BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In re DAVID DWAYNE JOHNSON	)	Financial Disclosure Appeal No. FD 22-028
	)	
Appellant.	)	Final Order No.
	)	

FINAL ORDER

This matter came before the Commission on Ethics on its own motion during its meeting in public session on December 4, 2026, pursuant to Section 112.3145(8)(g), Florida Statutes (subsequently renumbered to Section 112.3145(8)(f)), 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.

Findings of Fact

1. According to information provided to the Commission, Appellant served as Fire Chief for the City of Leesburg, a position requiring the filing of a 2021 CE Form 1, Statement of Financial Interests. In 2022, the designated due date for submitting a 2021 CE Form 1 was July 1, 2022, with a grace period ending on September 1, 2022.

2. No later than June 1, 2022, the Lake County Supervisor of Elections mailed a 2021 CE Form 1 to Appellant at 11247 Leesburg, FL 34788.

3. No later than August 1, 2022, the Lake County Supervisor of Elections sent a notice of delinquency by certified mail to Appellant at 201 S. Canal St., Leesburg, FL 34748. This mailing was marked as "Return to Sender."

4. On September 13, 2022, the Commission on Ethics mailed a courtesy notice of fines accruing to Appellant at 201 S. Canal St.

5. On September 15, 2022, the Lake County Supervisor of Elections received Appellant's 2021 CE Form 1.

6. On April 5, 2024, the Commission mailed a Notice of Assessed Fine to Appellant at 11247 Leesburg, FL 34788. It indicated that the total of Appellant's accrued automatic fine was $350 ($25 per day for 14 days late) and provided that the Commission must receive an appeal of the fine by May 6, 2024.

7. On April 19, 2024, the Commission received Appellant's appeal of his automatic fine for Form Year 2021. In Part B of his appeal form, Appellant checked "Lack of notification – Failure to receive notice" as the general reason for his appeal. In Part C of his appeal form, where an appellant is asked to provide a detailed explanation of his or her appeal, Appellant wrote that he retired on May 1, 2022, and had not received any notification of his obligation to file his CE Form 1 since retirement.

Conclusions of Law

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

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

10. Section 112.3145(8)(g)3., Florida Statutes, (subsequently renumbered to Section 112.3145(8)(f)(2)) states:

> Any reporting person may appeal or dispute a fine, based upon unusual circumstances surrounding the failure to file on the

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

11. Pursuant to Rule 34-8.215(4), F.A.C., "unusual circumstances" means 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. Circumstances that allow for time in which to take those steps necessary to ensure compliance with the filing requirements shall be deemed not to constitute unusual circumstances.

12. Here, Appellant stated that he retired on May 1, 2022, and that he had not received any notification of his obligation to file his CE Form 1 since that date. Additionally, the notice of delinquency sent by the Lake County Supervisor of Elections was marked as "Return to Sender." Therefore, considering Appellant's claims, and that there is no evidence showing otherwise, there are "unusual circumstances" here that prevented the timely filing of the financial disclosure form that justify waiving the $350 fine.

Order

Based on the foregoing facts and conclusions of law, the Commission hereby finds that unusual circumstances for failure to timely file have been demonstrated. We therefore waive the assessed fine of $350.

ORDERED by the State of Florida Commission on Ethics meeting in public session on December 4, 2026.

Date Rendered

Jeremy M. Rodgers
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.

JMR: jfh

David Dwayne Johnson
11247 Lake Dr.
Leesburg, FL 34788

22-028 250487

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

APR 19 2024

RECEIVED

APPEAL OF AUTOMATIC FINE FOR FORM YEAR 2021

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: DAVID DWAYNE JOHNSON

Address: 11247 LAKE DRIVE City: LEESBURG State: FL Zip: 34788

Daytime Tel.: 352-516-9779 Cell: 352-516-9779

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

Public Employer: CITY OF LEESBURG FIRE DEPARTMENT

Public Position: FIRE CHIEF

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, 2021** (Explain in Part C and provide confirmation from agency that your office-holding/employment ended before 12/31/2021)

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.

