

BEFORE THE  
STATE OF FLORIDA  
COMMISSION ON ETHICS

In re MELIDA ORTEGA,	)	Financial Disclosure Appeal No. FD 20-030
	)	
Appellant.	)	Final Order No.
<hr/>	)	

FINAL ORDER

This matter came before the Commission on Ethics (Commission), meeting in public session on July 22, 2022, on a timely appeal of the Appellant, pursuant to Section 112.3145(8)(g), Florida Statutes, which assesses an automatic fine of \$25 per day on a person who fails to timely file a required CE Form 1, Statement of Financial Interests. The Commission may waive the fine in whole or in part for good cause shown, based on "unusual circumstances" surrounding the failure to file by the designated date. There are no matters in dispute. Appellant requests a hearing before the Commission.

Findings of Fact

1. According to information provided to the Commission, the Appellant serves or served as an Assistant Public Defender for the 9th Judicial Circuit Court, a position requiring the filing of a CE Form 1, "Statement of Financial Interests," for the year 2019. The designated due date for submitting a 2019 CE Form 1 annual filing was July 1, 2020, with a grace period ending on September 1, 2020.

2. On July 30, 2020, the Appellant was laid off from her public position.

3. No later than May 19, 2020, the Commission sent to the Appellant a 2019 CE Form 1. The blank 2019 CE Form 1 was mailed to the Appellant at 2 Courthouse Sq Ste 1600, Kissimmee, FL 34741.

4. On July 31, 2020, the Commission sent to the Appellant a notice via certified mail intended to remind her of her obligation to file a 2019 CE Form 1. This notice was sent to the Appellant at the same 2 Courthouse Sq Ste 1600 address. Records from the United States Postal Service (USPS) indicate that the mailing was "delivered [and] left with [an] individual" at the courthouse on August 3, 2020. The signature was not Melida Ortega's name.

5. On August 20, 2020, the Commission mailed to the Appellant a postcard intended to remind her of her obligation to file a 2019 CE Form 1. The Commission mailed the postcard to the same address as aforementioned.

6. On August 27, 2020, the Commission sent a courtesy email to the Appellant's personal school email address to remind her of her obligation to file a 2019 CE Form 1.

7. On September 8, 2020, the Commission sent a courtesy notice to the Appellant indicating that fines were beginning to accrue. This notice was sent to the same address as aforementioned.

8. On March 16, 2021, the Commission sent to the Appellant a Notice of Assessment of Automatic Fine. The notice was sent to the aforementioned Kissimmee address. It indicated the total of the Appellant's accrued automatic fine, and included a notice of the right to appeal the fine, stating that the appeal had to be received by the Commission by April 15, 2021, to be considered timely. USPS indicate that the mailing was "in transit, arriving" on March 22, 2021. The records do not show it was delivered.

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

10. On April 15, 2021, 226 days after the expiration of the grace period, the Appellant submitted her 2019 CE Form 1 to the Commission. The Appellant also updated her mailing address on file with the Commission to 503 Santander Avenue Apt 4, Coral Gables, FL 33134.

11. On April 15, 2021, the Commission received the Appellant's timely appeal of the automatic fine. In part B of the appeal form, the Appellant checked "Lack of notification-Failure to receive notice" as the reason for this appeal. In part C of the appeal form, where the Appellant is asked to provide a detailed explanation of her appeal including why the options they selected in part B of their form are applicable to their situation, the Appellant stated that she had not received any of the notices apprising her of the financial disclosure requirement prior to the expiration of the penalty free grace period as she worked from home from May to July 2020 due to pandemic quarantines, was laid off from her job on July 30, 2020, and moved from Kissimmee to Coral Gables on August 7, 2020.

#### Conclusions of Law

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

13. 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.

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

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

15. The Appellant's basis for appealing the fine is that she did not timely receive any of the notices regarding the filing obligation prior to the expiration of the grace period.

16. There is no evidence to conclusively refute the Appellant's claim that she was absent from her work office from May to July 2020 due to the COVID-19 pandemic. The Commission sent a notice to file to her work address on July 31, 2020. The notice was received by “[an] individual” at the courthouse on August 2, 2020, but this was three days after she was laid off from her job. Furthermore, the signature of the individual who received the Commission’s certified mail did not match Ortega’s name. There is no evidence to suggest that Appellant ever got the Commission’s notice to file her 2019 CE Form 1.

17. There is also no evidence to refute the Appellant’s claim that she moved from Kissimmee in August 2020. The Appellant signed an early lease termination on August 2, 2020 with her Kissimmee landlord, and had to vacate on August 7, 2020. Appellant’s move supports her assertion that she moved after she had been terminated.

18. Because there is no evidence to dispute the Appellant's claim that she did not receive any notices to timely file her 2019 CE Form 1, there are "unusual circumstances" here that justify waiving the \$1,500 fine.

Order

Based on the foregoing facts and conclusions of law, the Commission hereby waives the assessed fine of \$1,500.

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

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Date Rendered

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John Grant  
*Chair, Florida Commission on Ethics*

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

JG: sc

Ms. Melida Ortega  
503 Santander Ave, Apt 4  
Coral Gables, FL 33134.

270122

20-030

HAND DELIVERED



# 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 15 2021

RECEIVED

## APPEAL OF AUTOMATIC FINE FOR FORM YEAR 2019

**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: Melida Ortega

Address: 503 Santander Ave, Apt 4 City: Coral Gables State: FL Zip: 33134

Daytime Tel.: (305) 733-2543 Cell: + same

Email: morte065@fiu.edu

Filer ID# (if known): \_\_\_\_\_

Public Employer: N/A as of July 30th, 2020.

Public Position: N/A.

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, 2019** (Explain in Part C and provide confirmation from agency that your office-holding/employment ended before 12/31/2019)
- 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.

During the Month of May 2020 I was working from home.  
During the Month of June 2020 I was working from home.  
This is also true for the month of July 2020. Approximately  
1 week after returning from working from home I was  
laid off, approximately July 30th, then I moved to Miami, FL.

## OPTIONAL REQUEST FOR HEARING

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

## SIGNATURE

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

4/15/2021.

DATE

SIGNATURE

Franchisee



Franchisee

GetFileAttachment

04/15/21 12:36 PM

Xerox® WorkCentre® 7845



Dear State of Florida Commission of Ethics,

Please consider this letter my formal appeal regarding the Notice of Assessment of Automatic Fine in the amount of \$1,500.00 fine. Notice was sent to the Osceola County Courthouse located at 2 Courthouse Square, Ste. 1600, Kissimmee, Florida 34741. I was employed with the Public Defender's Office for the 9<sup>th</sup> Judicial Circuit Court of Florida from September 2017 until July 30, 2020, when I was laid off.

The Public Defender's Office for the 9<sup>th</sup> Judicial Circuit Court of Florida covers 2 counties, Orange county and Osceola County. I worked at the Osceola County Courthouse. On March 18, 2020, everyone working for the Public Defender's Office was sent to work from home due to COVID-19. We were not allowed in the Office until June 1, 2020. Thereafter, we had multiple emails indicating we may work from home and I chose to do so given the COVID-19 pandemic and the nature of our work. I have enclosed emails from the Osceola County Chief for the public Defender's Office evidencing that during the relevant time periods I was working from home.

I returned to the Office on July 24, 2020. Shortly thereafter I was laid off on July 30, 2020 (approximately). I have requested proof from my prior employer to evidence the date I was laid off upon receipt I will supplement my appeal. At the time I was laid off I was living at 129 Lewfield Circle, Winter Park, Florida 32792. My lease was due to terminate on August 31, 2020. Given that I was laid off and my family members reside in Miami, Florida I decided to terminate my lease early. I have enclosed my lease agreement as well as an email with the attachment from my prior landlord.

