

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Raymark A. Clement**

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**Case No.: FEC 16-226**

**TO:** Raymark A. Clement  
4773 NW 116 Terrace  
Coral Springs, FL 33076

Brenda C. Snipes, SOE  
Broward County SOE  
115 S. Andrews Avenue, Room 102  
Ft. Lauderdale, FL 33301

**NOTICE OF HEARING (AUTOMATIC FINE)**

A hearing will be held in this case before the Florida Elections Commission on, **November 16, 2016 at 8:30 am, or as soon thereafter as the parties can be heard**, at the following location: **Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399**

Failure to appear in accordance with this notice will constitute a waiver of your right to participate in the hearing. Continuances will be granted only upon a showing of good cause.

This hearing will be conducted pursuant to Section 106.25, Florida Statutes, which governs your participation as follows:

**If you are the Respondent**, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission. However, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless you request to be heard or the Commission requests that your case be considered separately on the day of the hearing, your case will *not* be individually heard.

**If you are the Complainant**, you may attend the hearing, but you will *not* be permitted to address the Commission. In addition, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless the Respondent requests to be heard or the Commission requests that the case be considered separately on the day of the hearing, the case will *not* be individually heard.

**If you are an Appellant**, and you have requested a hearing, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission.

Please be advised that both confidential and public cases are scheduled to be heard by the Florida Elections Commission on this date. As an Appellant, Respondent or Complainant in one case, you will *not* be permitted to attend the hearings on other confidential cases.

The Commission will electronically record the meeting. Although the Commission's recording is considered the official record of the hearing, the Respondent may provide, at his own expense, a certified court reporter to also record the hearing.

If you require an accommodation due to a disability, contact Donna Ann Malphurs at (850) 922-4539 or by mail at 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida 32399, at least 5 days before the hearing.

**See further instructions on the reverse side.**

**Amy McKeever Toman**  
Executive Director  
Florida Elections Commission  
November 1, 2016

Please refer to the information below for further instructions related to your particular hearing:

If this is a hearing to consider **an appeal from an automatic fine**, the Filing Officer has imposed a fine on you for your failure to file a campaign treasurer's report on the designated due date and, by filing an appeal, you have asked the Commission to consider either (1) that the report was in fact timely filed; or (2) that there were unusual circumstances that excused the failure to file the report timely. You are required to prove your case. If the Commission finds that the report was filed timely or that there were unusual circumstances that excused the failure, it may waive the fine, in whole or in part. The Commission may reduce a fine after considering the factors in Section 106.265, Florida Statutes. If the Commission finds that the report was not timely filed and there were no unusual circumstances, the fine will be upheld.

If this is a hearing to consider a **consent order before a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed and become public. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the case will remain confidential, unless confidentiality has been waived.

If this is a hearing to consider a **consent order after a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the Respondent will be entitled to another hearing to determine if the Respondent committed the violation(s) alleged.

If this is a **probable cause hearing**, the Commission will decide if there is probable cause to believe that the Respondent committed a violation of Florida's election laws. Respondent should be prepared to explain how the staff in its recommendation incorrectly applied the law to the facts of the case. *Respondent may not testify, call others to testify, or introduce any documentary or other evidence at the probable cause hearing.* The Commission will only decide whether Respondent should be *charged* with a violation and, before the Commission determines whether a violation has occurred or a fine should be imposed, Respondent will have an opportunity for another hearing at which evidence may be introduced.

If this is an **informal hearing**, it will be conducted pursuant Sections 120.569 and 120.57(2), Florida Statutes; Chapter 28 and Commission Rule 2B-1.004, Florida Administrative Code. At the hearing, the Commission will decide whether the Respondent committed the violation(s) charged in the Order of Probable Cause. The Respondent will be permitted to testify. However, the Respondent may not call witnesses to testify.

Respondent may argue why the established facts in the Staff Recommendation do not support the violations charged in the Order of Probable Cause. At Respondent's request, the Commission may determine whether Respondent's actions in the case were willful. The Respondent may also address the appropriateness of the recommended fine. If Respondent claims that his limited resources make him unable to pay the statutory fine, *he must provide the Commission with written proof of his financial resources* at the hearing. A financial affidavit form is available from the Commission Clerk.