RETIRED MAY 1, 2022

I HAVE NOT RECEIVED ANY NOTIFICATION SINCE RETIREMENT

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)2 or Section 112.3145(8)(f)2, 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.

4/19/2024
DATE

SIGNATURE

FORM 1 STATEMENT OF FINANCIAL INTERESTS 2021

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

FOR OFFICE USE ONLY:

RCVD LAKE CO FL SOE
'22 SEP 15 PM4:08

ENTERED 9/15

LAST NAME -- FIRST NAME -- MIDDLE NAME :
JOHNSON, DAVID D.

MAILING ADDRESS :
11247 LAKE DRIVE

CITY : Leesburg | ZIP : 34788 | COUNTY : Lake

NAME OF AGENCY :
City of Leesburg Fire Department

NAME OF OFFICE OR POSITION HELD OR SOUGHT :
Fire Chief (RETIRED AS OF MAY 5, 2022)

CHECK ONLY IF ☐ CANDIDATE OR ☑ NEW EMPLOYEE OR APPOINTEE

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

DISCLOSURE PERIOD:
THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR CALENDAR YEAR ENDING DECEMBER 31, 2021.

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
CITY OF LEESBURG	201 S. CANAL ST.	FIRE CHIEF

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
NONE			

PART C -- REAL PROPERTY [Land, buildings owned by the reporting person - See instructions]
(If you have nothing to report, write "none" or "n/a")

RENTAL PROPERTY
209 TOMATO HILL RD.
LEESBURG, FL 34748

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

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

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

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

TYPE OF INTANGIBLE	BUSINESS ENTITY TO WHICH THE PROPERTY RELATES
NONE	

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

NAME OF CREDITOR	ADDRESS OF CREDITOR
NONE	

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

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

PART G — TRAINING For **elected municipal officers, appointed school superintendents, and commissioners of a community redevelopment agency** created under Part III, Chapter 163 required to complete annual ethics training pursuant to section 112.3142, F.S.

☐ **I CERTIFY THAT I HAVE COMPLETED THE REQUIRED TRAINING.**

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

SIGNATURE OF FILER:

Signature: David [illegible]

Date Signed: Sept 15, 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), send it to CEForm1@leg.state.fl.us and retain a copy for your records. Do not file by both mail and email. Choose only one filing method. Form 6s will not be accepted via email.

Candidates file this form together with their filing papers.

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

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

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

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

Finally, file a final disclosure form (Form 1F) within 60 days of leaving office or employment. Filing a CE Form 1F (Final Statement of Financial Interests) does not relieve the filer of filing a CE Form 1 if the filer was in his or her position on December 31, 2021

Kaitlyn Dilday

From: Dena Ouellette <Dena.Ouellette@leesburgflorida.gov>
Sent: Thursday, September 15, 2022 2:20 PM
To: Form One Filings
Cc: DAVID JOHNSON
Subject: Form One
Attachments: 4455_001.pdf

You don't often get email from dena.ouellette@leesburgflorida.gov. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dena Ouellette, SHRM-CP
Administrative Assistant II
City Of Leesburg Fire Department
201 S. Canal St
Leesburg, FL 34748
Office: 352-728-9786 Ext. 2625
dena.ouellette@leesburgflorida.gov

Please Note: Florida has a very broad public records law. Most written communications to or from government officials regarding government business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

Think before you print.