My email is [morte065@fiu.edu](mailto:morte065@fiu.edu) and I do not check that email as often as I should. I primarily use my work email. At the relevant time I was unemployed until I was hired at a new firm sometime in late August/Early September. I ended up receiving notice of this fine when I received an envelope from the public Defender's Office containing the Notice of Assessment of Automatic Fine at my new firm. Currently, I am employed with Gallardo Law Firm located at 8492 SW 8 Street, Miami, Florida 33144. I have enclosed documentation to support my position that I did not receive notice.

With this letter I am also preserving my right to a hearing before the commission. I also reserve the right to supplement my appeal with additional documentation. Please feel free to contact me via email at [family@gallardolawyer.com](mailto:family@gallardolawyer.com) (ATTN- Attorney Ortega) or at my personal cellphone number 305-733-2543 or via mail at my currently mailing address of 503 Santander Avenue, Apt.4, Miami, Florida 33144.

Thank you,



Melida Ortega, Esq.

4/15/2021

Kuatroleap Mail - Fwd: STAC Content (MUST READ)



Family Gallardo Lawyers <family@gallardolawyers.com>

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## Fwd: STAC Content (MUST READ)

1 message

Melida Ortega <morte065@fiu.edu>  
To: family@gallardolawyers.com

Thu, Apr 15, 2021 at 8:34 AM

**From:** "Patrou, Justin (PUB DEF)" <JPatrou@circuit9.org>  
**Date:** May 13, 2020 at 11:33:23 AM EDT  
**Subject:** RE: STAC Content (MUST READ)

We are trusting all of you to work from home with the understanding that we are able to accurately monitor your production and work.

It is unacceptable to enter notes such as "video visitation scheduled with this client on Monday at 12 noon."

Do not add duplicative notes in STAC. For example, it is inappropriate to add an email chain and then add another note in STAC summarizing the email discussion just to increase your STAC notation, OR add a note emailed ASA for an offer/discovery and then add the email itself in another note.

Do not enter group updates for what you plan to do in the future on your cases. For example, it is inappropriate to enter "will be updating all clients next week on status of the courts" or "will be calling out of custody clients."

You may not change the jail status of an in custody client to out of custody if they are in jail in order to avoid having them come up on a report.

Falsifying STAC entries or "boosting" your numbers to avoid detection or appear you are doing more work is unacceptable and will not be tolerated.

Best,

Justin Patrou, Osceola Division Chief

Board Certified Criminal Trial Attorney

Law Offices of Robert Wesley, Public Defender

(407)742-7024

PLEASE NOTE: Florida has a very broad public records law (F. S. 119). All e-mails to and from County Officials are kept as a public record. Your e-mail communications, including your e-mail address may be disclosed to the public and media at any time.

**From:** Patrou, Justin (PUB DEF)  
**Sent:** Wednesday, May 13, 2020 9:05 AM  
**To:** Black, Jake (PUB DEF) <jblack@circuit9.org>; Broadway, Crystal (PUBDEF) <CBroadway@circuit9.org>; Carbone, Donald (PUB DEF) <dcarbone@circuit9.org>; Cobb, Ebony (PUBDEF) <ecobb@circuit9.org>; Cooper, Maryjane (PUB DEF) <mcooper@circuit9.org>; Crisler, Cali <ccrisler@circuit9.org>; Cronk, Kristin <kcronk@circuit9.org>; Deprez, Nicole (PUB DEF) <ndeprez@circuit9.org>; Duran, Daniel (pub def) <dduran@circuit9.org>; Hernandez, Zarina (PUB DEF) <zhernandez@circuit9.org>; Ibrahim, Mary (PUB DEF) <mibrahim@circuit9.org>; Jimenez, Evelyn (PUB DEF) <ejimenez@circuit9.org>; Johnson, Alex (PUBDEF) <ajohnson@circuit9.org>; Jordan, Sarah (PUBDEF) <sjordan@circuit9.org>; Khoudmi, Olga (PUBDEF) <pdjvok1@circuit9.org>; King, Ben (PUB DEF) <bking@circuit9.org>; Labbe, Clonjey (PUB DEF) <clabbe@circuit9.org>; Lopez Segarra, Guillermo (PUBDEF) <glopezsegarra@circuit9.org>; Mendoza, Richard <rmendoza@circuit9.org>; Ortega, Melida (PUBDEF) <mortega01@circuit9.org>; Patrou, Justin (PUB DEF) <JPatrou@circuit9.org>; Perez, Elinett (PubDef) <eoperez@circuit9.org>; Ramirez, Alex <aramirez01@circuit9.org>; Reid, Jere (PUBDEF) <JREID2@circuit9.org>; Romero-Sanchez, Azalia (PUB DEF) <aromero-sanchez@circuit9.org>; Rosas, Rose <rrosas@circuit9.org>; Sampson, Marcia (PUB DEF) <msampson@circuit9.org>; Sanabria, Sidney (PUB DEF) <ssanabria@circuit9.org>; Schmer, Peter (PUBDEF) <PDADPS1@circuit9.org>; Scholl, Adam (PUBDEF) <ascholl@circuit9.org>; Smith, Alesha (PUBDEF) <asmith@circuit9.org>  
**Subject:** STAC Content (MUST READ)  
**Importance:** High

Hey Everyone—

Do not enter group updates in your cases indicating things such as "was out sick/on vacation during these dates," "watching CLE during these dates," "zoom conference/PTC."

This information is not STAC appropriate, not case specific, and needs to stop now, please. That information can be kept on your calendar, if anyone needs to know what you were doing on a specific day you can refer to your calendar to account for your time.

Also, please do not enter "contact/mail letter" if you just requested your assistant to send a form letter out to a client. That is intended for actual contact, specific to the client, where you send them an individualized letter communicating with them about the substance of their case.

If you have used generic letters as "contact" with clients, you need to see them immediately.

Best,

Justin Patrou, Osceola Division Chief

Board Certified Criminal Trial Attorney

Law Offices of Robert Wesley, Public Defender

2 Courthouse Square, 1600

Kissimmee, Florida 34741

(407)742-7024

4/15/2021

Kuatroleap Mail - Fwd: STAC Content (MUST READ)

PLEASE NOTE: Florida has a very broad public records law (F. S. 119). All e-mails to and from County Officials are kept as a public record. Your e-mail communications, including your e-mail address may be disclosed to the public and media at any time.

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4/15/2021

Kuatroleap Mail - Fwd: Update 6/29



Family Gallardo Lawyers <family@gallardolawyers.com>

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**Fwd: Update 6/29**

1 message

**Melida Ortega** <morte065@fiu.edu>  
To: family@gallardolawyers.com

Thu, Apr 15, 2021 at 8:34 AM

**From:** "Patrou, Justin (PUB DEF)" <JPatrou@circuit9.org>  
**Date:** June 29, 2020 at 4:00:53 PM EDT  
**Subject:** Update 6/29

Hey Everyone—

Beginning today you may work from home if you choose, with a return date of Monday, July 13<sup>th</sup>. Our office will be closed to the public other than evaluations and depositions. For a client or deponent to be able to enter the building they must be on a list and/or present their subpoena for deposition at the Court Admin Tent.

During this time, you will still be required to handle court, depositions and evaluations. As a reminder, while some court may be handled remotely, there is other court that must be handled in person. You are still expected to communicate with clients, both in and out of jail.

Please make sure that your whiteboard has your status of if you are working from home or if you will be in the office. We will be monitoring and auditing during this time.

