BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In re RAY NYHUIS	)	Financial Disclosure Appeal No. FD 22-040
	)	
Appellant.	)	Final Order No. 26-XXX
	)	

FINAL ORDER

This matter came before the Commission on Ethics, meeting in public session on December 4, 2026, on the Appeal of Appellant, 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 Councilmember on the Village of Lazy Lake Village Council, 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. This was mailed to Appellant at 2151 Lazy Ln, Lazy Lake, FL.

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 8, 2022, Appellant submitted his 2021 CE Form 1.

5. On April 5, 2024, the Commission mailed Appellant a Notice of Assessed Fine. The notice was sent by certified mail to the 2151 Lazy Ln address. It indicated the total of Appellant's accrued automatic fine was $175 ($25 per day for 7 days late) and provided that the Commission must receive an appeal of the fine by May 6, 2024.

6. On April 27, 2024, the Commission received Appellant's appeal of his automatic fine for Form Year 2021. In part B of his appeal form, Appellant checked "Other unusual circumstance" as the general reason for his appeal. In part C of his appeal form, where an appellant is asked to provide detailed explanation of his or her appeal, Appellant wrote that the Broward Blvd location was closed due to flooding, and he had no transportation to the temporary location. Through subsequent phone conversations with staff, Appellant clarified that he was referring to the Lazy Lake office location. Appellant also explained via phone that it was standard practice for Village Councilmembers to submit their forms to the Lazy Lake office clerk, who would then submit them to the Supervisor of Elections. Appellant wrote in his appeal that the Lazy Lake office is only open once per month, so he emailed his Form at his first opportunity to do so.

Conclusions of Law

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

8. 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.

9. 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.

10. 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.

11. Here, Appellant explained that the standard procedure for Lazy Lake Councilmembers was to turn in their forms to the office clerk, who would then submit them to the Supervisor of Elections. However, Appellant noted that the Lazy Lake office is only open once per month, that the normal location was closed due to flooding, and that he had no transportation to the temporary location. Appellant explained that he then emailed his form at his first opportunity to do so. The flooding of the office and Appellant's lack of transportation appear to be uncommon and sudden events over which Appellant had no control. 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 $175 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 $175.

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

Ray Nyhuis
2151 NE 1st Ave
Lazy Lake, FL 33305

22-040 207517

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 27 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: Raymond Nyhuis

Address: 2151 NE 15th Ave City: Lazy Lake State: FL Zip: 33305

Daytime Tel.: 954-549-0814 Cell: 954-549-0814

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

Public Employer:

Public Position: Counsel Lazy Lake

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.

Broward Blvd location Closed (Flooded)
No Transport To Temp location
Lazy Lake OFFice open once a month Per 1 Per Month
Meeting, Emailed at First opp. To Do So

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 App and I understand my options. I am requesting disposition of this matter as indicated.

4/27/24
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:

SEP 0 8 2022

LAST NAME – FIRST NAME – MIDDLE NAME:
Nghuis Raymond J.

MAILING ADDRESS:
2151 NE 1st Ave

CITY: Lazy Lake ZIP: 33305 COUNTY: Br.

NAME OF AGENCY:
Town Council

NAME OF OFFICE OR POSITION HELD OR SOUGHT:
Council Member

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
Magnolia Cafe	1218 NE 4th Ave Fl Lauderdale	Food Service

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
N/A			

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

N/A

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")

SEP 0 8 2022

TYPE OF INTANGIBLE	BUSINESS ENTITY TO WHICH THE PROPERTY RELATES
N/A	

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

NAME OF CREDITOR	ADDRESS OF CREDITOR
Chase Bank	Broward

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	N/A	
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:

Date Signed: Sept 8th 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.

FLORIDA
COMMISSION ON ETHICS
NOV 14 2022
RECEIVED

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

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

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

						FL 33311 -6038	
31	09/08/2022	267517	Nyhuis	Ray	Lazy Lake- Mayor And Village Council	2151 Lazy Ln Lazy Lake,	Reset Form Received Edit Information

BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In re **Ray Nyhuis** **PID#: 267517**
Council Member
Mayor And Village Council
Lazy Lake

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 8, 2022 with the Supervisor of Elections for Broward County, you are fined the amount of $175.00 ($25.00 per day for 7 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.

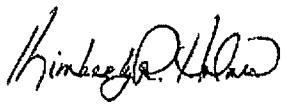
Please contact our office if you have any questions about this matter.

