BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

| | | |
|---|---|---|
| In re ANNETTE MITCHELL | ) | Financial Disclosure Appeal No. FD 22-031 |
| | ) | |
| Appellant. | ) | Final Order No. XXX |
| | ) | |

FINAL ORDER

This matter came before the Commission on Ethics, meeting in public session on December 4, 2026, on its own motion, 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 a Commissioner for the Deerfield Beach Housing Authority, 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 Broward County Supervisor of Elections sent Appellant a 2021 CE Form 1.

3. No later than August 1, 2022, the Broward County Supervisor of Elections sent Appellant a notice of delinquency by certified mail. The Broward County Supervisor of Elections did not provide the Commission with a certified mailing receipt.

4. On September 13, 2022, the Commission on Ethics mailed Appellant a courtesy notice of fines accruing. This notice was sent to Appellant at 235 SW 3rd Ct, Deerfield Bch, FL 33441-4603.

5. On September 28, 2022, Appellant submitted her 2021 CE Form 1.

6. On April 5, 2024, the Commission mailed Appellant a Notice of Assessed Fine. The notice was sent by certified mail to Appellant at the 235 SW 3rd Ct address. It indicated the total of Appellant's accrued automatic fine was $675 ($25 per day for 27 days late) and provided that the Commission must receive an appeal of the fine by May 6, 2024.

7. On May 9, 2024, the Commission also Appellant's appeal of her automatic fine for Form Year 2021. On her appeal form, Appellant wrote that mail delivery was a major problem and she did not receive the letter. Appellant noted that she moved in January 2024 and received the letter in April 2024. Appellant also wrote that her mother died in 2021, and that her brother was diagnosed with COVID and spent nine months in the hospital. Appellant explained that she was dealing with mental challenges and was drained. Appellant also stated that she did receive email notice from the Broward County Supervisor of Elections in August of 2021.

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 which allow for time in which to take those steps necessary to assure compliance with the filing requirements shall be deemed not to constitute unusual circumstances.

12. Here, Appellant submitted an untimely appeal—the Commission received the Appeal on May 9, 2024, and the Appeal was signed on May 7, 2024. Appellant's Notice of Assessed Fine stated that her appeal was due on May 6, 2024. Turning to the merits of the Appeal, it is unclear how any of the circumstances that Appellant points to (such as moving in 2024 and family health issues in 2021) prevented her from timely filing her 2021 CE Form 1 in 2022, which is when the Form was due. Therefore, considering Appellant's claims, there are no "unusual circumstances" here that prevented the timely filing of the financial disclosure form that justify waiving the $675 fine.

## Order

Based on the foregoing facts and conclusions of law, the Commission hereby affirms the assessed fine of $675 and dismisses the appeal. The fine shall be paid to the Commission on Ethics,

P.O. Drawer 15709, Tallahassee, FL 32317-5709, within 30 days of the date this order is rendered, unless other payment arrangements are made by contacting Kimberly Holmes, Financial Disclosure Program Administrator, at the address above or by telephone at (850) 488-7864.

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: aln

Annette Mitchell
760 Se 2nd Ave C-102 Apartment C102
Deerfield Bch, FL 33441-4603

251197 22-031

# 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
MAY 09 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: Annette Mitchell

Address: _____ City: Deerfield Beach State: FL Zip: 33441

Daytime Tel.: 754-422-9698 Cell: 754-422-9698

Email: Amitchellgreat@gmail.com Filer ID# (if known): _____

Public Employer: Deerfield Beach Housing Authority

Public Position: Commissioner

**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.

B-Mail delivery was a major problem never received the letter/ moved Jan.2024 received mail in April 2024

In 2021 death of my mother. A year of challenges. Brother diagnosed with Covid 9 months in hospital

D-2021-2022 many challenges mentally it was a draining experience once I settled did respond.

I got an electronic email from Broward County form 1. That was end of Aug 2021 sent in FORM 1 Befowaed

## 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.

5/7/24 Annette M. Tobell

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:

LAST NAME -- FIRST NAME -- MIDDLE NAME :
Mitchell Annette Woods

MAILING ADDRESS :
235 SW 3rd Court

CITY : Deerfield Beach | ZIP : 33441 | COUNTY : Broward

NAME OF AGENCY :
Deerfield Beach Housing Authority

NAME OF OFFICE OR POSITION HELD OR SOUGHT :
Commissioner

**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 |
|---|---|---|
| None | | |
| | | |
| | | |
| | | |

**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")**

None

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.



(Continued on reverse side)

**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 | None | |
| 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:**

Annette W. Mitchell

**Date Signed:**

September 2,2022

## 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.

## Shameika Williams

**From:** Annette Mitchell <amitchellgreat@gmail.com>
**Sent:** Wednesday, September 28, 2022 8:21 PM
**To:** Claudette Hamilton
**Subject:** Re: Form 1

**Categories:** Green Category

Form 1_2021i.pdf

Please confirm you received this email.

On Fri, Sep 2, 2022 at 4:16 PM Claudette Hamilton <CHamilton@browardvotes.gov> wrote:

Ms. Mitchell,

Please see the attached.