FLORIDA
COMMISSION ON ETHICS
DEC 02 2022
RECEIVED

Florida Commission on Ethics
Financial Disclosure Notification System
Delinquency Certification (2022)

I D. ALAN HAYS, the Supervisor of Elections of LAKE County, hereby certify that each person whose ID number, name, agency, and position appears above or on the attached list:

(1) was sent a notice of the July 1, 2022 financial disclosure deadline and a blank Form 1, Statement of Financial Interests, not later than June 1, 2022;

(2) was determined to be delinquent in filing a Form 1, Statement of Financial Interests, by July 1, 2022;

(3) was sent a delinquency notice by certified mail not later than August 1, 2022 advising him or her of the grace period in effect until September 1, 2022; and of the penalties that could be imposed as provided in Section 112.3145(8)(c), Florida Statutes; and

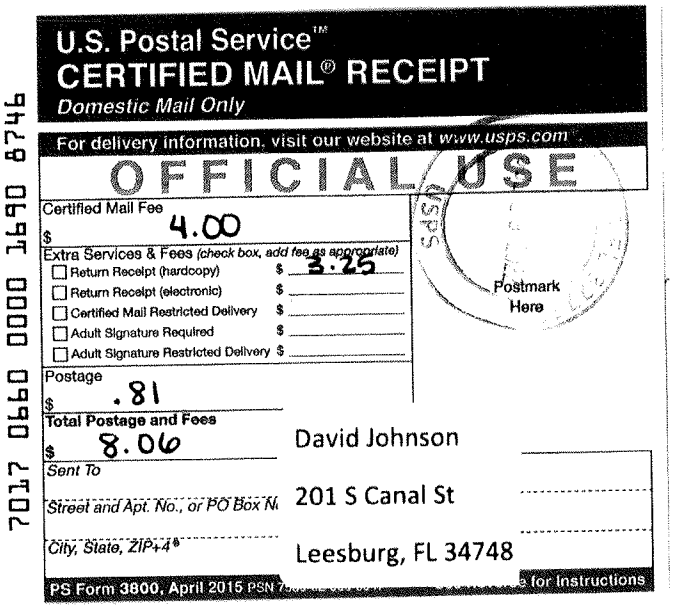
(4) did not file a Form 1, Statement of Financial Interests, until the date shown or, had not filed a Form 1, Statement of Financial Interests by October 31, 2022; and further

(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 D. Alan Hays
SUPERVISOR OF ELECTIONS

Lake County Late Filers

PID	Name	Address	Position	Date Filed
250487	David Johnson	11247 Lake Dr. Leesburg, FL 34788	Leesburg Employees Fire Chief	09/15/2022



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

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

OFFICIAL USE

Certified Mail Fee
$ 4.00

Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $ 3.25
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$ .81

Total Postage and Fees
$ 8.06

Sent To: David Johnson

Street and Apt. No., or PO Box No.: 201 S Canal St

City, State, ZIP+4®: Leesburg, FL 34748

PS Form 3800, April 2015 PSN 7... for Instructions

Postmark Here

7017 0660 0000 1690 8746

CERTIFIED MAIL®

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FIRST-CLASS MAIL
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07/29/2022 ZIP 32778
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US POSTAGE

