### BEFORE THE STATE OF FLORIDA COMMISSION ON ETHICS

In re IRIS GONZALEZ,	)	Financial Disclosure Appeal No. FD 19-075
Appellant.	)	Final Order No.

### FINAL ORDER

This matter came before the Commission on Ethics, meeting in public session on March 8, 2024, on the timely appeal of Appellant, pursuant to 112.3145(8)(g) [formerly Section 112.3145(7)(f)], 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, Appellant served as a member of the Board of Trustees-Florida Virtual School, a position requiring the filing of a CE Form 1, Statement of Financial Interests, for the year 2018. In 2019, the designated due date for submitting a 2018 CE Form 1 annual filing was July 1, 2019, with a grace period ending on September 3, 2019.
- 2. On May 15, 2019, the Commission on Ethics sent Appellant a 2018 CE Form 1. The notice was sent to Appellant at 700 Carillon Pkwy., Ste. 1, St. Petersburg, FL 33716-1123. It is unknown if Appellant received this mailing.

- 3. On July 24, 2019, the Commission sent Appellant a Notice of Delinquency by certified mail. The notice was sent to Appellant at the 700 Carillon Pkwy., Ste. 1 address. Postal records indicate it was delivered on July 26, 2019, and was signed for by an unknown recipient.
- 4. On August 20, 2019, the Commission mailed Appellant a postcard intended as a reminder of the obligation to file a 2018 CE Form 1. The Commission mailed the postcard to the 700 Carillon Pkwy., Ste. 1 address. It is unknown if Appellant received this mailing.
- 5. On September 6, 2019, the Commission sent Appellant a courtesy notice indicating that fines were beginning to accrue as the 2018 CE Form 1 had not been received. The notice was sent to the 700 Carillon Pkwy., Ste. 1 address. It is unknown if Appellant received this mailing.
  - 6. The total amount of the automatic fine levied against Appellant was \$1500.
- 7. The Commission mailed Appellant a Notice of Assessment of Automatic Fine on February 10, 2020. The Notice was sent by certified mail to the 700 Carillon Pkwy., Ste. 1 address. The notice also informed Appellant that she had accrued the maximum \$1500 fine and included information regarding the right to appeal the fine. The Notice stated that the appeal had to be received by the Commission by March 11, 2020, to be considered timely. Postal records indicate the Notice was delivered on February 12, 2020, and was signed for by an unknown recipient.
- 8. On June 11, 2021, following the expiration of the appeal period, the Commission mailed Appellant a Final Notice of Assessment of Automatic Fine for failure to timely file her 2018 CE Form 1. The Notice was sent to Appellant at the 700 Carillon Pkwy., Ste. 1 address.
- 9. On August 13, 2021, Appellant called the Commission on Ethics regarding the Final Notice of Assessment of Automatic Fine. She stated she had not received any prior notices as the address the mailings were sent to is that of her former employer. She stated that she had just been made aware of the notices by a former co-worker who worked for her former employer.

- 10. On that same date, August 13, 2021, the staff of the Commission updated Appellant's address to 5655 Escondida Blvd. South, St. Petersburg, FL 33715. Appellant was emailed another Notice of Assessment of Automatic Fine, an appeal form and 2018 CE Form 1. This email indicated that the total of Appellant's accrued automatic fine was \$1,500. The Notice indicated that an appeal had to be received by the Commission by September 13, 2021, to be considered timely.
  - 11. On August 23, 2021, Appellant submitted her 2018 CE Form 1 to the Commission.
- 12. On that same date, August 23, 2021, the Commission received her Appeal of Automatic Fine for Form Year 2018. Appellant claimed she did not receive timely notice of her obligation to file the 2018 CE Form 1. Appellant states in her appeal that all notices were sent to the address of her former employer and that she stopped working there the end of April 2018, and resigned from the Board of Trustees of Florida Virtual School on April 2, 2019. The Board was dissolved later that year.

### Conclusions of Law

- 13. The Commission has jurisdiction over the subject matter of this proceeding pursuant to Section 112.3145, Florida Statutes.
- 14. 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.
  - 15. Section 112.3145(8)(f)2., 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.

