections of
ORANGE County, hereby certify that each person whose PID number, name,
agency, and position appears above or on the attached list:

(1) was sent a notice of the July 1, 2019 financial disclosure deadline and a blank Form 1,
Statement of Financial Interests, not later than June 1, 2019;

(2) was determined to be delinquent in filing a Form 1, Statement of Financial Interests,
by July 1, 2019;

(3) was sent a delinquency notice by certified mail not later than July 31, 2019 advising
him or her of the grace period in effect until September 3, 2019; and of the penalties that
could be imposed as provided in Section 112.3145(7)(c), Florida Statutes; and

(4) did not file a Form 1, Statement of Financial Interests, until the date shown or, had not
filed a Form 1, Statement of Financial Interests by November 2, 2019; and further

(5) that the date of filing shown is based upon the earliest of the following:

- (a) when the Form 1 was actually received by my office;
- (b) when the Form 1 was postmarked;
- (c) when the certificate of mailing (if any) was dated; or
- (d) when the receipt (if any) from an established courier company was dated.

Signed

Bill Cowles
SUPERVISOR OF ELECTIONS

11/12/19

2018 Form 1 Non-Filers

92148969009997901129675916 <u>Request Signature</u> <u>via Email</u>	Angela Ashby	MICHAEL ATKINS, BOARD MEMBER, 394 Sunnyview Cir, Orlando, FL, 32810	7/30/2019	Delivered, Left with Individual August 2, 2019 <u>View Signature</u>
92148969009997901129675961	Angela Ashby	Christopher Bernier, Associate Superintendent, 13116 Royal Fern Dr, Orlando, FL, 32828	7/30/2019	Unclaimed/Being Returned to Sender August 17, 2019 <u>View Signature</u>
92148969009997901129676050	Angela Ashby	Cristina Calvet-Harold, , 227 S Orlando Ave Ste B2, Winter Park, FL, 32789	7/30/2019	Moved, Left no Address August 2, 2019 <u>View Signature</u>
92148969009997901129676531	Angela Ashby	Jonathan McNelis, Criminal Nuisance Abatement Board Member, 8828 Danforth Dr, Windermere, FL, 34786	7/30/2019	Unclaimed/Being Returned to Sender September 5, 2019 Signature Pending
92148969009997901129676586 <u>Request Signature</u> <u>via Email</u>	Angela Ashby	Fontane Nyariri, Assistant Secretary, 1900 Summit Tower Blvd, Orlando, FL, 32810	7/30/2019	Delivered, Left with Individual August 2, 2019 <u>View Signature</u>
92148969009997901129676647	Angela Ashby	Barry Radolan, Chair, 7380 W Sand Lake Rd, Orlando, FL, 32819	7/30/2019	Addressee Unknown August 1, 2019 <u>View Signature</u>
92148969009997901129676760 <u>Request Signature</u> <u>via Email</u>	Angela Ashby	Venetia Siplin, Chairman, 11334 Rapallo Ln, Windermere, FL, 34786	7/30/2019	Delivered August 9, 2019 <u>View Signature</u>



92148969009997901129676647

Angela
AshbyBarry Radolan, Chair, 7380 W Sand Lake Rd, Orlando,
FL, 32819

7/30/2019

Addressee
Unknown
August 1, 2019
[View Signature](#)**U.S. Postal Service™**
CERTIFIED MAIL® RECEIPT
*Domestic Mail Only*For delivery information, visit our website at www.usps.com®

9214 8969 0099 9790 1129 6766 47

Certified Mail Fee

\$ **\$0.500**

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

<input type="checkbox"/> Return Receipt (hardcopy)	\$ \$3.50
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$ \$1.60
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage **\$0.00**\$
Total Postage and Fees **\$5.600**

Sent To

Street, Apt. No.,
or PO Box No
City, State, Zip+4**Barry Radolan**
Chair
7380 W Sand Lake Rd
Ste 395
Orlando, FL 32819

7/30/2019 2:59:16 PM

Electronic Return Receipt Requested

Postmark
here

PS Form 3800, April 2015

See Reverse for Instructions

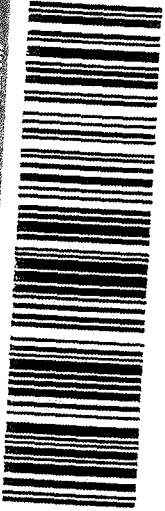
SOE 1 (02)