SUPERVISOR OF ELECTIONS
LAKE COUNTY, FL
Alan Hays

RETURN SERVICE REQUESTED

RECEIVED
AUG 08 2022
SUPERVISOR OF ELECTIONS
LAKE COUNTY, FLORIDA

David Johnson
201 S Canal St
Leesburg, FL 34748

Ank

NIXIE 339 FE 1 0008/04/22
RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

..9304120041920367

ANK
32778>0457

BC: 32778045757 *1301-01210-29-39

Kaitlyn Dilday

From: Danielle Messenger
Sent: Wednesday, July 27, 2022 2:16 PM
To: Jennifer Walden; sbone@apopka.net; Stacie Vanderbilt; Graham Wells; tgraham@rcid.org; yquiceno@belleislefl.gov; jbattista@cityofbrooksville.us; jennifer.farlow@districtgov.org; cdixon@cityofbushnellfl.com; kkasal@careersourcecf.com; joylette.stevens@careersourcepolk.com; skyelee@vestapropertyservices.com; dgardner@casselberry.org; rhernandez@golynx.com; mimi.lamaute@cfxway.com; jburns@gmscfl.com; Tracy Ackroyd; ruthbusby@cityofcolemanfl.com; sandra.dermarco@inframark.com; lamagnal@codb.us; Jennifer Walden; kstorey@ecfrpc.com; sriffle@edgewood-fl.gov; bschleifer@rizzetta.com; Montez, Mary; hjones@eustishousingauthority.com; linda.howard@fmpa.com; Daphne Gillyard; Esther Coulson; bschleifer@rizzetta.com; dinkinsk@pfm.com; virginia.wright@groveland-fl.gov; John Brock; linda.hansell@kissimmee.gov; Nancy Wilson; sdavis@langd.org; tgraham@rcid.org; nbooth@lakecountyfl.gov; wardt1@lake.k12.fl.us; trice@lcwa.org; mmccurdy@lakemaryfl.com; lswcdpartner@gmail.com; morrisc@lssc.edu; kelly.koos@lakelandgov.net; andi.purvis@leesburgflorida.gov; mlongo@longwoodfl.org; lhollingsworth@itsmymaitland.com; Stephanie Abrams; chogge@gmsnf.com; whitmal@sumter.k12.fl.us; kthompson@minneola.us; townclerk@mymontverde.com; burnhamj@cityofmountdora.com; prambosk@naplesgov.com; lswcdpartner@gmail.com; psamos@gkrb.com; ehui@oaklandfl.gov; pomichinski@ocalafl.org; msibbitt@ocoee.org; trowland@co.okeechobee.fl.us; cheryl.gillespie@ocfl.net; neusaenger.milinda@ocls.info; deborah.mcgill@ocps.net; cityclerk@cityoforlando.net; cbrowder@ouc.com; linda.baez@osceola.org; billbeasley@polk-county.net; Mary Ann Whitney; mullinsl@pfm.com; sbeach@seminolcountyfl.gov; ljaworski@stcloud.org; Andrea Dzioba; snovack@tavares.org; bschleifer@rizzetta.com; Gwen Johns; jennifer.farlow@districtgov.org; csmith@wildwood-fl.gov; Angela Grimmage
Cc: Kaitlyn Dilday
Subject: Form1 Filers 2021

Good afternoon coordinator's,

I just wanted to reach out and let you know that I will be sending out certified mail on Friday July 29th to all Form 1 2021 filer's who have not filed their form yet. If not received by September 1st they will be fined. If you would please reach out to your filer's and encourage them to get the form in. You can see who is still on the list at www.ethics.state.fl.us
The Form 1 can be emailed to Formone@lakevotes.gov with PDF attachment. If you or the filers have any questions, please contact Ethics at (850) 488-7864 or email: disclosure@leg.state.fl.us

Thank you,

www.lakevotes.gov

Danielle Messenger
Manager, Voter Registration
Lake County Supervisor of Elections
Office: 352-253-1436 | **Fax:** 352-343-3605
1898 East Burleigh Boulevard | Tavares, FL 32778

John Grant
Chair
Glenton "Glen" Gilzean, Jr.
Vice Chair
Michelle Anchors
Antonio Carvajal
William P. Cervone
Don Gaetz
William "Willie" N. Meggs
Ed H. Moore
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

Steven J. Zuilkowski
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"

September 13, 2022

Revised as of May 3, 2022

David Dwayne Johnson - 250487
Fire Chief
Leesburg
Employees
201 S Canal St
Leesburg FL 34748 -5901

RE: Financial Disclosure (Form 1, Statement of Financial Interests -- 2021)

Earlier this year, you were noticed of your obligation to file a Form 1, Statement of Financial Interests, for the year ending December 31, 2021. The grace period for filing expired on September 1, 2022 and according to records in our office you have not filed Form 1. I am writing to advise you, that pursuant to State law, an automatic fine of $25.00 per day for each day late ($1,500 maximum fine) is being assessed against you for your failure to timely file Form 1. Please file the form as soon as possible with the Lake County Supervisor of Elections.