- 16. Appellant's appeal is accepted as timely. The initial notice containing her appellate rights was sent to a previous address and the record contains no evidence that Appellant received the Notice or any previous communications. When Appellant contacted the Commission and informed staff that she had not received any of the notices until recently, the Commission sent Appellant another Notice of Assessment of Automatic Fine that stated that any appeal would have to be received by the Commission by September 13, 2021, to be considered timely. The Commission received Appellant's appeal on August 23, 2021.
- 17. With regard to the merits of the appeal, Appellant claims she did not receive timely notice of her filing obligation and there is no evidence in the record to dispute this. In support, the certified mailing sent by the Commission prior to the expiration of the grace period was signed for by an individual other than Appellant, as well as the certified mailing of the Notice of Assessment of Automatic Fine. Due to the information provided to the Commission, including postal records and Appellant's statements, we find Appellant's reason for appealing to constitute unusual circumstances that justifies 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, March 8, 2024.

Date Rendered

Ashley Lukis

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.

AL: kbh

Ms. Iris J. Gonzalez 5655 Escondida Blvd. South St. Petersburg, FL 33715



### 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

AUG 2 3 2021

RECEIVED

### APPEAL OF AUTOMATIC FINE FOR FORM YEAR 2018

**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: Iris J. Gonzalez						
Address:5655 Escondida Blvd. S	St. Petersburg _State: FL _Zip: 33715					
Daytime Tel.:	727412-6024					
Email: iris@linksgllc.com	Filer ID# (if known):					
Public Employer:						
Public Position: Board of Trustee	es - Florida Virtual School					

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. [ ] <b>Sickness or injury</b> (Explain in Part C and attach a statement from attending physician, including dates and nature of illness or injury)
b. <b>Lack of notification</b> – <b>Failure to receive notice</b> (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, 2018 (Explain in Part C and provide confirmation from agency that your office-holding/employment ended before 12/31/2018)
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. [ ] <b>Not required to file</b> (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.
and the control of the control of April 2040 and a sugar master of the matification to time in

I worked at Charter until the end of April 2018 and never received the notification to turn in

the financial form for that year. In addition, I resigned to the board of trustees on April 2nd, 2019.

Later that year in 2019, the board was dissolved.

Someone at Charter Communications called me

### 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.

SIGNATUR

FORM 1 STATEMENT OF				2018		
Please print or type your name, mailing address, agency name, and position below	FINAN	CIAL I	NTEREST	ESTS FOR OFFICE USE ONLY		
LAST NAME FIRST NAME MID Gonzalez, Iris J MAILING ADDRESS : 5655 Escondida Blvd. S	DLE NAME :			C	FLORIDA COMMISSION ON ETHICS AUG 2 3 2021	
CITY:	715	00011177				
St. Petersburg	ZIP : 33715 Pi	COUNTY: nellas			RECEIVED	
NAME OF AGENCY: Florida Virtual School				1	26/986	
NAME OF OFFICE OR POSITION H Member of the Board of Ti						
You are not limited to the space on the	lines on this form. Attach	additional sheets, IPLOYEE OR AP	•	PR	OCESSED	
DISCLOSURE PERIOD: THIS STATEMENT REFLECTS YOU YEAR OR ON A FISCAL YEAR. PEITHER (must check one):  DECEMBER 31,  MANNER OF CALCULATING RI FILERS HAVE THE OPTION OF US CALCULATIONS, OR USING COM for further details). CHECK THE O	LEASE STATE BELOW  2018 OR   EPORTABLE INTERES  BING REPORTING THR  IPARATIVE THRESHOL	ESTS FOR THE WHETHER THI SPECIFY T STS: ESHOLDS THA' DS, WHICH AR nust check one	PRECEDING TAX YEAS STATEMENT IS FOR  TAX YEAR IF OTHER THAT THE ABSOLUTE DOLE E USUALLY BASED OF	AR, WHET THE PRE HAN THE C LAR VALU N PERCE!	HER BASED ON A CALENDAR CEDING TAX YEAR ENDING CALENDAR YEAR:  JES, WHICH REQUIRES FEWER	
PART A PRIMARY SOURCES OF (If you have nothing to re			reporting person - See ins	tructions]		
NAME OF SOURCE OF INCOME		SOURCI ADDRE		1	SCRIPTION OF THE SOURCE'S RINCIPAL BUSINESS ACTIVITY	
Links-G Consulting	5655 Escon	dida Blvd. S	<b>)</b>	Busine	ss Strategist	
		<u> </u>				
PART B SECONDARY SOURCES [Major customers, clients, (If you have nothing to re	and other sources of incor		owned by the reporting pe	erson - See	instructions]	
NAME OF BUSINESS ENTITY	NAME OF MAJOR SO OF BUSINESS' INC		ADDRESS OF SOURCE		PRINCIPAL BUSINESS ACTIVITY OF SOURCE	
					·	
PART C - REAL PROPERTY [Land, to rep	ouildings owned by the report, write "none" or "n/a	oorting person - So ")	ee instructions]	and w	S INSTRUCTIONS for when here to file this form are	
n/a				INSTR this fo	d at the bottom of page 2.  UCTIONS on who must file irm and how to fill it out on page 3.	