BILL COWLES
ORANGE COUNTY SUPERVISOR OF ELECTIONS
Post Office Box 562001
Orlando, Florida 32856-2001

DO NOT FORWARD—ADDRESS CORRECTION REQUESTED

719 AUG 2 - 30V 6162

CERTIFIED MAIL™



9214 8969 0099 9790 1129 6766 47

Barry Radolan
Chair
7380 W Sand Lake Rd
Ste 395
Orlando, FL 32819

ANL

32819-32819-01

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

Cathy McGill-Johnson

From: Cathy McGill-Johnson
Sent: Friday, July 19, 2019 4:35 PM
To: gillyardd@whhassociates.com
Subject: Delinquent Form 1 Filer(s)

Dear Coordinator,

On July 31, 2019 the Supervisor of Elections is required to mail a certified notice of delinquency to all persons who have not submitted their 2018 Form 1 Statement of Financial Interests. To date, we show no record of having received a Form 1 from the person(s) listed below. Thank you.

Lefkowitz	Howard
Radolan	Barry

Cathy McGill-Johnson
Records Clerk
Orange County Supervisor of Elections
119 W. Kaley Street
Orlando, FL 32806
407.254.6514

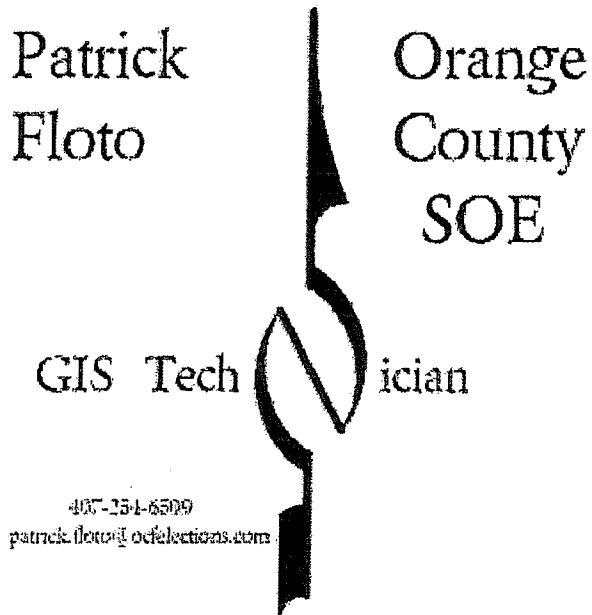


Cathy McGill-Johnson

From: Patrick Floto
Sent: Tuesday, August 27, 2019 9:17 AM
To: gillyardd@whhassociates.com; info@frerccdd.net
Cc: Cathy McGill-Johnson; Adam Stokes; Bill Cowles; Sue Elias
Subject: FRERC Community Development District Financial Disclosure Courtesy Reminder
Attachments: Form 1_2018i (1).pdf

Daphne,

I'm Patrick Floto from the Orange County Supervisor of Elections. Our records show that Barry Radolan has not yet submitted his financial disclosure to our office. The due date is September 3, 2019. Your point of contact for this matter is Cathy McGill-Johnson, who is copied on this email.



Disclaimer: Florida has a very broad public records law. As a result, any written communication created or received by the Orange County Supervisor of Elections Office will be made available to the public and media, upon request, unless otherwise exempt. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this office. Instead, contact our office by phone or in writing.

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

In re **Barry Radolan**
 Chair
 Board of Supervisors
 FRERC Community Development District

PID#: 277235

NOTICE OF ASSESSMENT OF AUTOMATIC FINE

The Commission on Ethics hereby gives notice of an assessment of a fine against you pursuant to Section 112.3145(8)(g), Florida Statutes, due to your failure to timely file your 2018 CE Form 1, Statement Of Financial Interests. Under the law, your 2018 CE Form 1, Statement of Financial Interests, was due by July 1, 2019. The law provided for a penalty-free grace period extending the due date to September 3, 2019. After that date, you accrued fines of \$25.00 per day for each day your financial disclosure was late, up to the maximum fine of \$1,500.00 (60 days late), pursuant to Section 112.3145(8)(g), Florida Statutes.