Please let us know if you have any questions.

Best,

Justin Patrou, Osceola Division Chief

Board Certified Criminal Trial Attorney

Law Offices of Robert Wesley, Public Defender

2 Courthouse Square, 1600

Kissimmee, Florida 34741

(407)742-7024

4/15/2021

Kuatroleap Mail - Fwd: Update 6/29

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disclosed to the public and media at any time.



Family Gallardo Lawyers <family@gallardolawyers.com>

**Fwd: Update 07/10**

1 message

**Melida Ortega** <morte065@fiu.edu>  
To: family@gallardolawyers.com

Thu, Apr 15, 2021 at 8:33 AM

**From:** "Patrou, Justin (PUB DEF)" <JPatrou@circuit9.org>  
**Date:** July 10, 2020 at 4:39:39 PM EDT  
**Subject:** Update 07/10

Hey everyone—

You may continue to work from home, if you choose, through Friday July 17. In order to work from home you must have an active VPN and home internet to complete everything you need to at home on STAC and for virtual court. If you have an OC with a client who has Zoom capabilities you may want to change your OC to a Zoom OC to avoid your client having to come in unnecessarily.

During this time, you are still required to handle any court, depositions, and evaluations on your calendar or dockets. You are still expected to communicate with in and out of custody clients.

Please continue to communicate with each other regarding arraignment/division dockets and ensuring there is sufficient coverage for all matters set in your division.

Your whiteboards must be updated as to your status (ie work from home, court, etc). We will be monitoring and auditing during this time.

Please let me know if you have any questions.

Best,

Justin Patrou, Osceola Division Chief

Board Certified Criminal Trial Attorney

Law Offices of Robert Wesley, Public Defender

2 Courthouse Square, 1600

Kissimmee, Florida 34741

(407)742-7024

4/15/2021

Kuatrolleap Mail - Fwd: Update 07/10

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4/15/2021

Kuatroleap Mail - Fwd: Update 7/17



Family Gallardo Lawyers <family@gallardolawyers.com>

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## Fwd: Update 7/17

1 message

**Melida Ortega** <morte065@fiu.edu>  
To: family@gallardolawyers.com

Thu, Apr 15, 2021 at 8:33 AM

**From:** "Patrou, Justin (PUB DEF)" <JPatrou@circuit9.org>  
**Date:** July 17, 2020 at 12:26:41 PM EDT  
**Subject:** Update 7/17

Hey everyone—

You may continue to work from home, if you choose, through Friday, July 24. In order to work from home you must have an active VPN and home internet. If you are in the office, please make sure to follow all previously outlined rules and mask guidelines. Your whiteboards MUST be updated as to your status (ie work from home, court, etc).

During this time, you are still required to handle any court, depositions, and evaluations on your calendar or dockets. You are still expected to communicate with in and out of custody clients.

Please continue to communicate with each other regarding arraignment/division dockets and ensure there is sufficient coverage for all matters set in your division.

Please let me know if you have any questions.

Best,

Justin Patrou, Osceola Division Chief  
Board Certified Criminal Trial Attorney  
Law Offices of Robert Wesley, Public Defender  
2 Courthouse Square, 1600  
Kissimmee, Florida 34741  
(407)742-7024

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4/15/2021

Kuatroleap Mail - Fwd: Update 7/17

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\* All e-mails to and from County Officials are kept as a public record.

Your e-mail communications, including your e-mail address may be disclosed to the public and media at any time.

4/15/2021

Florida International University Mail - Early termination 129 Lewfield



Melida Ortega <morte065@fiu.edu>

## Early termination 129 Lewfield

1 message

tyevanburen@mindspring.com <tyevanburen@mindspring.com>

Sun, Aug 2, 2020 at 7:56 AM

Reply-To: tyevanburen@mindspring.com

To: Melida Ortega <morte065@fiu.edu>

Melida, please sign and return, Thanks Tye



**EARLY TERMINATION Ortega.docx**

12K

#### EARLY TERMINATION AGREEMENT OF LEASE

Whereas, Tye Van Buren ("Landlord") owns a dwelling located at 129 Lewfield Cir., Winter Park, Florida 32792, and

Whereas, Melida Ortega ("Tenant") leases from Landlord this dwelling under a written lease which terminates by its terms on August 31, 2020 at 11:59 pm, and

Whereas, Tenant represents that she was unexpectedly laid off from her job recently and wishes to terminate said lease before the end of August, 2020,

Therefore Landlord and Tenant agree as follows:

1. Landlord agrees to the early termination of the above-referenced lease at the end of August 7, 2020, without further obligations due from Tenant under the lease;
2. In consideration, Tenant will pay \$215.00 to Landlord immediately as prorated rent, further
3. Tenant agrees to vacate the leased dwelling by the end of August 7, 2020, and will leave the dwelling in clean and rentable condition, and
4. Tenant agrees that failure to vacate by that date will void this agreement and Landlord will have all rights afforded by Florida law to collect the full rent and such other remedies as provided by law and the written lease.

Date: August 2, 2020

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Tye Van Buren

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Melida Ortega aka Melida Ortega-Solis

# *THE STRATFORD, A WINTER PARK CONDOMINIUM*

## **RULES AND REGULATIONS**

Under the condominium documents, the Board of Directors of **THE STRATFORD WINTER PARK CONDOMINIUM ASSOCIATION, INC.**, has the responsibility and authority for the operation of the Association, management of the Condominium Property and for the establishment and enforcement of Rules and Regulations.

These Rules and Regulations may be modified, added to or repealed at any time by the Board. Any consent or approval given by the Association under these Rules and Regulations shall be revocable at any time, except for its approval of re-sales or leases. These Rules and Regulations and all others hereinafter promulgated shall apply to and be binding upon all Unit Owners. The Unit Owners shall at all times obey said Rules and Regulations and shall use their best efforts to see to it that they are faithfully observed by their families, guests, invitees, servants, lessees and other persons over whom they exercise control and supervision. Owners are responsible for any violations by family members, guests, invitees, servants and lessees and their families, guests and invitees.

1. The sidewalk, entrances, passages, if applicable, vestibules, stairways, corridors, halls, and all of the Common Elements must not be obstructed or encumbered or used for any purpose other than ingress and egress, to and from the premises; nor shall any carriages, bicycles, shopping carts, chairs, benches, tables or any other object of a similar type and nature be stored therein. Children shall not play or loiter in halls, stairways, or other interior public areas. For security purposes, all doors leading from the building to the outside shall be closed at all times and shall not be blocked open.

2. Exterior apartment doors must not be blocked or otherwise left open.

3. The personal property of all Unit Owners shall be stored within their Condominium Units or assigned storage areas. Items left in common areas will be removed to a secure area and may be reclaimed by the owner upon compliance with any required fines or corrective measures.

4. No garbage cans, supplies, milk bottles or other articles shall be placed in the halls, on the balconies, or on the staircase landings, nor shall any linens, cloths, clothing, curtains, rugs, mops or laundry of any kind, or other articles, be shaken or hung from any of the windows, doors or balconies, or exposed on any part of the Common Elements. Fire exits shall not be obstructed in any manner, and the Common Elements shall be kept free and clear of rubbish, debris and other unsightly material. Management staff periodically cleans the entryways, but individual owners are still required to keep the entryways in a clean, unobstructed, and safe condition.

5. No Owner shall allow anything whatsoever to fall from the windows, balcony or doors of the premises; nor shall he sweep or throw from the premises any dirt or other substance into any of the corridors, halls or balconies, elevators, ventilators, or elsewhere in the buildings or upon the grounds.