PART D — INTANGIBLE PERSONAL PROPERTY [Stock (If you have nothing to report, write "none						
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"						
NAME OF CREDITOR	ADDRESS OF CREDITOR					
N/A						
(If you have nothing to report, write "none" o	Ownership or positions in certain types of businesses - See instructions] 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						
PART G — TRAINING						
For <b>elected municipal officers</b> required to complete annu	ual ethics training pursuant to section 112.3142, F.S.  HAVE COMPLETED THE REQUIRED TRAINING.					
IF ANY OF PARTS A THROUGH G ARE	CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE					
SIGNATURE OF FILES Signature:	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					
Date Signed:  8/23/2	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) and send it to CEForm1@leg.state.fl.us. 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 <u>not</u> relieve the filer of filing a CE Form 1 if the filer was in his or her position on December 31, 2018.

### BEFORE THE STATE OF FLORIDA COMMISSION ON ETHICS

In re Iris Gonzalez PID#: 261986

Board Member Board of Trustees Florida Virtual School

### 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 2018 CE Form 1, Statement Of Financial Interests. Under the law, your 2018 CE Form 1, Statement of Financial Interests, was due by July 1, 2019. The law provided for a penalty-free grace period extending the due date to September 3, 2019. 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 2018 CE Form 1 has not been filed with the Commission on Ethics within the 60 days of the grace period date (September 3, 2019), 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 <u>received</u> by the Commission on Ethics on or before <u>September 13</u>, <u>2021</u>. <u>NOTE</u>: 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 3, 2019, 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;
- LEFT PUBLIC POSITION BEFORE DECEMBER 31, 2018: confirmation of your last date of
  office or employment by your former agency, showing the last date to be before December 31, 2018;
  or
- f. UNCLAIMED CERTIFIED MAIL: if deliquency notice was addressed correctly but not received, you must explain why.
- 6. YOUR RIGHT TO A HEARING: You have the right to have your appeal heard by the Commission and to appear before the Commission at the hearing, but, to exercise this right, you must specifically request a hearing in your appeal. If you do not request a hearing, you will waive your right to a hearing, the Commission will determine the outcome of your appeal based upon the written record (including the documentation you provide and any documentation in your case file), and you will receive no further notice until after the Commission decides your appeal.

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

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

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

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

### **CERTIFICATE OF MAILING**

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

Iris Gonzalez 5655 Escondida Blvd South St Petersburg, FL 33715

by Certified Mail on this Friday, August 13, 2021.

Kinkey De Line

KIMBERLY R. HOLMES Program Administrator

-or-

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

32

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 JoAnne Leznoff Chair John Grant Vice Chair Michelle Anchors Antonio Carvajal Travis Cummings Don Gaetz Glenton "Glen" Gilzean, Jr. William "Willie" N. Meggs Jim Waldman



State of Florida **COMMISSION ON ETHICS** P.O. Drawer 15709 Tallahassee, Florida 32317-5709

325 John Knox Road Building E. Suite 200 Tallahassee, Florida 32303

"A Public Office is a Public Trust"

C. Christopher Anderson, III Executive Director/ General Counsel

> Kerrie J. Stillman Deputy Executive Director

> > (850) 488-7864 Phone (850) 488-3077 (FAX) www.ethics.state.fl.us

### FINAL NOTICE OF ASSESSMENT OF AUTOMATIC FINE FOR FAILURE TO TIMELY FILE FORM 1, STATEMENT OF FINANCIAL INTERESTS

TO:

Iris Gonzalez 261986

Florida Virtual School

Board of Trustees

FROM:

Kimberly R. Holmes, Program Administrator

DATE:

June 11, 2021

On February 10, 2020, we notified you that your Form 1, Statement of Financial Interests, for the year 2018 was not filed and that you therefore have been assessed the maximum fine, for a total fine of \$1500. At that time, you were advised that you had 30 days from the date that letter was transmitted in which to either pay the fine or to appeal the fine to the Commission on Ethics.