Sincerely,

Kerrie J. Stillman
Executive Director

Kaitlyn Dilday

From: Kaitlyn Dilday
Sent: Monday, August 29, 2022 11:52 AM
To: 'andi.purvis@leesburgflorida.gov'
Subject: 2021 Form 1 Filer

Good Afternoon,

I am reaching out to inform you that we have not yet received a 2021 Form 1 for David Johnson. If it is not filed by September first, they are subject to a $25 fine for each late day. Please reach out to your filer and encourage them to turn in their Form 1. It can be emailed to Formone@lakevotes.gov with PDF attachment or delivered to our office at 1898 E. Burleigh Blvd. Tavares, FL 32778

If you or your Filers have any questions, please contact Ethics at (850) 488-7864 or email: disclosure@leg.state.fl.us

Thank you,

www.lakevotes.gov

Kaitlyn Dilday

Coordinator, Voter Registration

Lake County Supervisor of Elections
Office: 352-343-9734 | **Fax:** 352-343-3605
1898 E. Burleigh Blvd. | Tavares, FL 32778

BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In re **David Dwayne Johnson** **PID#: 250487**
Fire Chief
Employees
Leesburg

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)(f), Florida Statutes, due to your failure to timely file your 2021 CE Form 1, Statement Of Financial Interests. Under the law, your 2021 CE Form 1, Statement of Financial Interests, was due by July 1, 2022. The law provided for a penalty-free grace period extending the due date to September 1, 2022. After that date, you accrued fines of $25.00 per day for each day your financial disclosure was late, pursuant to Section 112.3145(8)(f), Florida Statutes.

Inasmuch as your 2021 CE Form 1 was filed September 15, 2022 with the Supervisor of Elections for Lake County, you are fined the amount of $350.00 ($25.00 per day for 14 day(s) late). This fine must be paid to the Commission on Ethics within 30 days of the date of this notice unless you appeal the fine to the Commission. The Commission has the authority to consider the appeal and waive the fine in whole or in part if your failure to file on time was due to "unusual circumstances" surrounding the failure to file.

HOW TO APPEAL

1. Read these instructions carefully before submitting your appeal.
2. **LEGAL AUTHORITY:** Appeals are governed by Section 112.3145(8)(f)2., Florida Statutes, and Commission Rule 34-8.215, Florida Administrative Code.
3. **FORMAT:** Your appeal must be in writing and mailed to Florida Commission on Ethics, P. O. Drawer 15709, Tallahassee, FL 32317-5709, or delivered to Florida Commission on Ethics, 325 John Knox Road, Building E, Suite 200, Tallahassee, FL 32303. The appeal may take the form of a letter or you may use the appeal form included in this mailing. The appeal form also is available at the Commission's website: www.ethics.state.fl.us. Click on "Financial Disclosure" and then the link to the sample appeal form.
4. **DUE DATE:** Your appeal must be received by the Commission on Ethics on or before **May 6, 2024.** 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, 2022, 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, 2021:** confirmation of your last date of office or employment by your former agency, showing the last date to be before December 31, 2021; or

f. **UNCLAIMED CERTIFIED MAIL**: if deliquency notice was addressed correctly but not received, you must explain why.

6. **YOUR RIGHT TO A HEARING:** You have the right to have your appeal heard by the Commission and to appear before the Commission at the hearing, but, to exercise this right, you must specifically request a hearing in your appeal. If you do not request a hearing, you will waive your right to a hearing, the Commission will determine the outcome of your appeal based upon the written record (including the documentation you provide and any documentation in your case file), and you will receive no further notice until after the Commission decides your appeal.

FAILURE TO PAY FINE OR FILE APPEAL WITHIN 30 DAYS

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

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

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

CERTIFICATE OF MAILING

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

David Dwayne Johnson
11247 Lake Dr
Leesburg, FL 34788 -4256

by Certified Mail on this Friday, April 05, 2024.