6. Refuse and bagged garbage shall be deposited only in the receptacles provided therefore. In this regard, all refuse must be bagged in sealed garbage bags. Large items and boxes cannot be placed in the receptacles. Furniture, large items, mattresses, etc. may not be placed in or near the dumpsters. Removal and disposal of large items is the responsibility of the owner. Extra charges incurred by the Association for removal of these items will be charged back to the owner of the responsible unit in addition to any fines that might be levied. If you wish to dispose of large items you must contact the management company not less than five days in advance. Arrangements can be made with the trash removal company to remove the items at the owner/tenants expense. Items to be recycled are to be placed in the recycling bins. Water closets and other water apparatus and plumbing facilities on the Condominium Property shall not be used for any purpose other than those for which they were constructed. Sanitary napkins and similar items must not be flushed. Any damages resulting from misuse of any of such items in the Condominium Unit or elsewhere shall be paid for by the Unit Owner in whose Unit it shall have been caused or by the Unit Owner whose family, guest, invitee, servant, lessee or other person who is on the Condominium Property pursuant to the request of the Unit Owner caused such damage.

7. No wind chime shall be placed in balcony areas.

8. Employees of the management company do not have any responsibility for the management of any owned unit. They are responsible only for management of the common elements. No Unit Owner or resident shall direct, supervise or in any manner attempt to assert any control over or interfere in any way with the employees of the management company.

9. The parking facilities shall be used in accordance with the regulations therefore adopted from time to time.

10. The type, color and design of chairs and other items of furniture and furnishings that may be placed and used, where applicable, on any terrace or balcony may be determined by the Board of Directors of the Association, and a Unit Owner shall not place or use any item, where applicable, upon any terrace or balcony without the approval of the Board of Directors of the Association.

11. The exterior of the Condominium Units and all other exterior areas appurtenant to a Condominium Unit, including, but not limited to, balcony walls, railings, ceilings or doors, shall not be painted, decorated or modified by a Unit Owner in any manner without the prior written consent of the Association,

12. Nothing, including, but not limited to, radio or television aerials or antennas, satellite dishes, signs, notices or advertisements, awnings, curtains, shades, window guards, light reflective materials, hurricane or storm shutters, ventilators, fans or air conditioning devices, or

other items shall be attached or affixed to the exterior of any Unit or balcony or exposed on or projected out of any window, door or balcony of any Unit without the prior written consent of the Association. No one shall alter the outside appearance of any window of any Unit without the prior written consent of the Association. The consent of the Association to all or any of the above may be withheld on purely aesthetic grounds within the sole discretion of the Board of Directors of the Association.

13. No interior of a Condominium Unit shall be altered in any manner as such would have any effect on the structural elements of the building or its electrical, mechanical, plumbing or air conditioning systems or on any of the Common or Limited Common Elements without the prior written consent discretion of the Board of Directors of the Association, except that, to the extent permitted by law, this rule shall not apply to the Developer.

14. No Unit Owner shall make or permit any disturbing noises in the buildings by himself, his family, servants, employees, agents, visitors and licensees, nor do or permit anything by such persons that will interfere with the rights, comfort or convenience of any of the Unit Owners. No Unit Owner shall play upon or suffer to be played upon any musical instrument, or operate or suffer to be operated, a phonograph, television, radio or sound amplifier in his Unit in such a manner as to disturb or annoy other occupants of the Condominium. All parties shall lower the volume as to the foregoing after 11:00 pm. of each day. No Unit Owner shall conduct or permit to be conducted vocal or instrumental instruction at any time. At any time at the request of another owner, and after 11 PM, with or without request, no occupant or guest in any unit shall make or cause to be made any sounds that may be heard beyond the walls of that unit. The driver of any vehicle operated on Lewfield Circle shall lower the volume of any audio equipment to a level that cannot be heard outside the vehicle upon entering Lewfield Circle.

15. No sign advertisement, notice or other lettering shall be exhibited, displayed, inscribed, painted or affixed in, on or upon any part of the Condominium Unit or Condominium Property by any Unit Owner or occupant without written permission of the Association or as otherwise provided in the Declaration. No sign, graphic, or display of any kind may be displayed through a window or glass door of any unit.

16. No awning, canopy, shutter or other protection shall be attached to or placed upon the outside walls or doors or roof of the building without the written consent of the Board of Directors of the Association. The exterior appearance of all window coverings shall be white in color. Draperies or window coverings of any other color must be lined in white so that only the white surface is visible from the exterior of the unit.

17. The Association shall have a duplicate key to all Units. In the event the Unit Owner fails to supply either a key or duplicate key, and entry into the Unit by the Association is permitted in accordance with the Declaration, Articles, Bylaws or these Regulations, the Association shall not be responsible for any costs or expenses incidental to a forced entry into the Unit. The agents of the Association and any contractor or workman authorized by the Association may enter any Unit at any reasonable hour of the day for any purpose permitted under the terms of the Declaration of Condominium or Bylaws of the Association. Entry will only be made after pre-arrangement with the respective Unit Owner or the occupant of the

Condominium Unit except in the event of an emergency condition which threatens damage to any person, a common element or another unit. Nothing herein shall relieve the Association of its duty of ordinary care in carrying neither out its responsibilities, nor from its negligence or willful activities that caused damage to a Unit Owner's property.

18. The enforcement of the declarations of condominium and these rules and regulations are essential to the retention of property values and to the quality of life of all residents. If you observe a violation, you should report it promptly to the management company at their telephone number, which is posted on the front door of the clubhouse, or in writing by depositing it in the black mailbox at the clubhouse. Questions or comments may be directed to the Board or its members by placing the item on the meeting agenda. Meeting dates, times and places are posted at the reader board at the entrance and on the clubhouse door at least two days before any meeting. They are also posted on the complex website at [soundviewmgt.com/Stratford](http://soundviewmgt.com/Stratford).

19. No inflammable, combustible or explosive fluid, chemical or substance shall be kept in any Unit or Limited Common Element assigned thereto or storage area, except such as are required for normal household use. No container containing combustible or caustic materials may exceed one half gallon in size.

20. Payments of monthly assessments shall be made by any of the methods made available by the management company. Payments made in the form of checks shall be made to the order of the Stratford Winter Park Condominium Association. Payments of regular assessments are due on the first (1st) day of each month, and are past due after the tenth of the month. A late charge of 25 dollars is assessed as a late charge for any payments received after the tenth of any month and interest at the rate of 15% per annum is charged on all accounts 30 days or more past due. Any subsequent payments are applied first to late fees, then to interest, then to dues.

21. No bicycles, scooters, baby carriages, similar vehicles, toys or other personal articles shall be allowed to stand in any driveways, Common Elements or Limited Common Elements. Bicycles may not be ridden on sidewalks, taken into the pool area or tennis courts, or ridden on the grass. Bicycles may be ridden on Lewfield Circle subject to the rules of the road. Lewfield Circle is used by automobiles and all bicycle riders must obey all traffic restrictions, including directional restrictions. Any bicycles or other items left in a common area will be removed to a secure place.

22. The Condominium Unit shall be used solely for purposes consistent with applicable zoning laws. No trade, business, profession or other type of commercial activity may be conducted in or from any Condominium Unit.

23. A Unit Owner shall not permit or suffer anything to be done or kept in his Condominium Unit which will increase the insurance rates on his Unit, the Common Elements or any portion of the Condominium or which will obstruct or interfere with the rights of other Unit Owners of the Association.