Inasmuch as your 2018 CE Form 1 has not been filed with the Supervisor of Elections for Orange County within the 60 days of the grace period date (September 3, 2019), you have accrued the maximum fine amount of \$1,500.00. This fine must be paid to the Commission on Ethics within 30 days of the date of this notice unless you appeal the fine to the Commission. The Commission has the authority to consider the appeal and waive the fine in whole or in part if your failure to file on time was due to "unusual circumstances" surrounding the failure to file. Unless the fine is successfully appealed, the Commission is required to investigate public officers and employees who receive the maximum \$1,500 fine, to determine whether their failure to file was willful. The penalty for willfully failing to file disclosure is removal from public office or employment.

HOW TO APPEAL

1. Read these instructions carefully before submitting your appeal.
2. **LEGAL AUTHORITY:** Appeals are governed by Section 112.3145(8)(g)3., Florida Statutes, and Commission Rule 34-8.215, Florida Administrative Code.
3. **FORMAT:** Your appeal must be in writing and mailed to 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 **August 18, 2021**. **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 3, 2019, and must include any documentation or evidence supporting your appeal, such as:
 - a. **SICKNESS/INJURY:** a statement from attending physician, including dates and nature of the illness or injury;
 - b. **LACK OF NOTICE (WRONG ADDRESS):** documentation that you did not reside at the address to which notice was sent;

- c. **LACK OF NOTICE (ABSENCE FROM HOME):** documentation establishing the period of time of your absence covering the notification period;
 - d. **CLAIM OF TIMELY FILING OF FINANCIAL DISCLOSURE:** (1) an affidavit from you attesting under oath or affirmation that you filed your financial disclosure and your recollection of when and how you filed and (2) a copy of a certified mail receipt and/or a copy of the completed form which was filed. If you have witnesses to your filing, we also will need an affidavit from each witness. **NOTE:** A claim of having filed the CE Form 1F for the current year does not satisfy the CE Form 1 filing requirement or excuse a late filing;
 - e. **LEFT PUBLIC POSITION BEFORE DECEMBER 31, 2018:** confirmation of your last date of office or employment by your former agency, showing the last date to be before December 31, 2018; or
 - f. **UNCLAIMED CERTIFIED MAIL:** if 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:

**Barry Radolan
3060 N Atlantic Avenue
UNIT 508
Cocoa Beach, FL 32931**

by Certified Mail on this Monday, July 19, 2021.



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



[Print this page](#)

Recipient Address

BARRY RADOLAN
3060 N ATLANTIC AVE APT 508
COCOA BEACH, FL 32931-5047

Record / Case Number:
277235

Return Address

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

Entry Point ZIP:
32317

Mail Piece Information

Tracking Number: 92148901066154000164711473

Date Created: 07/19/2021 01:57:56 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: BARRY RADOLAN
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, July 19, 2021, 01:57:56 PM, TALLAHASSEE,FL 32317
Pre-Shipment Info Sent To Usps, Usps Awaiting Item, July 19, 2021, 12:00:00 AM
Pre-Shipment Info Sent Usps Awaits Item, July 19, 2021, 01:17:00 PM, TALLAHASSEE,FL 32317
Accepted At Usps Origin Facility, July 20, 2021, 09:28:00 AM, TALLAHASSEE,FL 32317
Origin Acceptance, July 20, 2021, 09:28:00 AM, TALLAHASSEE,FL 32317
Arrived At Usps Regional Facility, July 20, 2021, 10:43:00 AM
Processed Through Usps Facility, July 20, 2021, 10:43:00 AM, ORLANDO FL DISTRIBUTION CENTER 32862
Processed Through Usps Facility, July 20, 2021, 04:11:00 PM, ORLANDO FL DISTRIBUTION CENTER 32862
Depart Usps Facility, July 20, 2021, 09:04:00 PM, ORLANDO FL DISTRIBUTION CENTER 32862
Departed Usps Regional Facility, July 20, 2021, 10:20:00 PM
Processed Through Usps Facility, July 20, 2021, 10:20:00 PM, ORLANDO FL DISTRIBUTION CENTER 32862
Addressee Unknown, July 21, 2021, 10:49:00 AM, COCOA BEACH,FL 32931
Arrived At Usps Regional Destination Facility, July 23, 2021, 10:49:00 AM
Processed Through Usps Facility, July 23, 2021, 10:49:00 AM, FORT MYERS FL DISTRIBUTION CENT 33913
Departed Usps Regional Facility, July 24, 2021, 08:55:00 AM
Depart Usps Facility, July 24, 2021, 08:55:00 AM, FORT MYERS FL DISTRIBUTION CENT 33913
Arrived At Usps Regional Origin Facility, July 25, 2021, 10:19:00 AM
Processed Through Usps Facility, July 25, 2021, 10:19:00 AM, TALLAHASSEE FL DISTRIBUTION CEN 32301
Departed Usps Regional Origin Facility, July 25, 2021, 01:14:00 PM
Processed Through Usps Facility, July 25, 2021, 01:14:00 PM, TALLAHASSEE FL DISTRIBUTION CEN 32301
Departed Usps Regional Facility, July 26, 2021, 04:27:00 AM
Depart Usps Facility, July 26, 2021, 04:27:00 AM, TALLAHASSEE FL DISTRIBUTION CEN 32301
In Transit, Arriving Late, July 27, 2021, 12:00:00 AM
Delivered To Original Sender, July 28, 2021, 11:32:00 AM, TALLAHASSEE,FL 32308