It has been more than 30 days since we sent you that letter, and you have neither paid the fine nor filed an appeal. By not responding, you have waived your right to appeal the assessed fine.

If you do not pay the assessed fine by July 12, 2021 (30 days from the date of this letter) or contact our office to make arrangements for payment of the fine, the Commission on Ethics will enter an order setting your fine at \$1500 and will utilize all methods allowed by law to collect this fine including referral to a collection agency which can seek to garnish your wages.

### **Certificate of Mailing:**

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

> Iris Gonzalez 261986 700 Carillon Pkwy Ste 1 St Petersburg FL 33716 -1123

By United States Mail on this Friday, June 11, 2021.

Kimberly R. Holmes

Program Administrator

### BEFORE THE STATE OF FLORIDA COMMISSION ON ETHICS

In re Iris Gonzalez
Board of Trustees
Florida Virtual School

PID#: 261986

### 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 2018 CE Form 1, Statement Of Financial Interests. Under the law, your 2018 CE Form 1, Statement of Financial Interests, was due by July 1, 2019. The law provided for a penalty-free grace period extending the due date to September 3, 2019. 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 2018 CE Form 1 has not been filed with the Commission on Ethics within the 60 days of the grace period date (September 3, 2019), 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 <u>Florida Commission on Ethics</u>, P. O. <u>Drawer 15709</u>, Tallahassee, FL 32317-5709, or delivered to <u>Florida Commission on Ethics</u>, 325 John Knox Road, <u>Building E, Suite 200</u>, <u>Tallahassee</u>, 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: <u>www.ethics.state.fl.us</u>. Click on "Financial Disclosure" and then the link to the sample appeal form.
- 4. **DUE DATE:** Your appeal must be <u>received</u> by the Commission on Ethics on or before <u>March 11, 2020</u>. <u>NOTE</u>: 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 3, 2019, 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, 2018:** confirmation of your last date of office or employment by your former agency, showing the last date to be before December 31, 2018; or
- f. UNCLAIMED CERTIFIED MAIL: if deliquency notice was addressed correctly but not received, you must explain why.
- 6. YOUR RIGHT TO A HEARING: You have the right to have your appeal heard by the Commission and to appear before the Commission at the hearing, but, to exercise this right, you must specifically request a hearing in your appeal. If you do not request a hearing, you will waive your right to a hearing, the Commission will determine the outcome of your appeal based upon the written record (including the documentation you provide and any documentation in your case file), and you will receive no further notice until after the Commission decides your appeal.

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

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

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

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

### **CERTIFICATE OF MAILING**

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

Iris Gonzalez 700 Carillon Pkwy Ste 1 St Petersburg, FL 33716 -1123

by Certified Mail on this Monday, February 10, 2020.

KIMBERLY R. HOLMES Program Administrator

-or-

Florida Commission on Ethics P. O. Drawer 15709

Tallahassee, FL 32317-5709

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

### FORM 1

-3

### STATEMENT OF FINANCIAL INTERESTS

2018

FOR OFFICE USE ONLY:

Iris Gonzalez **Board Member** Florida Virtual School **Board of Trustees** 700 Carillon Pkwy Ste 1 St Petersburg FL 33716 -1123

Indiadahan milada miladahan bil

261986

You are not limited	to the	space on the	lines on	this form	. Attach additional sheets, if necessary.
CHECK ONLY IF		CANDIDATE	OR		NEW EMPLOYEE OR APPOINTEE

Gonzalez Iris

### \*\*\*\* BOTH PARTS OF THIS SECTION MUST BE COMPLETED \*\*\*\*

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR THE PRECEDING TAX YEAR, WHETHER BASED ON A CALENDAR YEAR OR ON A FISCAL YEAR. PLEASE STATE BELOW WHETHER THIS STATEMENT IS FOR THE PRECEDING TAX YEAR ENDING EITHER (must check one):

DECEMBER 31, 2018	<u>OR</u>		SPECIFY TAX YEAR IF OTHER THAN THE CALENDAR YEAR:
 		_	

### **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	<u>OR</u>	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 SOURCE'S DESCRIPTION OF THE SOURCE'S OF INCOME **ADDRESS** PRINCIPAL BUSINESS ACTIVITY 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

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

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.