KIMBERLY R. HOLMES
Program Administrator

Florida Commission on Ethics
P. O. Drawer 15709
Tallahassee, FL 32317-5709

-or-

Florida Commission on Ethics
325 John Knox Road, Building E, Ste. 200
Tallahassee, FL 32303

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

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

9214 8901 0661 5400 0194 7227 08

RETURN RECEIPT (ELECTRONIC)

250487

DAVID DWAYNE JOHNSON
11247 LAKE DR
LEESBURG, FL 34788-4256

URGENT - Open Immediately!

CUT FOLD HERE

Zone 3

PEEL OFF ENVELOPE
CUT FOLD HERE

CUT FOLD HERE

IMpbCertified8x5Label v2022.6.16.1

Mail Piece Details

Print this page

Recipient Address

DAVID DWAYNE JOHNSON
11247 LAKE DR
LEESBURG, FL 34788-4256

Record / Case Number:
250487

Return Address

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

Entry Point ZIP:
32317

Mail Piece Information

Tracking Number: 9214890106615400019472270 8
Date Created: 04/05/2024 10:40:42 AM
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: R SEIGFRIED
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

Pre-Shipment, Usps Awaiting Item, April 05, 2024, 12:00:00 AM

Pre-Shipment Info Sent Usps Awaits Item, April 05, 2024, 09:50:00 AM, TALLAHASSEE,FL 32317

Origin Acceptance, April 06, 2024, 10:49:00 PM, TALLAHASSEE,FL 32317

Arrived At Usps Regional Origin Facility, April 07, 2024, 12:04:00 AM

In Transit To Next Facility, Arriving On Time, April 08, 2024, 12:00:00 AM

In Transit To Next Facility, Arriving On Time, April 09, 2024, 12:00:00 AM

Processed Through Usps Facility, April 09, 2024, 08:18:00 PM, JACKSONVILLE FL DISTRIBUTION CE 32203

In Transit To Next Facility, Arriving Late, April 10, 2024, 12:00:00 AM

Processed Through Usps Facility, April 11, 2024, 01:00:00 PM, ORLANDO FL DISTRIBUTION CENTER 32862

Processed Through Usps Facility, April 11, 2024, 04:50:00 PM, ORLANDO FL DISTRIBUTION CENTER 32862

Processed Through Usps Facility, April 11, 2024, 09:16:00 PM, ORLANDO FL DISTRIBUTION CENTER 32862

Departed Usps Regional Facility, April 12, 2024, 09:31:00 AM, ORLANDO FL DISTRIBUTION CENTER 32862

No Authorized Recipient Available, April 12, 2024, 10:29:00 AM, LEESBURG,FL 34788

Reminder To Schedule Redelivery Of Your Item, April 17, 2024, 12:00:00 AM

Reminder To Schedule Redelivery, April 17, 2024, 03:03:00 AM, LEESBURG,FL 34788

Delivered Individual Picked Up At Po, April 17, 2024, 09:53:00 AM, LEESBURG,FL 34788

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UNITED STATES POSTAL SERVICE

April 17, 2024

Dear MAIL MAIL:

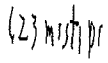
The following is in response to your request for proof of delivery on your item with the tracking number: **9214 8901 0661 5400 0194 7227 08**.

Item Details

Status:	Delivered, Individual Picked Up at Post Office
Status Date / Time:	April 17, 2024, 9:53 am
Location:	LEESBURG, FL 34788
Postal Product:	USPS Ground Advantage™
Extra Services:	Certified Mail™
	Return Receipt Electronic
Recipient Name:	DAVID DWAYNE JOHNSON

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: 9214890106615400019472270 8
250487
DAVID DWAYNE JOHNSON
11247 Lake Dr
Leesburg, FL 34788-4256

Form Year 2021 Filed Forms

FORM TYPE	DATE SUBMITTED	FORM SIGNED	FILED BY EMAIL?	UPDATED BY	COMMENTS
Form 1	09/15/2022	No	Yes	HOLMESK(SOE IMPORT)	Lake