24. Advance arrangements shall be made with the Association before moving furniture or bulky personal belongings into or out of any building. If a tenant is vacating a leased unit it is the responsibility of the owner of that unit to notify the management company not less than ten days prior to the scheduled date of the move. Any damage to any common elements caused by the move will be the responsibility of the owner. Owners should check with the management company to determine if there has been any damage or any furniture or bulky items placed in or near dumpsters before refunding security deposits. A unit owner will be responsible for any damage or added waste removal charges caused by the tenant. Any damages caused by movers will be charged back to the owner of the unit.

25. Rugs, mats, etc. may not be placed outside the Condominium Unit entrance doors. No door hardware may be changed or deadbolts added to the exterior door of any door. If a lock is changed a duplicate key must be provided to the management company. All outer door hardware must conform to existing hardware. Unauthorized items will be removed at the owner's expense.

26. No solicitors are to be permitted on the Condominium Property at any time except by individual appointment with residents.

27. When in beach attire, all chairs and lounges must be covered with a towel before use.

28. There is no assigned parking at the Stratford. Handicap spaces are for cars with handicap parking permits only. Only vehicles eligible for licensing in the State of Florida as automobiles may park on the premises. Trucks with more than two axles, commercial vehicles, campers, recreational vehicles, boats, trailers and inoperable vehicles may not park on the premises. Parking is by permit only. Permits will be issued upon completion of a vehicle registration form, but are limited to owner occupants and tenants residing in units which have a current valid leasing permit. Parking permits must be placed on the rear window of the vehicle and be clearly visible from the exterior of the vehicle. Permits will only be issued to tenants who are named on a written lease that is on file at the management office or their spouse/adult children. Any vehicle parked on the premises for more than 24 hours without a permit will be subject to being towed at the owner's expense. Vehicles with expired registration or that are inoperable are subject to towing without regard to whether a permit has been issued. Parking permits will be issued to motorcycles and mopeds that are currently licensed and are legal for operation on the public roads in Florida. Use of Lewfield Circle is limited to ingress or egress only. Improper use of Lewfield circle by two wheeled motorized vehicles will subject the unit owner to fines and possible revocation of the parking permit. Excessively noisy vehicles will not be permitted. A permit may be revoked for persistent violations. Permits are not transferable.

34. Pets may be kept, but no more than two pets other than aquarium fish may be kept per unit. All pets must be registered with the management company. All pets must be on a leash at any time the animal is outside a unit. Pets may not be left on balconies or patios unless the owner is present. All owners are responsible for cleaning up any pet waste. No dogs may be kept that are classified as dangerous animals for insurance purposes. This category includes, but is not limited to, Pits Bulls, Rottweiler's, Chow Chows, Doberman Pinchers, German Sheppard's, Siberian Huskies, Persia Canarios, Alaskan Malamutes, Akitas, Boxers, Great

Danes, and Wolf-hybrids. No exotic pets, including snakes, large cats, and the like are permitted. Any animal kept in violation of any County, State or Municipal Ordinance or Regulation will be reported. Any free running animals will be reported to the appropriate authorities. Any animal which makes excessive noise, engages in threatening behavior, or disrupts the quiet enjoyment of residents will be required to be removed from the complex.

35. The use of gas-fired or charcoal-fired cooking grills is prohibited. There is no cooking allowed of any type on balconies. Two charcoal grilles are located in the area near the clubhouse pool and are available for the use of residents. Grilling is limited to that area. No grilles or barbecues of any kind may be kept in the common areas, limited common areas, or on balconies or patios.

36. Skateboarding or rollerblading is prohibited in common areas.

37. The Association must approve any flooring placed in the Units other than carpeting. This includes wood flooring unless installed in accordance with the restrictions in the Declarations of condominium. Any floor covering installed in violation of this rule will be considered a continuing violation for each day that the installation is unremedied.

38. In the event any Rule or Regulation heretofore set forth or hereinafter promulgated, or any sentence, clause, paragraph, phrase or word thereof is determined to be invalid or unenforceable, all remaining provisions or portions thereof shall be and shall remain in full force and effect.

28. Unit Owners are responsible for any damages to the Common Elements or Limited Common Elements caused by themselves, their family, guests, invitees, servants, lessees and persons who are on the Condominium Property because of such Unit Owner.

29. Food and beverages may not be consumed outside of a Unit, except in such areas as are designated by the Board of Directors of the Association.

30. Provisions in the nature of Rules and Regulations are specified in the Declaration of Condominium. It is the responsibility of each owner and occupant to familiarize themselves with the restrictions contained in the declaration of condominium.

31. The Board of Directors of the Association reserves the right to make additional Rules and Regulations as may be required from time to time. These additional Rules and Regulations shall be as binding as all other Rules and Regulations previously adopted.

32. Rules and Regulations as to the use of the recreational facilities shall be posted, and each Unit Owner, as well as his family, guests and invitees, shall observe all Rules and Regulations.

## **VENDORS RULES AND REGULATIONS**

### Construction Guidelines

1. Vendors, Movers and Cleaning Services work is permitted on Saturday after 9:00 am, and no work is permitted on Sunday. Work is permitted Monday thru Friday between the hours of 8:00 a.m. to 4:00 p.m. **Please notify your vendor of this rule in advance.**
2. **Unit Access.** It is the sole responsibility of the owner/occupant to provide access to the unit for all service providers to the unit.
3. **License and Insurance.** License and insurance information must be provided to the management before the subcontractors will be given permission to commence work.
4. **Notification of Construction Crews to be on Site.** The contractor, sub-contractors or owner of the unit must submit a specification plan and authorization form to the Manager at least three days in advance.
5. **Sub-contractors' Parking.** Vendors are required to park vehicles in designated parking area.
6. **Specifications.** A copy of specifications outlining the exact procedure, color and material to use in order to remain uniform throughout the property may be obtained at the Management Office and must be followed. Written approval must be obtained from the Board of Directors for the following trades: 1- Hurricane Shutters, 2- Satellite Dish, 3- Floor tile for correct underlayment.
7. **Trash Removal.** Trash generated from sub-contractors may not be disposed of on the Property.
8. **Responsibility for Damage to Building.** Grout or thin set may not be disposed of in the unit plumbing. Workers will be expected to remove their own material. Sub-contractors are not to leave or perform any work in the common areas. Trades using material such as paint, tile, woodwork, etc., must neatly lay heavy paper or plastic (from the elevator door to the unit) in the entryway in order to prevent any damage to carpet or tile. All common areas will be inspected at the end of each day. The cost of any repairs to the common area or to the other units will be assessed to the owner/sub-contractors.

**ANY VENDOR FOUND TO BE IN VIOLATION OF THESE GUIDELINES WILL NOT BE PERMITTED TO RETURN TO THE PROPERTY UNTIL THE VIOLATION HAS BEEN CORRECTED AND PAYMENT HAS BEEN MADE FOR DAMAGES.**

### **RULES FOR THE USE OF SWIMMING POOLS AND TENNIS COURT**

1. The pool area consists of the entire area inside the fence. In addition to these rules, pool rules are posted at the gate to the pools.
2. Access to the pools is only through the locked gates. No person shall climb over the fence to access the pool. Use of the pools is limited to owner occupants and tenants of

- units with leasing permits. Keys will be issued to authorized persons. A refundable \$25 deposit is required for each key. The deposit will be refunded when the key is returned.
3. No food or drink may be carried or consumed in the pool or within four feet of the water. No glass bottles or other glass may be taken into the pool area or the tennis court.
  4. Any authorized resident may take guests to the pool, but not to exceed two guests per unit. Larger groups may use the clubhouse pool, but only if the clubhouse has been rented for the purpose and a security deposit has been paid.
  5. There are no lifeguards at the pools. There is to be no running in the pool area and diving is strictly prohibited. No animals of any kind may be taken into the pool area. Lounge chairs must be covered with a towel before being occupied by any person in shorts, swimming suit, or not wearing a shirt.
  6. No children under 16 years of age are permitted in the pool area without supervision of an adult. Portable radios or other music must be kept at a volume that does not disturb any residents, and pool users should try to minimize noise levels.
  7. Both swimming pools are open from 6:00 AM to 10:00 PM. Occupancy after those hours is strictly prohibited.
  8. Residents are requested to report any observed violations of pool rules, or the existence of any unsafe conditions, to the management company as promptly as possible.

