

DATE FILED

JAN 04 2022

BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

COMMISSION ON ETHICS

CONFIDENTIAL

In re JOHN KINSEY,)
)
 Respondent.)
_____)

Complaint No. 21-188

DETERMINATION OF INVESTIGATIVE JURISDICTION
AND ORDER TO INVESTIGATE

UPON REVIEW of records of the Commission on Ethics, I find as follows:

1. During the year 2018, Respondent, John Kinsey, served in two positions requiring the filing of a 2018 CE Form 1, "Statement of Financial Interest"—as a member of the Board of Supervisors of the Creekside at Twin Creeks Community Development District and as a member of the Board of Supervisors of the Twin Creeks North Community Development District.
2. The Respondent failed or refused to file a 2018 CE Form 1, "Statement of Financial Interests," on or before September 3, 2019, the date automatic fines of \$25 per day began to accrue under Section 112.3145(8)(g), Florida Statutes.
3. As of November 2, 2019, the Respondent accrued the maximum fine (\$1,500) authorized under Section 112.3145(8)(g).
4. The Respondent was sent or received notice regarding the fine assessment for failure to file a 2018 CE Form 1, Statement of Financial Interests.
5. In addition, during the year 2019, Respondent continued to serve in both of the aforementioned positions, which required the filing of a 2019 CE Form 1, "Statement of Financial Interests." However, Respondent failed or refused to file a 2019 CE Form 1, Statement of

Financial Interests, on or before September 1, 2020, the date automatic fines of \$25 per day began to accrue under Section 112.3145(8)(g), Florida Statutes.

6. As of October 31, 2020, the Respondent accrued the maximum fine (\$1,500) authorized under Section 112.3145(8)(g).

7. The Respondent was sent or received notice regarding the fine assessment for failure to file a 2019 CE Form 1, Statement of Financial Interests.

8. Pursuant to Section 112.3145(9)(c), Florida Statutes, if a person holding public office or public employment fails or refuses to file an annual statement for any year in which the person received notice from the Commission regarding the failure to file and has accrued the maximum automatic fine authorized under Section 112.3145(8)(g), regardless of whether the fine imposed was paid or collected, the Commission shall initiate an investigation and conduct a public hearing without receipt of a complaint to determine whether the person's failure to file is willful.

9. The facts stated in this order are sufficient to invoke the jurisdiction of the Commission on Ethics as set forth in Section 112.3145(9)(c).

WHEREFORE staff of the Commission on Ethics shall conduct an investigation of this matter for a probable cause determination as to whether the Respondent has willfully failed or refused to file an annual disclosure statement (the 2018 CE Form 1 and the 2019 CE Form 1), as set forth above.

Date

January 4, 2022

Kerrie J. Stillman

Kerrie J. Stillman
Executive Director

KJS/sjz