**Claudette Hamilton**

***Municipal Liaison***

Broward County Supervisor of Elections

115 South Andrews Avenue, Room 102 • Ft. Lauderdale, FL 33301

Office: 954-712-1961 • Fax: 954-357-7070

Chamilton@browardvotes.gov

FLORIDA
COMMISSION ON ETHICS
NOV 14 2022
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# Florida Commission on Ethics
# Financial Disclosure Notification System
# Delinquency Certification (2022)

I __Joe Scott_____, the Supervisor of Elections of__Broward____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 _____
SUPERVISOR OF ELECTIONS

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 41 | 09/28/2022 | 251197 | Woods-Mitchell | Annette | Deerfield Beach Housing Authority-Board of Commissioners (PFR) | 235 Sw 3rd Ct Deerfield Bch, FL 33441 -4603 | Reset Form Received Edit Information |

**41 Persons in List.**

First Page

Jump to Last Names Starting With:

- A - B - C - D - E - F - G - H - I - J - K - L - M - N - O - P - Q - R - S - T - U - V - W - X - Y - Z -

Last Page

## Patricia Santiago

**From:** Joe Scott
**Sent:** Wednesday, August 31, 2022 3:11 PM
**To:** Patricia Santiago; Ivan Castro
**Subject:** FW: Financial Disclosure—Certification of Late Filers
**Attachments:** DelinquencyCertification_2022.pdf

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**From:** disclosure <disclosure@leg.state.fl.us>
**Sent:** Wednesday, August 31, 2022 2:29 PM
**To:** disclosure <disclosure@leg.state.fl.us>
**Subject:** Financial Disclosure—Certification of Late Filers

Dear Supervisor of Elections:

The final stage of the annual financial disclosure process is your certification to the Commission on Ethics of those persons who have not timely filed a Form 1, Statement of Financial Interests. Section 112.3145(8)(d), Florida Statutes, provides:

> No later than **November 15** of each year, the supervisor of elections in each county shall certify to the commission a list of the names and addresses of, and the offices or positions held by, all persons who have failed to timely file the required statements of financial interests. The certification must include the earliest of the dates described in subparagraph (g)1. The certification shall be on a form prescribed by the commission and shall indicate whether the supervisor of elections has provided the disclosure forms and notice as required by this subsection to all persons named on the delinquency list.

We have prescribed the attached form for your use in making this certification by November 15, 2022 or you may print the certification form from the portal. **Please note the Supervisor of Elections Portal will be closed on November 23, 2022**.

Given that the $25 daily fines are in effect (maximum of $1,500.00), we need to know exactly when each person's form was filed so our office can calculate the fine that will be due (note the instructions below on how to record a filing date for forms received after the grace period). In addition, in order to make this process as accurate as possible, please include the PID number that is associated with each late filer.

**PLEASE NOTE:**

1. The grace period for this year is in effect until Thursday, September 1, 2022.
2. The date a form is filed is the earliest of the following:
   a) When the statement is actually received by your office;
   b) When the statement is postmarked;
   c) When the certificate of mailing is dated (if a certificate of mailing obtained from and dated by the US Postal Service at the time of the mailing is supplied); or
   d) When the receipt from an established courier company is dated (if the form was delivered by an established courier company). [See sec. 112.3145(8)(g)1, Fla. Stat.]
3. The "cut-off" date is October 31, 2022 (this is the 60th day after Sep 1st, and the maximum fine accrues on the 60th day).
4. **Keep all envelopes and other paperwork showing postmark, etc., along with the Form 1.**

**EXAMPLES:**

- Any form mailed to your office that is postmarked on or before September 1st would be timely. Therefore, if your office received a Form 1 on September 6th, but it was postmarked on Thursday, September 1st, that filing would be timely and that filer should not be reported as late, as the "date filed" would be September 1st. **Enter the postmarked date as the receipt date.**
- Any form mailed to your office that is postmarked after September 1st would be late, and the filing date should be reported as the postmark date. For example, if you receive a form on September 29th that was postmarked on September 26th, you should report the filer as filing late, on September 26th.
- Any form that is hand-delivered to your office would be considered filed on the date received by your office (unless delivered by a courier company, in which case the filing date would be the date the courier company received it). Therefore, if a filer drops off his form on September 27th, the "date filed" would be September 27th. Or, if emailed, record for the date email was sent.
- Any filer who has not filed (received, postmarked, etc.) a Form 1 by October 31 should be reported as "Not filed by October 31".

You can use whatever format works best for you, as long as we receive the name, address, position, Filer ID #, and date filed for each person who failed to file by September 1st. For each person on the list of late filers, our office will calculate the amount of the fine, send a notice of the fine due and the appropriate appeal rights, and handle all fines and appeals.

**Additionally, in order to aid our staff to more efficiently handle appeals, please provide our office with copies of the certified mail receipts for all late and non-filers. For late filers, provide a copy of the form and envelope with postmarked date. If received by email, provide a copy of email with the form copy. You may also provide our office with any other information you feel is useful to assist us in handling appeals.**

If you have any questions, please do not hesitate to contact me. Your continued assistance is greatly appreciated.