**FLORIDA ELECTIONS COMMISSION  
CASE REPORT**

**Case Number: FEC-16-226**

**NAME:** **RAYMARK A. CLEMENT**

**DATE APPEAL RECEIVED:** 07/20/16

**DATE REPORT DUE:** 07/01/16 (2016 P1)

**DATE OF ELECTRONIC RECEIPT:** 07/10/16

**DATE FILING OFFICER RECEIVED REPORT:** 07/10/16

**NUMBER OF DAYS LATE:** 9

**AMOUNT OF FINE:** \$54.83

**FINE BASED ON:** (..) NUMBER OF DAYS      (X) 25% OF RECEIPTS      (..) 25% OF EXPENDITURES

**TOTAL RECEIPTS FOR REPORTING PERIOD:** \$219.30

**TOTAL EXPENDITURES FOR REPORTING PERIOD:** \$136.61

**DATE OF FIRST NOTIFICATION:** 07/11/16

**SUMMARY:** Raymark A. Clement is a candidate for Broward County Commission, District 3 in the 2016 elections. Hector L. Mayol is his treasurer.

Raymark Clement is appealing the fine claiming that neither he nor his treasurer were made aware of the changes in reporting dates. According to Mr. Clement, the only calendar of reporting dates he received was the one given to him at the time of filing for his candidacy. He also notes that he did not receive any letter or notification that changes to the schedule were made at all.

- The 2016 P1 Original Report covers the period from 06/01/16-06/24/16; it was due on 07/01/16.
- The 2016 P1 Original Report shows that it was filed on 07/10/16.
- Raymark Clement reported receiving 3 contributions, while making 3 expenditures.

**PRIOR CASES:** None.

CANDIDATE <input checked="" type="checkbox"/>	STATE <input type="checkbox"/>
PC <input type="checkbox"/>	DISTRICT <input type="checkbox"/>
CCE <input type="checkbox"/>	COUNTY <input checked="" type="checkbox"/>
POLITICAL PARTY <input type="checkbox"/>	CITY <input type="checkbox"/>

Coral Springs, Florida  
July 15th, 2016

Broward County Supervisor of Elections  
Attention: Andrea C. Perri  
Public Services Director/Candidate Qualifying Officer

Dear Mrs. Perri,

I am writing to you now regarding the memorandum you sent on July 11th about the Treasurer's report.

I understand that according to Section 106.07(8)(b), Florida Statutes, there are fines when the report is submitted late.

However, the only reason I filed my Treasurer's Report on the July 10th, was because neither I, nor my Campaign Treasurer, Hector Mayol, were made aware to the change in the schedule of reporting dates.

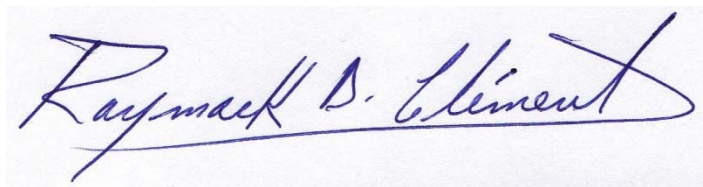
My concern is why did we not receive the updated schedule by mail in the same way we are now receiving the schedule after the fact? The only calendar of reporting dates I received is the one given to me at the time of filing for my statement of candidacy last year. Furthermore, I did not receive any letter or notification that changes to the schedule were made at all.

Due to this, I would like to request a waiving of the \$54.83 late fee.

Anyway, I am sending a copy of this letter to the FEC, because I think that this procedure disregards pursuit of transparency, as should be always a priority to avoid unfairness, miscommunication, and other faults thereof.

Thank you for your time and consideration.