#### **RENTERS/RENTAL RULES**

1. Leasing or renting of a unit by an owner, either directly or through an agent, is permitted only as set forth below. The lease must be in writing and must be for a minimum period of six months. Month to month tenancies are not permitted. The fee for a leasing permit will be prorated so that it will expire at the end of the calendar year in which issued.
2. A leasing permit issued at any time during a month will be considered to have been issued on the first day of that month for purposes of calculating the amount due.
3. Renters have full use of the facilities. Owners will be held responsible for the actions of their guests or renters. Any damage to the Property will be the responsibility of the owner. By leasing the unit, the owner transfers his right to use the common facilities, including parking, to the tenant.
4. Renters and guests are subject to all House Rules adopted by the Board of Directors. It is the responsibility of the owner to see that a copy of the House Rules is given to each renter and that guests are familiar with the rules. Any violation of these rules can be cause to request immediate vacating of the unit.
5. Subletting by renters is not permitted. Any unit must be leased in its entirety. The Declarations of Condominium restrict the ability of owners to rent their property. No more than 25% of units may be rented. This restricts rentals to 51 units in the complex. These rules are supplemental to the restrictions contained within the Declaration of condominium.
  - a. Renting of a unit is restricted to owners who hold a valid leasing permit. A valid permit is a permit issued in accordance with the procedures and rules and regulations regarding issuance. To be valid, a permit must bear a permit number, bear the original signatures of two members of the Board of Directors of the Stratford at Winter Park Condominium Association, Inc., bear an issuance and expiration date,

and be in the form prescribed. Leasing of a unit without a permit is a violation of these rules and the Declarations of Condominium and may be enforced by fines and/or court proceedings. Tenants of units without leasing permits are not permitted to utilize any facilities, including amenities, parking, or services.

- b. Permits will be issued only to unit owners who are in full compliance with the Declarations of Condominium and these Rules and Regulations. A permit will be issued upon application if the number of permits outstanding is less than 25% of all units. The application for a permit must be in writing, include full contact information for the owner, and contact information for any person or entity serving as a rental manager.
- c. Permits are not transferable. Any transfer of an ownership interest in a condominium unit revokes the leasing permit except in the limited circumstances identified in the Declaration of Condominium; specifically, a transfer to an entity in which the current owner has the sole interest. If a unit owner is on the waiting list and sells or transfers the unit that person will be removed from the waiting list. At any time that a foreclosure proceeding is commenced against an owner or owners of any unit, any leasing permit will be revoked or the name removed from the waiting list.
- d. A waiting list is maintained for leasing permits. In order to be placed on the waiting list an owner must request in writing that they be placed on the list. Whenever a permit is expired or revoked, the first person on the waiting list will be granted a permit, but only if all necessary documentation, including a current certificate of insurance, is on file. All dues and assessments must be current and the unit must either be presently unoccupied or occupied by the owner. If a permit has been issued for an owner-occupied unit, it will expire unless leased to a tenant within 180 days of the issuance of the permit. It is the responsibility of every person on the waiting list to insure that the management company has current contact information.
- e. There is a \$120 per year fee for a leasing permit. All permits will be valid for the calendar year and will expire at midnight on December 31<sup>st</sup>. The permit will expire unless the renewal fee has been paid prior to 12:01 AM on January 1.
- f. If a holder of a permit is more than 60 days in arrears on dues, has not furnished a current copy of a lease, or a current certificate of insurance, or has unpaid fines or unremedied violations, a notice will be sent that the permit will be revoked unless the default is remedied within 30 days. If there is a failure to cure the default, the permit will be revoked. Any person on the waiting list who falls more than 60 days in arrears on HOA dues or assessments will likewise receive a notice and if all balances are not made current within 30 days that person will be removed from the waiting list and, upon curing the default, be placed on the bottom of the list.
- g. Under extraordinary circumstances, a hardship leasing permit may be issued by the Board. The issuance of a permit is at the sole discretion of the Board. Issuance of a hardship permit is limited to those circumstances where an individual is involuntarily unable to continue to occupy an owner occupied unit because of involuntary relocation, death, disability or serious extended illness. It will be issued only after the unit has been offered for sale at current market price and has remained unsold for more than 90 days. Financial exigency will not be considered a hardship, and hardship permits are limited to units that were, until the circumstance arose, occupied by the owner. Upon issuance of a hardship permit the holder of the permit will be

placed on the waiting list and, when possible, converted to a regular permit. The fee for a hardship will be the same as the fee for a leasing permit.

### ENFORCEMENT

1. Any violation of these rules and regulations, or of the Declarations of Condominium, will subject the owner to a fine and/or other appropriate enforcement, including legal action to seek an injunction or mandatory order to force compliance.
2. Each day that a violation continues after notice will be considered a separate violation. Notice will be deemed to have been given three days after a letter notice of the violation has been deposited in the United States mail, addressed to the last known address of the owner, with sufficient postage. If the owner does not occupy the unit, a copy of the notice will be delivered to the unit that is in violation.
3. The presumptive fine for each and every violation will be \$100 per occurrence, but may be reduced in the sole discretion of the management company. If an owner wishes to contest the fine or violation he/she may do so by utilizing the appeal procedures available. A panel of three members of the Association who are not Directors will hear any information to be presented in support of or in contradiction to the violation and make a determination as to whether a violation has occurred and, if so, the amount of the fine to be imposed. The decision of the appeal board will be final.
4. The total of fines for any offense shall not exceed \$1000. Fines will not constitute a lien on the property owned by the violator, but failure to pay the fine may result in revocation of a leasing permit or removal from the waiting list or court action to effect collection.

**Mail Piece Details****Print this page****Recipient Address**

MELIDA EMELINA ORTEGA  
2 COURTHOUSE SQ STE 1600  
KISSIMMEE, FL 34741-5487

**Record / Case Number:**  
270122

**Return Address**

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

**Entry Point ZIP:**  
32317

**Mail Piece Information**

**Tracking Number:** 92148901066154000153075968

**Date Created:** 07/30/2020 04:10:16 PM

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**Special Services:** Certified Mail  
Return Receipt Electronic

**Memo:** --

**Created By:** Kimberly Holmes - Commission on Ethics

**Signature Information**

**Signed For By:** J RODRIGUEZ

**Signature Status:** Available (Click Here)

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Mailed, July 30, 2020, 04:10:16 PM, TALLAHASSEE,FL 32317

Pre-Shipment Info Sent To Usps, Usps Awaiting Item, July 30, 2020, 12:00:00 AM

Pre-Shipment Info Sent Usps Awaits Item, July 30, 2020, 03:21:00 PM, TALLAHASSEE,FL 32317

Accepted At Usps Origin Facility, July 31, 2020, 07:13:00 PM, TALLAHASSEE,FL 32317

Origin Acceptance, July 31, 2020, 07:13:00 PM, TALLAHASSEE,FL 32317

Arrived At Usps Regional Origin Facility, July 31, 2020, 08:28:00 PM

Processed Through Usps Facility, July 31, 2020, 08:28:00 PM, TALLAHASSEE,FL 32301