9214 8901 0661 5400 0148 1864 40

RETURN RECEIPT (ELECTRONIC)

261986

IRIS GONZALEZ 700 CARILLON PKWY STE 1 ST PETERSBURG, FL 33716-1123

26

URGENT - Open Immediately!

CUT / FOLD HERE	Zone 3
 6°X9° ENVELOPE CUT / FOLD HERE	

CUT / FOLO HERE

### **Mail Piece Details**



Print this page

### Recipient Address

IRIS GONZALEZ 700 CARILLON PKWY STE 1 ST PETERSBURG, FL 33716-1123

Record / Case Number: 261986

#### Return Address

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

Entry Point ZIP: 32317

### **Mail Piece Information**

Tracking Number: 92148901066154000148186440

Date Created: 02/10/2020 11:52:04 AM Mail Class: USPS First Class Mail

Special Services: Certified Mail

Return Receipt Electronic

Memo: --

Created By: Kimberly Holmes - Commission on Ethics

### Signature Information

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

Having issues viewing the signature file?

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### **Tracking Information**

Mailed, February 10, 2020, 11:52:04 AM, TALLAHASSEE,FL 32317

Pre-Shipment Info Sent To Usps, Usps Awaiting Item, February 10, 2020, 12:00:00 AM Pre-Shipment Info Sent Usps Awaits Item, February 10, 2020, 11:03:00 AM, TALLAHASSEE,FL

Accepted At Usps Origin Facility, February 10, 2020, 07:34:00 PM, TALLAHASSEE,FL 32317

Origin Acceptance, February 10, 2020, 07:34:00 PM, TALLAHASSEE,FL 32317

Arrived At Usps Regional Origin Facility, February 10, 2020, 08:49:00 PM

Processed Through Usps Facility, February 10, 2020, 08:49:00 PM, TALLAHASSEE,FL 32301

Departed Usps Regional Facility, February 10, 2020, 11:19:00 PM

Depart Usps Facility, February 10, 2020, 11:19:00 PM, TALLAHASSEE,FL 32301

In Transit To Next Facility, February 11, 2020, 12:00:00 AM

Arrived At Usps Regional Destination Facility, February 11, 2020, 05:08:00 PM

Processed Through Usps Facility, February 11, 2020, 05:08:00 PM, SARASOTA,FL 34260

Departed Usps Regional Destination Facility, February 12, 2020, 01:01:00 AM

Processed Through Usps Facility, February 12, 2020, 01:01:00 AM, SARASOTA,FL 34260

Delivered Left With Individual, February 12, 2020, 12:22:00 PM, SAINT PETERSBURG,FL

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Date Produced: 02/13/2020

THE MAIL GROUP INC - 1 / CONFIRM DELIVERY INC:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 0661 5400 0148 1864 40. Our records indicate that this item was delivered on 02/12/2020 at 12:22 p.m. in SAINT PETERSBURG, FL 33716. The scanned image of the recipient information is provided below.

Signature of Recipient:

Kendick Muhaman

Address of Recipient:

700 CARILLON

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: 92148901066154000148186440 261986 IRIS GONZALEZ 700 Carillon Pkwy Ste 1 St Petersburg, FL 33716-1123

### **Mail Piece Details**



### **Recipient Address**

IRIS GONZALEZ 700 CARILLON PKWY STE 1 ST PETERSBURG, FL 33716-1123

**Record / Case Number:** 261986

#### **Return Address**

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

Entry Point ZIP: 32317

### **Mail Piece Information**

Tracking Number: 92148901066154000140811135

Date Created: 07/23/2019 02:13:10 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: IRIS GONZALEZ Signature Status: Available (Click Here)

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### Tracking Information

Mailed, July 23, 2019, 02:13:10 PM, TALLAHASSEE,FL 32317

Pre-Shipment Info Sent To Usps, Usps Awaiting Item, July 23, 2019, 12:00:00 AM
Pre-Shipment Info Sent Usps Awaits Item, July 23, 2019, 01:36:00 PM, TALLAHASSEE,FL
32317

Accepted At Usps Origin Facility, July 24, 2019, 05:38:00 PM, TALLAHASSEE,FL 32317

Origin Acceptance, July 24, 2019, 05:38:00 PM, TALLAHASSEE,FL 32317

Arrived At Usps Regional Origin Facility, July 24, 2019, 06:53:00 PM

Processed Through Usps Facility, July 24, 2019, 06:53:00 PM, TALLAHASSEE,FL 32301