Best regards,



Raymark A. Clement  
NPA & WRI Candidate for Broward County Commission - Dist 3  
Raymarkclement@aol.com  
www.raymarkclement.com  
(954) - 708 - 6653

CC: Hector MAYol, Campaign Treasurer  
Florida Elections Commission



WITH CONFIDENCE

**Dr. Brenda C. Snipes**  
Broward County Supervisor of Elections  
Broward Governmental Center  
115 S. Andrews Avenue, Room 102  
Fort Lauderdale, FL 33301  
954-357-7050  
[www.browardsoe.org](http://www.browardsoe.org)

## MEMORANDUM

To: Raymark Alberto Clement, Candidate  
County Commission, District 3

Thru: Brenda C. Snipes, Ed. D.  
Supervisor of Elections

From: Andrea C. Perri  
Public Services Director/Candidate Qualifying Officer

Date: July 11, 2016

Subject: Treasurer's Report

Your Campaign Treasurer's Report (P1) which was due July 1, 2016, covering the period June 1 to June 24, 2016 was not received until July 10, 2016. According to Section 106.07(8)(b), Florida Statutes, a fine of \$50 per day for the first three days late and \$500 each day thereafter, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report shall be assessed. Therefore, you are fined \$54.83 for the 9 (nine) days that the Report was late.

The fine shall be paid to the Supervisor of Elections within 20 days of receipt of this notice unless appealed to the Florida Elections Commission, 107 West Gaines Street, Suite 224, Tallahassee, FL 32399-1050. Section 106.7(8)(c), Florida Statutes, provides for appealing or disputing the assessed fine by submitting a notice of appeal in writing to the Florida Elections Commission within 20 days of the date of receipt of the notice of payment due, stating any unusual circumstances surrounding the failure to file on the designated due date. A failure to file such notice will constitute a waiver of the right of appeal.

Moreover, the notice of appeal must be accompanied by any and all supporting evidence you wish the Commission to consider in making its determination. Examples of such evidence that the Florida Elections Commission will consider are: 1) an affidavit attesting, in specific detail, to a timely mailing; 2) an affidavit or letter from the post office documenting a mailing problem; or 3) an affidavit or statement from an attending physician or a hospital bill, setting forth specific dates, if there is a health-related reason as to why your report was not timely filed.



WITH CONFIDENCE

**Dr. Brenda C. Snipes**  
Broward County Supervisor of Elections  
Broward Governmental Center  
115 S. Andrews Avenue, Room 102  
Fort Lauderdale, FL 33301  
954-357-7050  
[www.browardsoc.org](http://www.browardsoc.org)

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If you fail to submit documentation or evidence demonstrating the unusual circumstances which prevented you from timely filing your report within the 20 day period stated above, no documentation or evidence submitted thereafter will be considered by the Florida Elections Commission.

You also have the right to a hearing before the Commission. However, if you desire a hearing before the Commission, you must request such hearing in the notice of appeal within the 20 days of receipt of this notice. If no timely request for hearing is made in your notice of appeal, you will be deemed to have waived your right to a hearing and the Commission's determination shall be based upon the written record.

We urge your prompt attention to this matter.

BCS:ACP:acp  
clement\_P1-fine.doc

## CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Raymark Alberto Clement

Name

(2) 4773 NW 116 Terrace

Address (number and street)

Coral Springs, FL 33076

City, State, Zip Code

☐ Check here if address has changed

**OFFICE USE ONLY**  
**ONLINE SUBMISSION**  
[1111561]

Submitted on:

7/10/2016 17:36:24 (eastern)

(3) ID Number: 349

(4) Check appropriate box(es):

☒ Candidate Office Sought: County Commission, Dist. 3

☐ Political Committee (PC)

☐ Electioneering Communications Org. (ECO)

☐ Party Executive Committee (PTY)

☐ Independent Expenditure (IE) (also covers an individual making electioneering communications)

☐ Check here if PC or ECO has disbanded

☐ Check here if PTY has disbanded

☐ Check here if no other IE or EC reports will be filed

### (5) Report Identifiers

Cover Period: From 6 / 1 / 2016 To 6 / 24 / 2016 Report Type: P1

☒ Original

☐ Amendment

☐ Special Election Report

### (6) Contributions This Report

Cash & Checks \$ , , 0 . 00

Loans \$ , , 219 . 30

Total Monetary \$ , , 219 . 30

In-Kind \$ , , 0 . 00

### (7) Expenditures This Report

Monetary

Expenditures \$ , , 136 . 61

Transfers to

Office Account \$ , , 0 . 00

Total Monetary \$ , , 136 . 61

### (8) Other Distributions

\$ , , 0 . 00

### (9) TOTAL Monetary Contributions To Date

\$ , 1 , 851 . 40

### (10) TOTAL Monetary Expenditures To Date

\$ , 1 , 844 . 79

### (11) Certification

It is a first degree misdemeanor for any person to falsify a public record (ss. 839.13, F.S.)