Departed Usps Regional Facility, July 31, 2020, 11:12:00 PM

Depart Usps Facility, July 31, 2020, 11:12:00 PM, TALLAHASSEE,FL 32301

In Transit To Next Facility, August 01, 2020, 12:00:00 AM

Arrived At Usps Regional Facility, August 01, 2020, 01:00:00 PM

Processed Through Usps Facility, August 01, 2020, 01:00:00 PM, ORLANDO,FL 32862

Departed Usps Regional Facility, August 01, 2020, 10:13:00 PM

Depart Usps Facility, August 01, 2020, 10:13:00 PM, ORLANDO,FL 32862

In Transit, Arriving On Time, August 02, 2020, 12:00:00 AM

Departed Usps Regional Facility, August 02, 2020, 03:59:00 PM

Processed Through Usps Facility, August 02, 2020, 03:59:00 PM, ORLANDO,FL 32862

Delivered Individual Picked Up At Usps, August 03, 2020, 08:23:00 AM, KISSIMMEE,FL 34741



UNITED STATES  
POSTAL SERVICE

Date Produced: 08/04/2020

THE MAIL GROUP INC - 1 / CONFIRM DELIVERY INC:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 0661 5400 0153 0759 68. Our records indicate that this item was delivered on 08/03/2020 at 08:23 a.m. in KISSIMMEE, FL 34741. The scanned image of the recipient information is provided below.

Signature of Recipient :

Signature of Recipient: *Emmanuel M. Martin*

Address of Recipient :

Address of Recipient: *2 Courthouse Sq*

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

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270122  
MELIDA EMELINA ORTEGA  
2 Courthouse Sq Ste 1600  
Kissimmee, FL 34741-5487



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

In re     **Melida Emelina Ortega**  
          **Assistant Public Defender**  
          **Employees**  
          **Public Defender; 9Th Circuit**

**PID#: 270122**

**NOTICE OF ASSESSMENT OF AUTOMATIC FINE**

The Commission on Ethics hereby gives notice of an assessment of a fine against you pursuant to Section 112.3145(8)(g), Florida Statutes, due to your failure to timely file your 2019 CE Form 1, Statement Of Financial Interests. Under the law, your 2019 CE Form 1, Statement of Financial Interests, was due by July 1, 2020. The law provided for a penalty-free grace period extending the due date to September 1, 2020. After that date, you accrued fines of \$25.00 per day for each day your financial disclosure was late, up to the maximum fine of \$1,500.00 (60 days late), pursuant to Section 112.3145(8)(g), Florida Statutes.

Inasmuch as your 2019 CE Form 1 has not been filed with the Commission on Ethics within the 60 days of the grace period date (September 1, 2020), you have accrued the maximum fine amount of \$1,500.00. This fine must be paid to the Commission on Ethics within 30 days of the date of this notice unless you appeal the fine to the Commission. The Commission has the authority to consider the appeal and waive the fine in whole or in part if your failure to file on time was due to "unusual circumstances" surrounding the failure to file. Unless the fine is successfully appealed, the Commission is required to investigate public officers and employees who receive the maximum \$1,500 fine, to determine whether their failure to file was willful. The penalty for willfully failing to file disclosure is removal from public office or employment.

**HOW TO APPEAL**

1. Read these instructions carefully before submitting your appeal.
2. **LEGAL AUTHORITY:** Appeals are governed by Section 112.3145(8)(g)3., Florida Statutes, and Commission Rule 34-8.215, Florida Administrative Code.
3. **FORMAT:** Your appeal must be in writing and mailed to Florida Commission on Ethics, P. O. Drawer 15709, Tallahassee, FL 32317-5709, or delivered to Florida Commission on Ethics, 325 John Knox Road, Building E, Suite 200, Tallahassee, FL 32303. The appeal may take the form of a letter or you may use the appeal form included in this mailing. The appeal form also is available at the Commission's website: www.ethics.state.fl.us. Click on "Financial Disclosure" and then the link to the sample appeal form.
4. **DUE DATE:** Your appeal must be received by the Commission on Ethics on or before **April 15, 2021**. **NOTE:** Failure to timely file an appeal will constitute a waiver of your right to appeal and will result in the entry of a default order against you.
5. **UNUSUAL CIRCUMSTANCES:** An appeal must demonstrate that you submitted your CE Form 1 after the extended due date because of "unusual circumstances." "Unusual circumstances" is defined in Commission Rule 34-8.215(4), Florida Administrative Code, as "uncommon, rare, or sudden events over which the reporting individual had no control and which directly result in the failure to act in accordance with the filing requirements." Therefore, circumstances that allowed for time to take steps necessary to file on time do not constitute "unusual circumstances" that will allow the Commission to waive the fine. You have the burden to establish "unusual circumstances." Your appeal must specifically state the circumstances that led to your not filing by September 1, 2020, 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, 2019:** confirmation of your last date of office or employment by your former agency, showing the last date to be before December 31, 2019; or
- f. **UNCLAIMED CERTIFIED MAIL:** if delinquency notice was addressed correctly but not received, you must explain why.
6. **YOUR RIGHT TO A HEARING:** You have the right to have your appeal heard by the Commission and to appear before the Commission at the hearing, but, to exercise this right, you must specifically request a hearing in your appeal. If you do not request a hearing, you will waive your right to a hearing, the Commission will determine the outcome of your appeal based upon the written record (including the documentation you provide and any documentation in your case file), and you will receive no further notice until after the Commission decides your appeal.

**FAILURE TO PAY FINE OR FILE APPEAL WITHIN 30 DAYS**

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

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

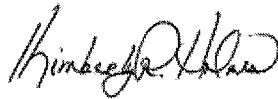
Please contact our office if you have any questions about this matter.

**CERTIFICATE OF MAILING**

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

**Melida Emelina Ortega**  
**2 Courthouse Sq Ste 1600**  
**Kissimmee, FL 34741 -5487**

by Certified Mail on this Tuesday, March 16, 2021.



KIMBERLY R. HOLMES  
Program Administrator

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

-or-

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

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

**Mail Piece Details****Print this page****Recipient Address**

MELIDA EMELINA ORTEGA  
2 COURTHOUSE SQ STE 1600  
KISSIMMEE, FL 34741-5487

**Record / Case Number:**  
270122

**Return Address**

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

**Entry Point ZIP:**  
32317

**Mail Piece Information**

**Tracking Number:** 92148901066154000160863329

**Date Created:** 03/16/2021 04:49:32 PM

**Mail Class:** USPS First Class Mail

**Special Services:** Certified Mail  
Return Receipt Electronic

**Memo:** --

**Created By:** Kimberly Holmes - Commission on Ethics

**Tracking Information**

Mailed, March 16, 2021, 04:49:32 PM, TALLAHASSEE,FL 32317  
Pre-Shipment Info Sent To Usps, Usps Awaiting Item, March 16, 2021, 12:00:00 AM  
Pre-Shipment Info Sent Usps Awaits Item, March 16, 2021, 04:02:00 PM, TALLAHASSEE,FL 32317  
Accepted At Usps Origin Facility, March 18, 2021, 09:37:00 AM, TALLAHASSEE,FL 32317  
Origin Acceptance, March 18, 2021, 09:37:00 AM, TALLAHASSEE,FL 32317  
Arrived At Usps Regional Facility, March 18, 2021, 10:52:00 AM  
Processed Through Usps Facility, March 18, 2021, 10:52:00 AM, ORLANDO,FL 32862  
Departed Usps Regional Facility, March 18, 2021, 06:24:00 PM  
Processed Through Usps Facility, March 18, 2021, 06:24:00 PM, ORLANDO,FL 32862  
Departed Usps Regional Facility, March 18, 2021, 09:05:00 PM  
Depart Usps Facility, March 18, 2021, 09:05:00 PM, ORLANDO,FL 32862  
In Transit, Arriving On Time, March 19, 2021, 12:00:00 AM  
In Transit, Arriving On Time, March 20, 2021, 12:00:00 AM  
In Transit, Arriving On Time, March 21, 2021, 12:00:00 AM  
In Transit, Arriving Late, March 22, 2021, 12:00:00 AM