CERTIFICATE OF MAILING

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

Mr Ray Nyhuis
2151 Lazy Ln
Lazy Lake, FL 33305 -1032

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 7229 44

RETURN RECEIPT (ELECTRONIC)

267517

RAY NYHUIS
2151 LAZY LN
LAZY LAKE, FL 33305-0000

URGENT - Open Immediately!

Zone 4

IMpbCertified8x5Label v2022.6.16.1

Mail Piece Details

Print this page

Recipient Address

RAY NYHUIS
2151 LAZY LN
LAZY LAKE, FL 33305

Record / Case Number:
267517

Return Address

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

Entry Point ZIP:
32317

Mail Piece Information

Tracking Number: 9214890106615400019472294 4
Date Created: 04/05/2024 10:40:58 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: RAY NYHUIS
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
Processed Through Usps Facility, April 08, 2024, 07:21:00 PM, MIAMI FL DISTRIBUTION CENTER 33152
Processed Through Usps Facility, April 09, 2024, 05:23:00 PM, MIAMI FL DISTRIBUTION CENTER 33152
In Transit To Next Facility, Arriving Late, April 10, 2024, 12:00:00 AM
No Authorized Recipient Available, April 11, 2024, 03:22:00 PM, FORT LAUDERDALE,FL 33305
Reminder To Schedule Redelivery Of Your Item, April 16, 2024, 12:00:00 AM
Reminder To Schedule Redelivery, April 16, 2024, 03:46:00 AM, FORT LAUDERDALE,FL 33305
Delivered Left With Individual, April 16, 2024, 03:15:00 PM, FORT LAUDERDALE,FL 33305

Adobe is a registered trademark of Adobe Systems Incorporated in the United States and/or other countries.
For the latest version of Adobe® Reader® click here.

UNITED STATES POSTAL SERVICE

April 16, 2024

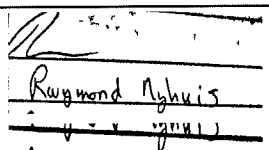
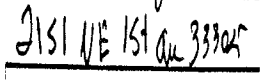
Dear MAIL MAIL:

The following is in response to your request for proof of delivery on your item with the tracking number: **9214 8901 0661 5400 0194 7229 44**.

Item Details

Status:	Delivered, Left with Individual
Status Date / Time:	April 16, 2024, 3:15 pm
Location:	FORT LAUDERDALE, FL 33305
Postal Product:	USPS Ground Advantage™
Extra Services:	Certified Mail™
	Return Receipt Electronic
Recipient Name:	RAY NYHUIS

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: 9214890106615400019472294 4
267517
RAY NYHUIS
2151 Lazy Ln
Lazy Lake, FL 33305-0000

Form Year 2021 Filed Forms

FORM TYPE	DATE SUBMITTED	FORM SIGNED	FILED BY EMAIL?	UPDATED BY	COMMENTS
Form 1	09/08/2022	No	No	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
$175.00	Appeal	04/04/2024	$175.00	$175.00				

Fine Address: 2151 Lazy Ln, Lazy Lake, FL 33305-1032
Email: mrrnyhuis@yahoo.com
Org/Suborg: Lazy Lake - Mayor And Village Council

Fine Year 2022 Appeal Information

2022 FINE APPEAL - FD 22-040	No Hearing Scheduled
APPEAL STATUS	Active
APPEAL RECEIPT DATE	04/27/2024
APPEAL TIMELY FILED	Yes
PRINT APPEAL LETTER	
HEARING REQUESTED	No
APPEAL REASON	Other
APPEAL NOTES	
APPEAL NUMBER	FD 22-040
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	+$175.00			Fined $175.00

Current Balance: $175.00

Fine Year 2022 Event Chronology

DATE	TYPE	DESCRIPTION	ADDRESS/EMAIL	REFERENCE
04/04/2024	Fine Levied	Fined $175.00		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 Correspondenc Letter	Notice of Assessed Fine - Filer 1st Fine Letter	2151 Lazy Ln, Lazy Lake, FL 33305-1032 Ray@lazylakefl.us	Correspondence Queue: 2024-04-05 00:00:00 Correspondence Sent: 2024-04-05 00:00:00.0000000
06/27/2024	Filer Correspondence: Letter	Fine Appeal - Fine Appeal	2151 Lazy Ln, Lazy Lake, FL 33305-1032 rnyhuis@lazylakefl.us	Correspondence Queue: 2024-06-27 00:00:00 Correspondence Sent: 2024-06-27 00:00:00.0000000
06/27/2024	Fine Appeal	FD 22-040		Journal: Appeal 2024-06

Created Date: 6/27/2024
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: 8/18/2022
Type: Postcard
Created By: System
Description: Courtesy Postcard Reminder - Courtesy Postcard Reminder