

BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In re PHYLLIS GONZALEZ)	Financial Disclosure Appeal No. FD 20-039
)	
Appellant.)	Final Order No.
_____)	

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 did not request a hearing before the Commission.

Findings of Fact

1. According to information provided to the Commission, the Appellant served as the Community Development Administrator for the Department of Children and Families, 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. Appellant left her employment on December 31, 2019.

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 160 W Government Blvd. Suite 611 in Pensacola, FL 32502.

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 160 W Government Blvd address. Records from the United States Postal Service (USPS) show the mailing was delivered to reception on August 4, 2020.

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 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.

7. On March 16, 2021, the Commission sent to the Appellant a Notice of Assessment of Automatic Fine. The notice was sent to the aforementioned address. USPS records show the letter was "left with an individual" at the front desk on March 19, 2021. 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.

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

9. On April 15, 2021, the Commission received the Appellant's 2019 CE Form 1 through email and her timely filed appeal. In part B of the appeal form, the Appellant checked "Claim of timely filing of financial disclosure" as the reasons for her 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 attempted to timely file her CE Form 1 in February and April 2020, but had her mail returned for sending it to a wrong address. Appellant unknowingly sent it to the previous

address used by the Commission at 3600 Maclay Boulevard Tallahassee, FL 32312 due to a supervisor's error in giving her the wrong address. The Commission had since moved its offices to the present address at 325 John Knox Road, Building E, Suite 200, Tallahassee, FL 32303.

Conclusions of Law

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

11. 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.

12. 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.

13. The Appellant submitted a written, sworn and notarized statement that her 2019 CE Form 1 was mailed to the Commission's old address at 3600 Maclay Boulevard, via first class mail. Furthermore, the Appellant provided the email sent to her by Ms. Debra K. Jonson, an Assistant Human Resources Director, on August 10, 2019, which included the wrong address of the Commission.

14. Appellant was told by her Department's Assistant Human Resources Director, to mail her 2019 CE 1 Form on December 31, 2019, the day she left her job. However, the Assistant

Human Resource Director, erroneously provided the wrong address for the Commission and the Appellant inadvertently attempted to file her 2019 CE Form 1 in February 2020 and April 2020 at the wrong address for the Commission. There is no evidence to conclusively refute the Appellant's claim that she did timely file her 2019 CE Form 1, albeit at the wrong address without any attributable fault of her own.

15. Because there is no evidence to dispute the Appellant's claim that she did attempt to file her 2019 CE Form 1 – albeit at the wrong address, 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.

Date Rendered

John Grant
Chair, Florida Commission on Ethics

THIS ORDER CONSTITUTES FINAL AGENCY ACTION. ANY PARTY WHO IS ADVERSELY AFFECTED BY THIS ORDER HAS THE RIGHT TO SEEK JUDICIAL REVIEW UNDER SECTION 120.68, AND SECTION 112.3241, FLORIDA STATUTES, BY FILING A NOTICE OF ADMINISTRATIVE APPEAL PURSUANT TO RULE 9.110 FLORIDA RULES OF APPELLATE PROCEDURE, WITH THE CLERK OF THE COMMISSION ON ETHICS, AT EITHER 325 JOHN KNOX ROAD, BUILDING E, SUITE 200, TALLAHASSEE, FLORIDA 32303 OR P.O. DRAWER 15709, TALLAHASSEE, FLORIDA 32317-5709; AND BY FILING A COPY OF THE NOTICE OF APPEAL

ATTACHED TO WHICH IS A CONFORMED COPY OF THE ORDER DESIGNATED IN THE NOTICE OF APPEAL ACCOMPANIED BY THE APPLICABLE FILING FEES WITH THE APPROPRIATE DISTRICT COURT OF APPEAL. THE NOTICE OF ADMINISTRATIVE APPEAL MUST BE FILED WITHIN 30 DAYS OF THE DATE THIS ORDER IS RENDERED.

JG: sc

Ms. Phyllis Gonzalez
1645 Smugglers Cove
Gulf Breeze, FL 32563.

20-039

FLORIDA
COMMISSION ON ETHICS

APR 15 2021

RECEIVED



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

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: Phyllis Gonzalez
Address: 1645 Smugglers Cove Golf Breeze State: FL Zip: 32363
Daytime Tel.: 850-324-4039 Cell: Same
Email: Community2000 Pg @Gmail.com Filer ID# (if known):
Public Employer: DCF
Public Position: Community Development Administrator

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.

See Attached email from: Kelly Stephaniom April 10, 2020.
I mailed my form & to the address in
this email 2 times. Both were returned.
I can not find the envelopes showing
they were returned. Phyllis Ann -

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.