I certify that I have examined this report and it is true, correct, and complete:

(Type name)

☐ Individual (only for IE or electioneering comm.) ☐ Treasurer ☐ Deputy Treasurer

X

Signature

(Type name)

☐ Candidate ☐ Chairperson (only for PC and PTY)

X

Signature

# CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

(1) Name Raymark Alberto Clement (2) I.D. Number 349

6/1/2016 6/24/2016

(3) Cover Period 6/1/2016 through 6/24/2016 (4) Page 1 of 1

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor Type Occupation	(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
(6) Sequence Number						
6/3/2016 / /	CLEMENT, RAYMARK Candidate to Themsel 4773 NW 116th TERRACE CORAL SPRINGS, FL 33076	S candidate	LO			\$100.00
1						
6/6/2016 / /	CLEMENT, RAYMARK Candidate to Themsel 4773 NW 116th TERRACE CORAL SPRINGS, FL 33076	S candidate	LO			\$20.00
2						
6/1/2016 / /	CLEMENT, RAYMARK Candidate to Themsel 4773 NW 116th TERRACE CORAL SPRINGS, FL 33076	S candidate	LO			\$99.30
3						
/ /						
/ /						
/ /						
/ /						
/ /						

# CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

(1) Name Raymark Alberto Clement

(2) I.D. Number 349

6/1/2016 through 6/24/2016

(3) Cover Period 6/1/2016 through 6/24/2016

(4) Page 1 of 1

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Purpose (add office sought if contribution to a candidate)	(9) Expenditure Type	(10) Amendment	(11) Amount
6/1/2016 / /	Marathon Gas, RAYMARK Candidate to Themsel RIVERSIDE & WILES CORAL SPRINGS, FL 33076	gas	MO		\$10.00
1					
6/7/2016 / /	WEB.COM, 12808 GRAN BAY PKWY JACKSONVILLE, FL 32258	web site	MO		\$124.95
2					
6/8/2016 / /	OFFICE DEPOT, MAGNOLIA SHOPPES 9545 WESTVIEW DRIVE CORAL SPRINGS, FL 33076	copies	MO		\$1.66
3					
/ /					
/ /					
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**Candidate : Raymark Alberto Clement**  
**Office : County Commission, Dist. 3**

[Print This Information](#)

☐ Show only financial reports (Hides bio)

Available reports...

M10 11/10/2015  
M11 12/10/2015  
M12 1/11/2016  
M1 2/10/2016  
M1(A) 2/10/2016  
M2 3/10/2016  
M3 4/11/2016  
M4 5/10/2016  
M5 6/10/2016  
P1 7/1/2016  
P2 7/15/2016  
P3 7/29/2016  
P4 8/5/2016

**Contact Information:**

4773 NW 116 Terrace  
Coral Springs, FL - 33076  
[raymarkclement@aol.com](mailto:raymarkclement@aol.com)  
954-708-6653  
954-309-0587

[Go Back](#)

List All Contributions and Expenditures

[Export all transactions \(tab delimited - csv\)](#)