July 28, 2021

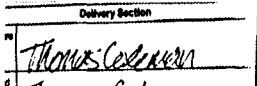
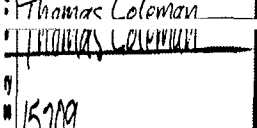
Dear MAIL MAIL:

The following is in response to your request for proof of delivery on your item with the tracking number:
9214 8901 0661 5400 0164 7114 73.

Item Details

Status: Delivered, To Original Sender
Status Date / Time: July 28, 2021, 11:32 am
Location: TALLAHASSEE, FL 32308
Postal Product: First-Class Mail®
Extra Services: Certified Mail™
Return Receipt Electronic
Recipient Name: BARRY RADOLAN

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: 92148901066154000164711473
277235
BARRY RADOLAN
3060 N Atlantic Ave Apt 508
Cocoa Beach, FL 32931-5047

JoAnne Leznoff
Chair
John Grant
Vice Chair
Michelle Anchors
Antonio Carvajal
Travis Cummings
Don Gaetz
Glenton "Glen" Gilzean, Jr.
William "Willie" N. Meggs
Jim Waldman



State of Florida
COMMISSION ON ETHICS
P.O. Drawer 15709
Tallahassee, Florida 32317-5709

325 John Knox Road
Building E, Suite 200
Tallahassee, Florida 32303

Kerrie J. Stillman
Executive Director

Caroline M. Klancke
*Deputy Executive Director/
General Counsel*

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

"A Public Office is a Public Trust"

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

TO: Barry Radolan 277235
FRERC Community Development District
Board of Supervisors
FROM: Kimberly R. Holmes, Program Administrator
DATE: September 20, 2021

On July 19, 2021, we notified you that your Form 1, Statement of Financial Interests, for the year 2018 was not filed and that you therefore have been assessed the maximum fine, for a total fine of \$1500. At that time, you were advised that you had 30 days from the date that letter was transmitted in which to either pay the fine or to appeal the fine to the Commission on Ethics.

It has been more than 30 days since we sent you that letter, and you have neither paid the fine nor filed an appeal. By not responding, you have waived your right to appeal the assessed fine.

If you do not pay the assessed fine by October 21, 2021 (30 days from the date of this letter) or contact our office to make arrangements for payment of the fine, the Commission on Ethics will enter an order setting your fine at \$1500 and will utilize all methods allowed by law to collect this fine including referral to a collection agency which can seek to garnish your wages.

Certificate of Mailing:

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

Barry Radolan 277235
3060 N Atlantic Avenue
UNIT 508
Cocoa Beach FL 32931

By United States Mail on this Monday, September 20, 2021.

A handwritten signature in black ink, appearing to read "Kimberly R. Holmes".