4/14/21
DATE

SIGNATURE

Holmes, Kim

FLORIDA


COMMISSION ON ETHICS

From: Phyllis Gonzalez <community2020pg@gmail.com>
Sent: Thursday, April 15, 2021 7:16 PM
To: Holmes, Kim
Subject: Re: Appeal
Attachments: Appeal form page 1.jpg; Appeal form page 2.jpg; email from dcf hr 2.jpg

APR 15 2021

RECEIVED

 email from dcf hr.jpg

 form 1 page 1.jpg

 form 1 page 2.jpg

Hello Kim- I have attached the 2019 Form 1, my last day of employment was December 31, 2019. I also included the Appeal of Automatic Fine for the Year 2019. I called and talked to Mrs. Prine a couple of weeks ago. There is a picture of the email I received on where to send my last Form 1 from Dcf HR. I am unable to find the actual envelopes that were returned to me- however, the address I sent them to twice is in the email Mrs. Prine said that it was an address you used years ago. DCF may need to be updated - but I honestly did send the form. I just saw that I need a notarized affidavit- I will have that in the mail with these forms first thing in the morning. Thank you for your help in resolving this matter.

Sincerely,
Phyllis Gonzalez

On Mon, Apr 5, 2021 at 10:28 AM Prine.Emily <PRINE.EMILY@leg.state.fl.us> wrote:



STATE OF FLORIDA COMMISSION ON ETHICS

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

FLORIDA
COMMISSION ON ETHICS

MAY 24 2021

RECEIVED

APPEAL OF AUTOMATIC FINE FOR FORM YEAR 2019

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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: Phyllis Gonzalez

Address: 1645 Smugglers Cove City: Gulf Breeze State: FL Zip: 32563

Daytime Tel.: 850-324-4039 Cell: Same

Email: Community2020 PA @Gmail Filer ID# (if known): _____
com

Public Employer: DCF

Public Position: Community Development Administrator

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:

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

See attached email from: Lily Stepanian on April 10, 2020.
I mailed my form & to the address in
this email 2 times. Both were returned.
I can not find the envelopes showing
they were returned. Phyllis Ann -

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.

4/14/21
DATE


SIGNATURE

MAY 24 2021

RECEIVED

I, Phyllis P Gonzalez, affirm that I attempted to file my Financial Disclosure Form 1 in the month of February 2020 and again in the month of April 2020. Upon leaving the Department of Children and Families, December 31, 2019, I received an exit package that included the Form 1 which included where I was to send the completed form. The address I was provided was Commission of Ethics, 3600 Maclay Boulevard, South, Suite 201, Tallahassee Florida 32317-5709. I mailed the form and about 6 to 8 weeks later the form was returned to me stating there was an incorrect address. At that time I contacted the received the same address by email. I then sent the Form 1 again to the address in the email, thinking the post office may have made a mistake. Once again, the Form 1 was returned to me. I thought I still had the envelopes and the initial form- however I cannot find it in my files.

My Husband Manuel Gonzalez was present when these envelopes were returned.

Phyllis P Gonzalez
[Signature] Date: 4/20/21

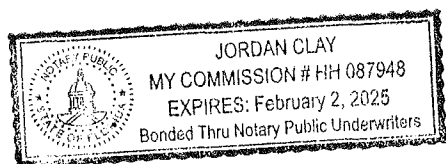
Notary:

[Signature]

Sworn to and subscribed before me
this 20 day of April 20 21
Jordan clay

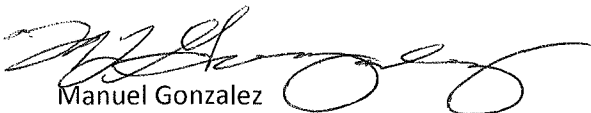
Notary

Personally Known Produced ID X
Type of ID Produced FL DL



State: Florida
County: Santa Rosa

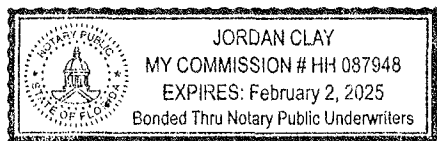
I, Manuel Gonzalez, affirm that my wife, Phyllis Gonzalez, made two attempts to mail in the Financial Disclosure Form 1. She received this form from the state Department of Children and Families (DCF), and I saw that both attempts were returned to her. I am not sure of the actual dates, but she left DCF on December 31, 2019 and these were returned during the spring of 2020. I also witnessed her making calls to determine what the actual address was for the Ethics Commission. She received the same address on every occasion she attempted to get another address for the Ethics Commission. It was not until she received the Appeal Form for 2019, last month that she received the actual address. Also, the Appeal Form was sent to the address of her past employment and the administrative person who received it was told to send it back to DCF HR. It appears that they should receive an updated address so that this does not happen to others.