Sincerely,
Kimberly R. Holmes
Program Administrator
Financial Disclosure Section
Florida Commission on Ethics
P.O. Drawer 15709
Tallahassee, FL 32317-5709
(850) 488-7864
(850) 488-3077 (Fax)
*www.ethics.state.fl.us*

**Physical address:**
**325 John Knox Road**
**Building E, Suite 200**
**Tallahassee, FL 32303**

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

In re **Annette Woods-Mitchell** **PID#: 251197**
**Commissioner**
**Board of Commissioners**
**Deerfield Beach Housing Authority**

# 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 28, 2022 with the Supervisor of Elections for Broward County, you are fined the amount of $675.00 ($25.00 per day for 27 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:

**Ms Annette Woods-Mitchell**
**235 Sw 3rd Ct**
**Deerfield Bch, FL 33441 -4603**

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 7230 71

RETURN RECEIPT (ELECTRONIC)

251197

ANNETTE WOODS-MITCHELL
235 SW 3RD CT
DEERFIELD BCH, FL 33441-4603

URGENT - Open Immediately!

Zone 4

IMpbCertified8x5Label v2022.6.16.1

# Mail Piece Details

Print this page

## Recipient Address

ANNETTE WOODS-MITCHELL
235 SW 3RD CT
DEERFIELD BCH, FL 33441-4603

***Record / Case Number:***
251197

## Return Address

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

***Entry Point ZIP:***
32317

## Mail Piece Information

**Tracking Number:** 9214890106615400019472307 1
**Date Created:** 04/05/2024 10:41:06 AM
**Mail Class:** USPS First Class Mail
**Special Services:** Certified Mail
Return Receipt Electronic
**Memo:** --
**Created By:** Kimberly Holmes - Commission on Ethics

## 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

**Accepted At Usps Origin Facility**, April 06, 2024, 06:48:00 PM, TALLAHASSEE,FL 32317

**Arrived At Usps Regional Origin Facility**, April 06, 2024, 08:03:00 PM

**In Transit To Next Facility, Arriving On Time**, April 07, 2024, 12:00:00 AM

**Arrived At Usps Regional Destination Facility**, April 08, 2024, 08:11:00 AM

**Processed Through Usps Facility**, April 08, 2024, 11:00:00 PM, WEST PALM BEACH FL DISTRIBUTION 33416

**Processed Through Usps Facility**, April 08, 2024, 11:56:00 PM, WEST PALM BEACH FL DISTRIBUTION 33416

**Forwarded**, April 09, 2024, 01:34:00 PM, DEERFIELD BEACH,FL 33441

**Forwarded**, April 09, 2024, 01:35:00 PM

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## Form Year 2021 Filed Forms

| FORM TYPE | DATE SUBMITTED | FORM SIGNED | FILED BY EMAIL? | UPDATED BY | COMMENTS |
|---|---|---|---|---|---|
| Form 1 | 09/28/2022 | No | Yes | HOLMESK(SOE IMPORT) | Broward |

## 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 |
|---|---|---|---|---|---|---|---|---|
| $675.00 | Appeal | 04/04/2024 | $675.00 | $675.00 | | | | |

Fine Address: 760 Se 2nd Ave C-102, Deerfield Bch, FL 33441-4603
Email: amitchell@dbhaonline.org
Org/Suborg: Deerfield Beach Housing Authority - Board of Commissioners

## Fine Year 2022 Appeal Information

| 2022 FINE APPEAL - FD 22-031 | No Hearing Scheduled |
|---|---|
| **APPEAL STATUS** | Active |
| **APPEAL RECEIPT DATE** | 05/09/2024 |
| **APPEAL TIMELY FILED** | No |
| **PRINT APPEAL LETTER** | |
| **HEARING REQUESTED** | ~~Yes~~ NO |
| **APPEAL REASON** | Lack of Notification |
| **APPEAL NOTES** | |
| **APPEAL NUMBER** | FD 22-031 |
| **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 | +$675.00 | | | Fined $675.00 |

Current Balance: $675.00

## 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 | 235 Sw 3rd Ct, Deerfield Bch, FL 33441-4603 awoodsmitchell@dbhaonline.org | KimberlyHolmes |
| 04/04/2024 | Fine Levied | Fined $675.00 | | Journal: Fine_Broward_2024-04-04-06:08 |

| | | | | |
|---|---|---|---|---|
| 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 | 235 Sw 3rd Ct, Deerfield Bch, FL 33441-4603 awoodsmitchell@dbhaonline.org | Correspondence Queue: 2024-04-05 00:00:00 Correspondence Sent: 2024-04-05 00:00:00.0000000 |
| 06/05/2024 | Filer Correspondence Letter | Fine Appeal - Fine Appeal | 760 Se 2nd Ave C-102 Apartment C102, Deerfield Bch, FL 33441-4603 amitchell@dbhaonline.org | Correspondence Queue: 2024-06-05 00:00:00 Correspondence Sent: 2024-06-05 00:00:00.0000000 |
| 06/05/2024 | Fine Appeal | FD 22-031 | | Journal: Appeal 2024-06 |

**Created Date:** 6/5/2024
**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:** 9/13/2022
**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