Kimberly R. Holmes
Program Administrator

JoAnne Leznoff
Chair
John Grant
Vice Chair
Michelle Anchors
Antonio Carvajal
Travis Cummings
Don Gaetz
Glenton "Glen" Gilzean, Jr.
William "Willie" N. Meggs
Jim Waldman



State of Florida
COMMISSION ON ETHICS
P.O. Drawer 15709
Tallahassee, Florida 32317-5709

325 John Knox Road
Building E, Suite 200
Tallahassee, Florida 32303

Kerrie J. Stillman
Executive Director

Caroline M. Klancke
*Deputy Executive Director/
General Counsel*

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

"A Public Office is a Public Trust"

NOTIFICATION OF ISSUANCE OF DEFAULT FINAL ORDER

TO: Barry Radolan 277235
Chair
FRERC Community Development District
Board of Supervisors
FROM: Kimberly R. Holmes, Program Administrator
DATE: December 9, 2021

A handwritten signature in black ink, appearing to read "Kimberly R. Holmes".

Enclosed is an Order issued by the Commission on Ethics at its meeting on December 3, 2021.

If you do not pay the assessed fine by January 10, 2022 (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 Barry Radolan,

2018 CE Form 1

)
)
)
)

DEFAULT FINAL ORDER

This matter comes before the Commission on Ethics for the failure of Barry Radolan to pay the assessed fine. Pursuant to Section 112.3145(8)(g), Florida Statutes, the Florida Commission on Ethics is charged with assessing automatic fines of \$25 per day up to a maximum of \$1500 for persons who are required to file financial disclosure but who either file late, or not at all.

FINDINGS OF FACT

1. Barry Radolan, FRERC Community Development District, Board of Supervisors, was on the list of persons required to file a Statement of Financial Interests for the year 2018.
2. Pursuant to Section 112.3145(8)(g), Florida Statutes, Barry Radolan was mailed a copy of the 2018 CE Form 1 no later than June 1, 2019, and was mailed a delinquency notice by certified mail no later than July 31, 2019. Additional attempts to contact Barry Radolan were also made by Commission staff.
3. However, Barry Radolan did not file a 2018 CE Form 1 by the designated due date. Barry Radolan 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 Barry Radolan.

4. More than 60 days have elapsed since the notice of payment due was transmitted without Barry Radolan 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. Barry Radolan's failure to timely appeal the assessed fine constitutes a waiver of the entitlement to an appeal, pursuant to Rule 34-8.215(2), Florida Administrative Code.

ORDER

8. Pursuant to Section 112.3145(8) and 112.31455, Florida Statutes, the Commission on Ethics shall attempt to determine whether Barry Radolan 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 FRERC Community Development District, as appropriate, for withholding of salary until the debt is satisfied.

9. If Barry Radolan 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 Barry Radolan accrued in the amount of \$1500 is affirmed. The fine shall be paid to the Florida Commission on Ethics within 30 days of the date this Default Final Order is entered. After that date, nonpayment will result in collection as provided for in Section 112.3145(8) and 112.31455, Florida Statutes.

ORDERED by the State of Florida Commission on Ethics meeting in public session on
December 3, 2021.

December 8, 2021
Date Rendered

Joanne Leznoff
JOANNE LEZNOFF
Chair
FLORIDA COMMISSION ON ETHICS

THIS ORDER CONSTITUTES FINAL AGENCY ACTION. ANY PARTY WHO IS ADVERSELY AFFECTED BY THIS ORDER HAS THE RIGHT TO SEEK JUDICIAL REVIEW UNDER SECTIONS 112.3241 AND 120.68, FLORIDA STATUTES, BY FILING A NOTICE OF ADMINISTRATIVE APPEAL PURSUANT TO RULE 9.110, FLORIDA RULES OF APPELLATE PROCEDURE, WITH THE CLERK OF THE COMMISSION ON ETHICS, BY U.S. MAIL AT P.O. DRAWER 15709, TALLAHASSEE, FLORIDA 32317-5709 (OR BY DELIVERY TO 325 JOHN KNOX ROAD, BUILDING E, SUITE 200, TALLAHASSEE, FLORIDA 32303); AND BY FILING A COPY OF THE NOTICE OF APPEAL ACCOMPANIED BY THE APPLICABLE FILING FEES WITH THE APPROPRIATE DISTRICT COURT OF APPEAL. THE NOTICE OF ADMINISTRATIVE APPEAL MUST BE FILED WITHIN 30 DAYS OF THE DATE THIS ORDER IS RENDERED.