Departed Usps Regional Facility, July 24, 2019, 09:33:00 PM

Depart Usps Facility, July 24, 2019, 09:33:00 PM, TALLAHASSEE,FL 32301

In Transit To Next Facility, July 25, 2019, 12:00:00 AM

Arrived At Usps Regional Destination Facility, July 25, 2019, 07:26:00 PM

Processed Through Usps Facility, July 25, 2019, 07:26:00 PM, SARASOTA,FL 34260

**Departed Usps Regional Destination Facility**, July 26, 2019, 01:29:00 AM

Processed Through Usps Facility, July 26, 2019, 01:29:00 AM, SARASOTA,FL 34260

Delivered Left With Individual, July 26, 2019, 12:42:00 PM, SAINT PETERSBURG,FL 33716

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Date Produced: 07/29/2019

THE MAIL GROUP INC - 1 / CONFIRM DELIVERY INC:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 0661 5400 0140 8111 35. Our records indicate that this item was delivered on 07/26/2019 at 12:42 p.m. in SAINT PETERSBURG, FL 33716. The scanned image of the recipient information is provided below.

Signature of Recipient:

Forting

Address of Recipient:

700 (x11/1/12)

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: 92148901066154000140811135 261986 IRIS GONZALEZ 700 Carillon Pkwy Ste 1 St Petersburg, FL 33716-1123



# Financial Disclosure Management System THE FLORIDA COMMISSION ON ETHICS

La Filer - Fines and Appeals - PID 261986 - Iris Gonzalez

Filer Information

Org Membership

**Forms** 

Communications

Fines and Appeals >

View All

### Filer Flags

2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 <u>2010</u> <u>2011</u> <u>2012</u> <u>2013</u> <u>2014</u> <u>2015</u> <u>2016</u> <u>2017</u> <u>2018(\$)</u> <u>2019</u> 2020 2021 2022

<<2022 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: 2019 (Appeal)

2019 Fines and Appeals

Form Year	Form Year 2018 Filed Forms							
Received Date	Form Type	Form Signed	Filed by Email	Filing Location	Updated	Comments		
08/23/21	Form 1	Yes	Yes	COE	HOLMESK on 09/17/2021			

2019 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	2/4/2020	\$1,500.00	\$1,500.00			

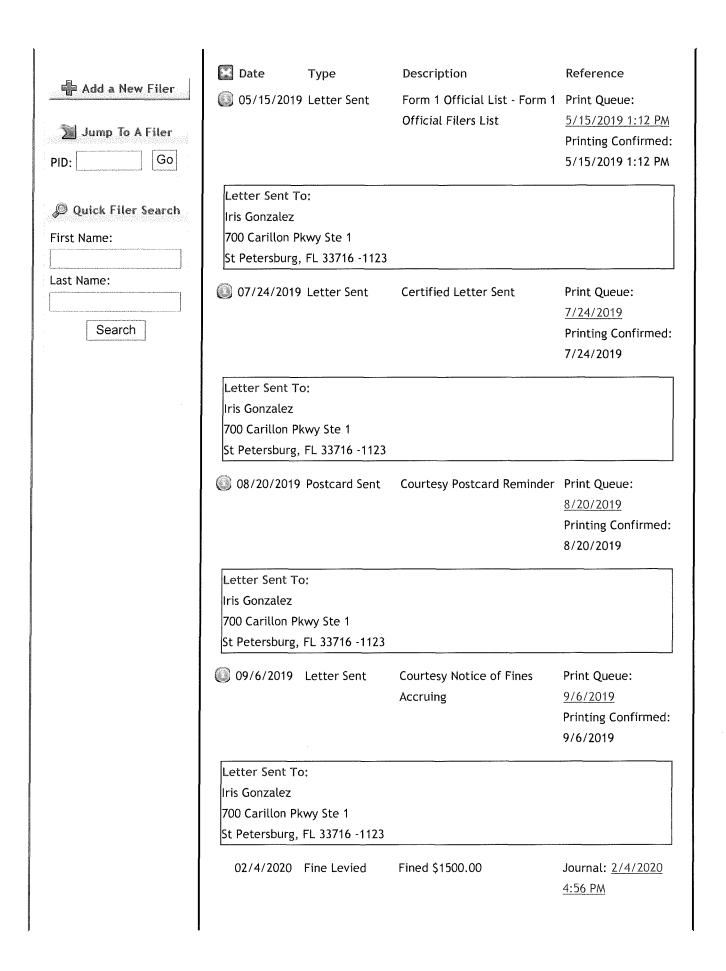
Fine Address 5655 Escondida Blvd South St Petersburg FL 33715 Org/Suborg Florida Virtual School-Board of Trustees