Manuel Gonzalez

Date: 20 APRIL 2021

Notary:





Sworn to and subscribed before me
this 20 day of April 2021
Jordan Clay

Notary

Personally Known _____ Produced ID ☒

Type of ID Produced FL DL

State : Florida
County : Santa Rosa

From: Phyllis Gonzalez
Sent: Thursday, April 15, 2021 4:44 PM
To: shoppikitz@gmail.com
Subject: Fwd: Final Statement of Financial Interest

-----Original Message-----
From: Lilly, Stephanie <stephanie.lilly@myflfamilies.com>
To: MRSPBUD@AOL.COM <MRSPBUD@AOL.COM>
Sent: Fri, Apr 10, 2020 12:33 pm
Subject: Final Statement of Financial Interest

April 10, 2020

PHYLLIS GONZALEZ
1645 SMUGGLERS COVE CIR
GULF BREEZE, FLORIDA 325639031

Dear PHYLLIS,

Upon your separation from the Department of Children and Families, the Financial Disclosure form titled **Form 1F - Final Statement of Financial Interest** should be completed and submitted to the State of Florida Commission on Ethics no later than 60 days after separation. Mail the completed for to:

Commission on Ethics

3600 Maclay Boulevard, South, Suite 201

Tallahassee, Florida 32317-5709

CEForm1@leg.state.fl.us

For your convenience, we have enclosed a copy of the **1F - Final Statement of Financial Interest**. This form is also located on the Florida Commission on Ethics website at http://www.ethics.state.fl.us/Documents/Forms/Form%201F_2020i.pdf?cp=2020410.

If you have any question, please call the Financial Disclosure Coordinator, Kimberly Holmes, at (850) 488-7864.



Sincerely,

Debra K. Johnson, CPM

Assistant Human Resources Director

Enclosure



CERTIFIED MAIL

1,546

EZ Address™

Track Mail

Signatures

Account

Downloads

Help

Mail Piece Details



Printer Friendly Version

Recipient Address

PHYLLIS P. GONZALEZ
160 W GOVERNMENT ST STE 611
PENSACOLA, FL 32502-5735

Record / Case Number:
248974

Return Address

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

Entry Point ZIP:
32317

Mail Piece Information

Tracking Number: 92148901066154000153072202**Date Created:** 07/30/2020 04:06:08 PM**Mail Class:** USPS First Class Mail

Special Services: Certified Mail
Return Receipt Electronic

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

Signature Information

Signed For By: PHYLLIS P GONZALEZ
Signature Status: Available (Click Here)

Having issues viewing the signature file?
Make sure you are using the latest version of Adobe Acrobat Reader

Tracking Information

Mailed, July 30, 2020, 04:06:08 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, August 01, 2020, 10:45:00 AM, TALLAHASSEE,FL 32317
Origin Acceptance, August 01, 2020, 10:45:00 AM, TALLAHASSEE,FL 32317
Arrived At Usps Regional Facility, August 01, 2020, 12:00:00 PM
Processed Through Usps Facility, August 01, 2020, 12:00:00 PM, PENSACOLA,FL 32522
Departed Usps Regional Facility, August 02, 2020, 12:39:00 AM
Processed Through Usps Facility, August 02, 2020, 12:39:00 AM, PENSACOLA,FL 32522
Departed Usps Regional Facility, August 02, 2020, 08:34:00 AM
Depart Usps Facility, August 02, 2020, 08:34:00 AM, PENSACOLA,FL 32522
In Transit, Arriving On Time, August 03, 2020, 12:00:00 AM
Processed Through Usps Facility, August 03, 2020, 08:15:00 PM, PENSACOLA,FL 32522
Departed Usps Regional Facility, August 03, 2020, 09:40:00 PM
Processed Through Usps Facility, August 03, 2020, 09:40:00 PM, PENSACOLA,FL 32522
Delivered Front Desk/Reception/Mail Room, August 04, 2020, 11:02:00 AM, PENSACOLA,FL 32502

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CD-WEB Version: 2019.05.20.05

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Date Produced: 08/05/2020

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 0722 02. Our records indicate that this item was delivered on 08/04/2020 at 11:02 a.m. in PENSACOLA, FL 32502. The scanned image of the recipient information is provided below.

Signature of Recipient :

[Handwritten signature]
[9 2011 011]

Address of Recipient :

*160 W
GOVERNMENT ST*

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.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

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: 92148901066154000153072202
248974
PHYLLIS P. GONZALEZ
160 W Government St Ste 611
Pensacola, FL 32502-5735

FORM 1

STATEMENT OF
FINANCIAL INTERESTS

2019

Phyllis P. Gonzalez
Community Development Administrator
DCF; Circuit 1
Employees
160 W Government Blvd. STE 611
Pensacola FL 32502



PROCESSED

FOR OFFICE USE ONLY:

FLORIDA
COMMISSION ON ETHICS

MAY 24 2021

RECEIVED



248974

Gonzalez Phyllis P.