Fine Year 2022 Fine Information

FINE BALANCE	STATUS	FINE DATE	ORIGINAL FINE AMOUNT	ADJUSTED FINE AMOUNT	LAST PAYMENT DATE	PAYMENT PLAN START DATE	PAYMENT PLAN AMOUNT	TOTAL PAYMENT PLAN AMOUNT DUE
$350.00	Appeal	04/04/2024	$350.00	$350.00				

Fine Address: 11247 Lake Dr, Leesburg, FL 34788-4256
Email: David.Johnson@leesburgflorida.gov
Org/Suborg: Leesburg - Employees

Fine Year 2022 Appeal Information

2022 FINE APPEAL - FD 22-028	No Hearing Scheduled
APPEAL STATUS	Active
APPEAL RECEIPT DATE	04/19/2024
APPEAL TIMELY FILED	Yes
PRINT APPEAL LETTER	
HEARING REQUESTED	No
APPEAL REASON	Lack of Notification
APPEAL NOTES	
APPEAL NUMBER	FD 22-028
APPEAL ANALYST ASSIGNED	
FINAL ORDER NUMBER	
FINAL ORDER DATE	

Fine Year 2022 Payment Information

DATE POSTED	DESCRIPTION	AMOUNT	METHOD	PAYMENT ID	COMMENT
04/04/2024	Fine Levied	+$350.00			Fined $350.00

Current Balance: $350.00

Fine Year 2022 Event Chronology

DATE	TYPE	DESCRIPTION	ADDRESS/EMAIL	REFERENCE
09/13/2022	Filer Correspondence Letter	Courtesy Notice of Fines Accruing - Courtesy Notice of Fines Accruing	201 S Canal St, Leesburg, FL 34748-5901 David.Johnson@leesburgflorida.gov	KimberlyHolmes

09/15/2022	Filer Communication Phone	Mr. Johnson called. today. All of our notices were being mailed to the fire station, but he retired		admin system
04/04/2024	Fine Levied	Fined $350.00		Journal: Fine Lake 2024-04-04-06:12
04/04/2024	Notice of Assessed Fine	Initial Fine Notice		Journal: Fine1st 2024-04-04-06:14
04/05/2024	Filer Correspondence: Letter	Notice of Assessed Fine - Filer 1st Fine Letter	11247 Lake Dr, Leesburg, FL 34788-4256 David.Johnson@leesburgflorida.gov	Correspondence Queue: 2024-04-05 00:00:00 Correspondence Sent: 2024-04-05 00:00:00.0000000
04/19/2024	Filer Correspondenc Letter	Fine Appeal - Fine Appeal	11247 Lake Dr, Leesburg, FL 34788-4256 David.Johnson@leesburgflorida.gov	Correspondence Queue: 2024-04-19 00:00:00 Correspondence Sent: 2024-04-19 00:00:00.0000000
04/19/2024	Fine Appeal	FD 22-028		Journal: Appeal 2024-04

Created Date: 4/19/2024
Type: Letter
Created By: System
Description: Fine Appeal - Fine Appeal

Created Date: 4/5/2024
Type: Letter
Created By: System
Description: Notice of Assessed Fine - Filer 1st Fine Letter

Created Date: 9/15/2022
Type: Phone
Created By: admin system
Description: Mr. Johnson called. today. All of our notices were being mailed to the fire station, but he retired back on 5/5/22, so he didn't receive anything until today. He is filing his Form 1 with Lake SOE today. Also, I updated his correct address, phone # and email for future notices, including the Notice of Assessed Fine that will include an appeal option for him.

Created Date: 9/13/2022
Type: Letter
Created By: System
Description: Courtesy Notice of Fines Accruing - Courtesy Notice of Fines Accruing

Created Date: 8/18/2022
Type: Postcard

Created By: System
Description: Courtesy Postcard Reminder - Courtesy Postcard Reminder