2019 Fine Pay	ment History				
Date Posted	Description	Amount	Method	Payment ID	Comments
2/4/2020	Fine Levied	+ \$1,500.00			Fined \$1500.00
Current Balan	ce: \$1,500.00	)			

2019 Fine Year Event

Chronology

Invalidate Transaction



02/10/2020 Notice of Initial Fine Notice. Journal: 2/10/2020 Invalidated Reason: Resend Assessed Fine 9:22 AM Invalidated notice to better address 02/10/2020 Letter Sent Notice of Assessed Fine -Print Queue: Filer 1st Fine Letter 2/10/2020 Printing Confirmed: 2/10/2020 Letter Sent To: Iris Gonzalez 700 Carillon Pkwy Ste 1 St Petersburg, FL 33716 -1123 06/11/2021 Final Notice of 2nd Fine Notice, Invalidated Journal: 6/11/2021 Assessed Fine Reason: Resend notice to 9:38 AM Invalidated better address 06/11/2021 Letter Sent Final Notice of Assessed Fine Print Queue: - Second Fine Notice 6/11/2021 Printing Confirmed: 6/11/2021 Letter Sent To: Iris Gonzalez 700 Carillon Pkwy Ste 1 St Petersburg, FL 33716 -1123 08/13/2021 Notice of Initial Fine Notice Journal: 8/13/2021 Assessed Fine 6:02 PM 08/13/2021 Letter Sent Notice of Assessed Fine -Print Queue: Filer 1st Fine Letter 8/13/2021 Printing Confirmed: 8/13/2021 Letter Sent To: Iris Gonzalez 5655 Escondida Blvd South St Petersburg, FL 33715 Kimberly Holmes 08/13/2021 Filer Ms. Gonzalez called Communication: regarding final notice of Phone fine. She stated that she had not received prior

notices as the address is her former employer. She was just made aware by someone that she worked with who contacted her advising of the notice received. Ms. Gonzalez provided another address and an email address. She requested that the fine information be emailed. I advised that I would resend the notice and provide by email.

08/13/2021 Filer

From: Holmes, Kim Sent:

Kimberly Holmes

Communication: Friday, August 13, 2021 6:30

Email

PM To: 'IRIS GONZALEZ'

Subject: Financial Disclosure Fine Hello Ms. Gonzalez, Attached is the notice of assessed fine letter, appeal form and 2018 Form 1. Your appeal must be received no later than September 13, 2021. Additionally, attached is the notice previously mailed and the signed certified information. If you

have any questions or need further assistance, please do not hesitate to contact me.

Sincerely, Kimberly R.

Holmes Program

Administrator Financial

Disclosure Section Florida

Commission on Ethics P.O.

Drawer 15709 Tallahassee,

FL 32317-5709 (850) 488-

7864 (850) 488-3077 (Fax)

www.ethics.state.fl.us

08/13/2021		Notice of assessed fined letter emailed instead of mailed.	Kimberly Holmes
08/23/2021	Form Received	Form 1 Received, Signed	Form 1 Received by Kimberly Holmes at COE
Form Receive	d By: Kimberly Ho	olmes	
Filing Location			
Record Create	d By: Kimberly H	Iolmes on 09/17/2021	
09/17/2021	Fine Appeal	FD 19-075	Journal: <u>9/17/2021</u> <u>1:28 PM</u>
@ 09/17/2021 Letter Sent		Fine Appeal	Print Queue:  9/17/2021  Printing Confirmed:
			9/17/2021
2019 Fine Appeal — FD 19	) <u>-</u>	Update Appeal Assign Attorney	Withdraw Appeal Request More Info
075		Record	Appeal Outcome
Appeal Status: Active Appeal Receipt Date: 08/23/20 Timely Filed: Y	21	equested	

<sup>^</sup>Filer - Fines and Appeals - Financial Disclosure System - The Florida Commission on Eth... Page 6 of 6

L	
FD 19-075	
FD 19-075 Appeal Analyst	
Assigned:	
Final Order	
Number:	
Final Order Date:	