Copy Furnished to:

Barry Radolan
3060 N Atlantic Avenue
UNIT 508
Cocoa Beach FL 32931

JL/kh

cc: Daphne Gillyard

JoAnne Leznoff
Chair
John Grant
Vice Chair
Michelle Anchors
Antonio Carvajal
Don Gaetz
Glenton "Glen" Gilzean, Jr.
William "Willie" N. Meggs
Jim Waldman



State of Florida
COMMISSION ON ETHICS
P.O. Drawer 15709
Tallahassee, Florida 32317-5709

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Executive Director

Caroline M. Klancke
*Deputy Executive Director/
General Counsel*

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

January 20, 2022

Barry Radolan **277235**
3060 N Atlantic Avenue
UNIT 508
Cocoa Beach FL 32931

On January 19, 2022 we received your payment of the \$1500.00 fine that was assessed against you for failing to timely file your financial disclosure form for the year 2018.

Thank you for your cooperation and please do not hesitate to contact this office if you have any questions.

Sincerely,

Kimberly R. Holmes
Program Administrator

FORM 1

STATEMENT OF FINANCIAL INTERESTS

2018

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

FOR OFFICE USE ONLY:

LAST NAME -- FIRST NAME -- MIDDLE NAME:

RADOLAN Barry Fredric

MAILING ADDRESS:

3060 N. ATLANTIC AVE.

UNIT 508

CITY:

COCOA BEACH

ZIP:

32931

COUNTY:

BREVARD

NAME OF AGENCY:

FR EPC COMMUNITY DEVELOPMENT DISTRICT

NAME OF OFFICE OR POSITION HELD OR SOUGHT:

CHAIR

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

SOE received 1/24/22

**** **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, 2018

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")

NAME OF SOURCE OF INCOME	SOURCE'S ADDRESS	DESCRIPTION OF THE SOURCE'S PRINCIPAL BUSINESS ACTIVITY
Social Security		
2930 Pine Ridge Circle	2930 Pine Ridge Circle	Rental
911 School St	911 School St	Rental
PNC BANK	1840 N. COURTNEY PKWY MOLTE ISLAND	BANK INTEREST

PART B -- SECONDARY SOURCES OF INCOME

[Major customers, clients, and other sources of income to businesses owned by the reporting person - See instructions]

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

NAME OF BUSINESS ENTITY	NAME OF MAJOR SOURCES OF BUSINESS' INCOME	ADDRESS OF SOURCE	PRINCIPAL BUSINESS ACTIVITY OF SOURCE

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

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

2930 Pine Ridge Circle Kissimmee Florida
911 School Street COCOA FL

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

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

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

TYPE OF INTANGIBLE

BUSINESS ENTITY TO WHICH THE PROPERTY RELATES

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

NAME OF CREDITOR

ADDRESS OF CREDITOR

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

BUSINESS ENTITY # 1

BUSINESS ENTITY # 2

NAME OF BUSINESS ENTITY

ADDRESS OF BUSINESS ENTITY

PRINCIPAL BUSINESS ACTIVITY

POSITION HELD WITH ENTITY

I OWN MORE THAN A 5% INTEREST IN THE BUSINESS

NATURE OF MY OWNERSHIP INTEREST

PART G — TRAINING

For elected municipal officers 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:

B. J. Riddle

Date Signed:

1/24/2022

CPA or ATTORNEY SIGNATURE ONLY

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

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

CPA/Attorney Signature: _____

Date Signed: _____

FILING INSTRUCTIONS:

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

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

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

Candidates file this form together with their filing papers.

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

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


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

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

Finally, file a final disclosure form (Form 1F) within 60 days of leaving office or employment. Filing a CE Form 1F (Final Statement of Financial Interests) does not relieve the filer of filing a CE Form 1 if the filer was in his or her position on December 31, 2018.