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
United States Air Force Retiree		Protection of U.S. Interests

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
N/A	

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	N/A	
PRINCIPAL BUSINESS ACTIVITY	N/A	
POSITION HELD WITH ENTITY	N/A	
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS	N/A	
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.

☐ 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:

4/14/21

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.

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

In re **Phyllis P. Gonzalez**
 Community Development Administrator
 Employees
 DCF; Circuit 1

PID#: 248974

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.

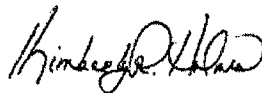
Please contact our office if you have any questions about this matter.

CERTIFICATE OF MAILING

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

Phyllis P. Gonzalez
160 W Government Blvd.
STE 611
Pensacola, FL 32502

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

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

PHYLLIS P. GONZALEZ
160 W GOVERNMENT ST STE 611
PENSACOLA, FL 32502-5735

Record / Case Number:
248974

Return Address

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

Entry Point ZIP:
32317

Mail Piece Information

Tracking Number: 92148901066154000160863015

Date Created: 03/16/2021 04:49:08 PM

Mail Class: USPS First Class Mail

Special Services: Certified Mail
Return Receipt Electronic

Memo: --

Created By: Kimberly Holmes - Commission on Ethics

Signature Information

Signed For By: PHYLLIS P GONZALEZ

Signature Status: Available (Click Here)

Having issues viewing the signature file?

Make sure you are using the latest version of Adobe Acrobat Reader

Tracking Information

Mailed, March 16, 2021, 04:49:08 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, 10:45:00 AM, TALLAHASSEE,FL 32317

Origin Acceptance, March 18, 2021, 10:45:00 AM, TALLAHASSEE,FL 32317

Arrived At Usps Regional Facility, March 18, 2021, 12:00:00 PM

Processed Through Usps Facility, March 18, 2021, 12:00:00 PM, PENSACOLA,FL 32522

Departed Usps Regional Facility, March 18, 2021, 07:42:00 PM

Processed Through Usps Facility, March 18, 2021, 07:42:00 PM, PENSACOLA,FL 32522

Delivered Left With Individual, March 19, 2021, 12:25:00 PM, PENSACOLA,FL 32502



Financial Disclosure Management System

THE FLORIDA COMMISSION ON ETHICS

Filer - Fines and Appeals - PID 248974 - Phyllis Gonzalez

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	Yes	COE	HOLMESK on 04/23/2021	

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 1645 Smugglers Cove Gulf Breeze FL 32563

Org/Suborg DCF; Circuit 1-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:

2020 Fine Year Event

Chronology

[Invalidate Transaction](#)

 Date	Type	Description	Reference
 05/19/2020	Letter Sent	Form 1 Official List - Form 1 Official Filers List	Print Queue: 5/19/2020 7:55 AM Printing Confirmed: 5/19/2020 7:55 AM
<div> Letter Sent To: Phyllis P. Gonzalez 160 W Government Blvd. STE 611 Pensacola, FL 32502 </div>			
 07/31/2020	Letter Sent	Certified Letter Sent	Print Queue: 7/31/2020 Printing Confirmed: 7/31/2020
 08/20/2020	Postcard Sent	Courtesy Postcard Reminder	Print Queue: 8/20/2020 Printing Confirmed: 8/20/2020
 09/8/2020	Letter Sent	Courtesy Notice of Fines Accruing	Print Queue: 9/8/2020 Printing Confirmed: 9/8/2020
03/16/2021	Fine Levied	Fined \$1500.00	Journal: 3/16/2021 9:23 AM
03/16/2021	Notice of Assessed Fine	Initial Fine Notice	Journal: 3/16/2021 10:02 AM
 03/16/2021	Letter Sent	Notice of Assessed Fine - Filer 1st Fine Letter	Print Queue: 3/16/2021 Printing Confirmed: 3/16/2021
 04/15/2021	Form Received	Form 1 Received, Signed	Form 1 Received by Kimberly Holmes at COE
04/21/2021	Fine Appeal	FD 20-039	Journal: 4/21/2021 7:03 PM
 04/23/2021	Letter Sent	Fine Appeal	Print Queue:

4/23/2021

Printing Confirmed:

4/23/2021

2020 Fine Appeal – FD 20-039	<div> <div>Update Appeal</div> <div>Withdraw Appeal</div> <div>Assign Attorney</div> <div>Request More Info</div> <div>Record Appeal Outcome</div> </div>
Appeal Status: Active Appeal Receipt Date: 04/15/2021 Timely Filed: Yes Print Appeal Letter: Yes Hearing Requested: No Appeal Reason: Previously Filed Financial Disclosure Appeal Notes: Appeal Number: FD 20-039 Appeal Analyst Assigned: Final Order Number: Final Order Date:	No Hearing Requested