PROCESSED

FORM 1

STATEMENT OF  
FINANCIAL INTERESTS

2019

Melida Emelina Ortega  
Assistant Public Defender  
Public Defender, 9Th Circuit  
Employees  
2 Courthouse Sq Ste 1600  
Kissimmee FL 34741 -5487



FOR OFFICE USE ONLY:  
FLORIDA  
COMMISSION ON ETHICS

APR 15 2021

RECEIVED



270122

Ortega Melida Emelina

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, 2019.

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
n/a		

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")

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

Federal School Loans  
Saline Mac (0849)

# 90,000.00. Fed Loan Servicing. P.O. Box 691824  
# 5,000.00. Harrisburg, PA 17106

**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

n/a

**PART G — TRAINING**

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

n/a



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:

4/15/21

**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, 2019.



Financial Disclosure Management System  
THE FLORIDA COMMISSION ON ETHICS

Filer - Fines and Appeals - PID 270122 - Melida Emelina Ortega

Filer Information

Org Membership

Forms

Communications

Fines and Appeals >

View All

Filer Flags

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

<<2020 Form Year

Status

Filing: INACTIVE

Fine: No Fine

Flags

Public Address

Filing Extensions

Indefinite: None

Temporary:

None

Eligible for Fines

Update Flags

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

2020 Fines and Appeals

Form Year 2019 Filed Forms

Received Date	Form Type	Form Signed	Filed by Email	Filing Location	Updated	Comments
04/15/21	Form 1	Yes	No	COE	HOLMESK on 04/21/2021	

2020 Fine Information

Update Fine Information

Assign Agency Contact

Fine Balance	Fine Status	Fine Date	Original Assessment	Fine Amount	Last Payment Date	Payment Plan Start Date	Payment Plan Amount
\$1,500.00	Appeal	3/16/2021	\$1,500.00	\$1,500.00			

Fine Address 503 Santander Avenue APT 4 Coral Gables FL 33134  
Org/Suborg Public Defender; 9Th Circuit-Employees


2020 Fine Payment History

Date Posted	Description	Amount	Method	Payment ID	Comments
3/16/2021	Fine Levied	+ \$1,500.00			Fined \$1500.00

Current Balance: \$1,500.00


2020 Fine Year Event  
Chronology

Invalidate Transaction

 Add a New Filer



 Jump To A Filer

PID:


 Quick Filer Search

First Name:


Last Name:

 Date	Type	Description	Reference
 05/19/2020	Letter Sent	Form 1 Official List - Form 1 Official Filers List	Print Queue: <a href="#">5/19/2020 7:55 AM</a> Printing Confirmed: 5/19/2020 7:55 AM

**Letter Sent To:**  
Melida Emelina Ortega  
2 Courthouse Sq Ste 1600  
Kissimmee, FL 34741 -5487

 07/31/2020	Letter Sent	Certified Letter Sent	Print Queue: <a href="#">7/31/2020</a> Printing Confirmed: 7/31/2020
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**Letter Sent To:**  
Melida Emelina Ortega  
2 Courthouse Sq Ste 1600  
Kissimmee, FL 34741 -5487


 08/20/2020	Postcard Sent	Courtesy Postcard Reminder	Print Queue: <a href="#">8/20/2020</a> Printing Confirmed: 8/20/2020
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**Letter Sent To:**  
Melida Emelina Ortega  
2 Courthouse Sq Ste 1600  
Kissimmee, FL 34741 -5487

08/27/2020 Filer      From: Zuilkowski, Steven      Steven Zuilkowski  
Communication: Sent: Thursday, August 27,  
Email      2020 3:27 PM To:  
                 'morte065@fiu.edu' Subject:  
                 Commission on Ethics:  
                 Delinquent Financial  
                 Disclosure Form URGENT  
                 REMINDER! YOU MUST ACT  
                 NOW! Please be aware that  
                 the Commission on Ethics has  
                 not received your Financial  
                 Disclosure for the 2019

calendar year (2019 CE Form 1, Statement of Financial Interests). Your financial disclosure was due to be filed on July 1, 2020. There is a grace period for filing until September 1, 2020, after which time you will be fined \$25/day to a maximum of \$1,500. Please make sure you email (CEForm1@leg.state.fl.us) or postmark your financial disclosure form before September 1, 2020. Please note, your 2019 financial disclosure needs to be filed even if you left your position on or after December 31, 2019. If you have any questions, you can email me or call the Commission on Ethics at 850-488-7864.

Steven J. Zuilkowski  
 Attorney Florida Commission  
 on Ethics P.O. Drawer 15709  
 Tallahassee, FL 32317-5709  
 (850) 488-7864 (850) 488-3077 (Fax) ethics.state.fl.us  
 Physical address: 325 John Knox Road Building E, Suite 200 Tallahassee, FL 32303

 09/8/2020 Letter Sent

Courtesy Notice of Fines  
 Accruing

Print Queue:

9/8/2020

Printing Confirmed:

9/8/2020


**Letter Sent To:**

Melida Emelina Ortega  
 2 Courthouse Sq Ste 1600  
 Kissimmee, FL 34741 -5487




03/16/2021 Fine Levied Fined \$1500.00 Journal: [3/16/2021 9:23 AM](#)

03/16/2021 Notice of Initial Fine Notice Journal: [3/16/2021 10:02 AM](#)  
Assessed Fine


 03/16/2021 Letter Sent Notice of Assessed Fine - Print Queue: [3/16/2021](#)  
Filer 1st Fine Letter Printing Confirmed: [3/16/2021](#)

**Letter Sent To:**  
Melida Emelina Ortega  
2 Courthouse Sq Ste 1600  
Kissimmee, FL 34741 -5487

 04/15/2021 Form Received Form 1 Received, Signed Form 1 Received by  
Kimberly Holmes at  
COE

**Form Received By:** Kimberly Holmes  
**Filing Location:** COE  
**Record Created By:** Kimberly Holmes on 04/21/2021

04/21/2021 Fine Appeal FD 20-030 Journal: [4/21/2021 5:29 PM](#)

 04/23/2021 Letter Sent Fine Appeal Print Queue: [4/23/2021](#)  
Printing Confirmed: [4/23/2021](#)

**Letter Sent To:**  
Melida Emelina Ortega  
503 Santander Avenue  
APT 4  
Coral Gables, FL 33134

2020 Fine Appeal — FD 20-030	Update Appeal		Withdraw Appeal	
	Assign Attorney		Request More Info	
	Record Appeal Outcome			
Appeal Status:	A Hearing has been requested but not yet scheduled.			
Active	<a href="#">Schedule a Fine Appeal Hearing</a>			
Appeal Receipt				

<p>Date: 04/15/2021 Timely Filed: Yes Print Appeal Letter: Yes Hearing Requested: Yes Appeal Reason: Lack of Notification Appeal Notes: Appeal Number: FD 20-030 Appeal Analyst Assigned: Final Order Number: Final Order Date:</p>
---