Financial Disclosure Management System

THE FLORIDA COMMISSION ON ETHICS

 **Filer - Fines and Appeals - PID 277235 - Barry Radolan**

Filer Information

Org Membership

Forms

Communications

Fines and Appeals >

View All

Filer Flags

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

<<2021 Form Year

Status

Filing: ACTIVE

Fine: No Fine

Flags

Public Address

Filing Extensions


Indefinite: None

Temporary:

None

Eligible for Fines

[Update Flags](#)

 [Add a New Filer](#)

 [Jump To A Filer](#)

PID: [Go](#)

 [Quick Filer Search](#)

First Name:

The filer has fines for: [2020 \(Appeal\)](#) [2019 \(Appeal\)](#) [view all](#)

2019 Fines and Appeals

Form Year 2018 Filed Forms

Received Date	Form Type	Form Signed	Filed by Email	Filing Location	Updated	Comments
01/24/22	Form 1	Yes	Yes	SOE	holmesk on 02/09/2022	Received by COE on behalf of Brevard Supervisor of Elections

2019 Fine Information

[Update Fine Information](#)

[Assign Agency Contact](#)

Fine Balance	Fine Status	Fine Date	Original Assessment	Fine Amount	Last Payment Date	Payment Plan Start Date	Payment Plan Amount
\$0.00	Appeal	5/12/2020	\$1,500.00	\$1,500.00	1/19/2022		

Fine Address 3060 N Atlantic Avenue UNIT 508 Cocoa Beach FL 32931

Org/Suborg FRERC Community Development District-Board of Supervisors



2019 Fine Payment History

Date Posted	Description	Amount	Method	Payment ID	Comments
1/19/2022	Fine Payment	- \$1,500.00	Credit Card	CC	Payment received through FL Legistore website
5/12/2020	Fine Levied	+ \$1,500.00			Fined \$1500.00

Current Balance: \$0.00

2019 Fine Year Event

Chronology

 **Date** **Type** **Description**
 08/19/2019 Postcard Sent Courtesy Postcard Reminder

[Invalidate Transaction](#)

Reference

Print Queue: [8/19/2019](#)

Printing Confirmed: 8/19/2019

Letter Sent To:

Barry Radolan
 7380 W Sand Lake Rd
 Ste 395
 Orlando, FL 32819 -5290

Last Name:

09/6/2019 Letter Sent

Courtesy Notice of Fines Accruing

Print Queue: 9/6/2019

Printing Confirmed: 9/6/2019

Letter Sent To:

Barry Radolan
 7380 W Sand Lake Rd
 Ste 395
 Orlando, FL 32819 -5290

05/12/2020 Fine Levied

Fined \$1500.00

Journal: 5/12/2020 3:12 PM

05/13/2021 Filer

Filer previously listed to file in Orange

Kimberly Holmes

Communication: County, now resides in Brevard County.

Other

06/11/2021 Notice of

Initial Fine Notice

Journal: 6/11/2021 9:36 AM

Assessed Fine

07/19/2021 Letter Sent

Notice of Assessed Fine - Filer 1st Fine
 Letter

Print Queue: 7/19/2021

Printing Confirmed: 7/19/2021

Letter Sent To:

Barry Radolan
 3060 N Atlantic Avenue
 UNIT 508
 Cocoa Beach, FL 32931

09/20/2021 Final Notice of

2nd Fine Notice

Journal: 9/20/2021 1:52 PM

Assessed Fine

09/20/2021 Letter Sent

Final Notice of Assessed Fine - Second
 Fine Notice

Print Queue: 9/20/2021

Printing Confirmed: 9/20/2021

Letter Sent To:

Barry Radolan
 3060 N Atlantic Avenue
 UNIT 508
 Cocoa Beach, FL 32931

10/27/2021 Filer

Mr. Radolan called regarding 2018

Kimberly Holmes

Communication: Form. He states he just returned from
 Phone Canada and is just receiving notice

regarding his fine. He stated that he
 filed the form and will locate who has
 it because he remembers completing it
 and sending to the SOE office. He will
 follow up once he tracks it down. I
 advised him to have the SOE office
 contact me and send a statement that
 the form has been located. If he can't
 locate form he will appeal.

11/12/2021 Collection
 Orders

Collection Order Notice

Journal: 11/12/2021 4:37 PM

12/9/2021 Letter Sent Collection Orders - Prepare Collection Orders Print Queue: 12/9/2021
Printing Confirmed: 12/9/2021

Letter Sent To:
Barry Radolan
3060 N Atlantic Avenue
UNIT 508
Cocoa Beach, FL 32931

01/20/2022 Fine Payment Payment made through Legistore Journal: 1/20/2022 3:58 PM
website Invalidated Reason: Appeal
Invalidated Received
Full \$1,500.00

01/20/2022 Letter Sent Fine Payment - Fine Payments Received Print Queue: 1/20/2022
Printing Confirmed: 1/20/2022

Letter Sent To:
Barry Radolan
3060 N Atlantic Avenue
UNIT 508
Cocoa Beach, FL 32931

01/20/2022 Letter Sent Fine Payment - Fine Payments Received Print Queue: 1/20/2022
Printing Confirmed: 1/20/2022

Letter Sent To:
Barry Radolan
3060 N Atlantic Avenue
UNIT 508
Cocoa Beach, FL 32931

01/24/2022 Form Received Form 1 Received, Signed Form 1 Received by Received by
COE on behalf of Brevard
Supervisor of Elections SOE

Form Received By:
Filing Location: Brevard County SOE
Record Created By: Kimberly Holmes on 02/09/2022

02/9/2022 Filer Communication: Mr. Radolan-
Email

Maleszewski.Tracey@leg.state.fl.us

Attached is a copy of the appeal form we discussed earlier today. During our conversation, you indicated that you timely mailed your 2018 Form 1, and that your filing must have been lost in the mail or misplaced. You also stated that you did not receive notice of your right to appeal the fine that accrued as a result of your 2018 Form 1 not being filed. Should you choose to file an appeal, please attach a sworn statement indicating your reasons for

filing the appeal to the appeal form,
and mail the appeal to our office within
30 days of the date of this email.
Please contact this office if you have
questions concerning this matter.

02/9/2022 Filer

Kimberly Holmes

Communication:
Email

From: Connor Roberts
<croberts@votebrevard.gov>
Sent: Wednesday, February 9, 2022
9:27 AM
To: Maleszewski, Tracey
<MALESZEWSKI.TRACEY@leg.state.fl.us>
Subject: Radolan Form 1

Good morning!

Please Mr. Radolan's 2018 Form 1
attached.

Sincerely,

Connor Roberts

Candidate Coordinator

Brevard County Supervisor of Elections

2725 Judge Fran Jamieson Way

Melbourne, Florida 32940

(321) 633-2166

croberts@votebrevard.gov

www.votebrevard.gov

02/21/2022 Filer

prine.emily

Communication:
Email

From: Prine,Emily
Sent: Monday, February 21, 2022 9:58
AM
To: 'form1@votebrevard.com'
<form1@votebrevard.com>
Subject: Barry Radolan
Importance: High

Processed and stamped copy
for your office.

Thank you!

03/3/2022 Filer Kimberly Holmes
Communication: -----Original Message-----
Email From: barry radolan
<bfradolan@yahoo.com>
Sent: Thursday, March 03, 2022 3:48 PM
To: Maleszewski, Tracey
<MALESZEWSKI.TRACEY@leg.state.fl.us>
Cc: disclosure
<disclosure@leg.state.fl.us>
Subject: Fwd: 2018 Appeal for Barry
Radolan

Tracey,

Please see attached appeal for 2018.

03/14/2022 Filer Appeal form and original notarized Kimberly Holmes
Communication: statement received.
Letter

03/15/2022 Fine Appeal FD 19-090 Journal: [3/15/2022 5:43 PM](#)

03/15/2022 Fine Payment Payment received through FL Legistore Journal: [3/15/2022 5:45 PM](#)
website
Full \$1,500.00

 03/15/2022 Letter Sent Fine Appeal Print Queue: [3/15/2022](#)
Printing Confirmed: 3/15/2022

Letter Sent To:
Barry Radolan
3060 N Atlantic Avenue
UNIT 508
Cocoa Beach, FL 32931

03/15/2022 Filer Payment invalidated in order to enter Kimberly Holmes
Communication: appeal. After appeal was entered,
Other payment was added back to filer's
record.

2019 Fine Appeal – FD 19-090	Update Appeal	Withdraw Appeal	Assign Attorney
	Request More Info	Record Appeal Outcome	
Appeal Status: Active	No Hearing Requested		
Appeal Receipt Date:			

	<div>03/03/2022</div> <div>Timely Filed: No</div> <div>Print Appeal Letter: Yes</div> <div>Hearing Requested: No</div> <div>Appeal Reason: Lack of Notification, Previously Filed Financial Disclosure</div> <div>Appeal Notes:</div> <div>Appeal Number: FD 19-090</div> <div>Appeal Analyst Assigned:</div> <div>Final Order Number:</div> <div>Final Order Date:</div>	
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