The following financial reports are available:				
Report	Monetary Contributions	In Kind	Expenditures & Distributions	View PDF
<u>M10</u> (10/1/2015 - 10/31/2015)	\$0.00	\$0.00	\$0.00	<a href="#">View Report (PDF)</a>
<u>M11</u> (11/1/2015 - 11/30/2015)	\$0.00	\$0.00	\$0.00	<a href="#">View Report (PDF)</a>
<u>M12</u> (12/1/2015 - 12/31/2015)	\$350.00	\$0.00	\$293.63	<a href="#">View Report (PDF)</a>
<u>M1</u> (1/1/2016 - 1/31/2016)	\$200.00	\$0.00	\$160.34	<a href="#">View Report (PDF)</a>
<u>M1</u> (1/1/2016 - 1/31/2016) Amended	\$0.00	\$0.00	\$0.00	<a href="#">View Report (PDF)</a>
<u>M2</u> (2/1/2016 - 2/29/2016)	\$427.00	\$0.00	\$522.33	<a href="#">View Report (PDF)</a>
<u>M3</u> (3/1/2016 - 3/31/2016)	\$149.87	\$0.00	\$209.82	<a href="#">View Report (PDF)</a>
<u>M4</u> (4/1/2016 - 4/30/2016)	\$330.23	\$287.00	\$331.07	<a href="#">View Report (PDF)</a>
<u>M5</u> (5/1/2016 - 5/31/2016)	\$175.00	\$105.00	\$190.99	<a href="#">View Report (PDF)</a>
<u>P1</u> (6/1/2016 - 6/24/2016)	\$219.30	\$0.00	\$136.61	<a href="#">View Report (PDF)</a>

<u>P2</u> <u>(6/25/2016 - 7/8/2016)</u>	\$140.00	\$0.00	\$0.00	<a href="#">View Report (PDF)</a>
<u>P3</u> <u>(7/9/2016 - 7/22/2016)</u>	\$0.00	\$0.00	\$124.95	<a href="#">View Report (PDF)</a>
<u>P4</u> <u>(7/23/2016 - 7/29/2016)</u>	\$0.00	\$0.00	\$0.00	<a href="#">View Report (PDF)</a>

## Candidate Reporting Guidelines

### When to File Campaign Reports

Each campaign treasurer designated by a candidate shall file regular Reports of all contributions received and all expenditures made by or on behalf of such candidate. (Section 106.07, F.S.)

Each campaign treasurer designated by a County candidate shall file regular reports of all contributions received, and all expenditures made, by or on behalf of such candidate. Reports shall be filed electronically on the 10th day following the end of each calendar month from the time the campaign treasurer is appointed, except that, if the 10th day following the end of a calendar month quarter occurs on a Saturday, Sunday, or legal holiday, the report shall be filed on the next following day that which is not a Saturday, Sunday, or legal holiday. Effective with the reporting period beginning October 1, 2013. Reports are then due monthly until the 60th day before the Primary Election, then the reports are due bi-weekly on Friday until the fourth day before the Election.

In addition, a candidate required to file reports with a filing officer other than the division must file reports on the 60th day immediately preceding the primary election, and biweekly on each Friday thereafter through and including the 4th day immediately preceding the general election, with additional reports due on the 25th and 11th days before the primary election and the general election.

### Where to File Campaign Reports

A candidate must file Reports with the Filing Officer before whom they are required to qualify.

To obtain a complete list of Campaign Filing Requirements for State or Federal candidates, please navigate to the [Division of Elections](#) website for details.

Offices Sought	Filing Officer
<u>Federal Offices</u> (Also files with Federal Elections Commission)	Secretary of State
US Senator	Division of Elections
US Representative	500 S. Bronough Street, Room 316
• <u>Statewide Offices</u>	Tallahassee, FL 32399-0250
• Governor	(850)245-6240
• Attorney General	
• Chief Financial Officer	
• Commissioner of Agriculture	
• Justice of the Supreme Court	
• Justice of the Court of Appeals	
<u>Multi-County Offices</u>	
• State Attorney	
• Public Defender	
• State Senate	
• State House	
• Circuit Court Judges	
<u>Broward County Offices</u>	Supervisor of Elections
• Clerk of the Circuit Court	115 S. Andrews Avenue, Room 102
• Sheriff	
• Property Appraiser	Fort Lauderdale, FL 33301
• Supervisor of Elections	(954)357-7050, General Number
• County Commission	(954)712-1960, Candidate Department
• School Board	
• County Court Judges	
• Special Districts	
<u>Local Municipal Offices</u>	Municipal Clerk in respective Municipality

For a list of the dates for 2016, please click here: [2016 Calendar of Reporting Dates](#)

# Calendar of Reporting Dates

## for 2016 Candidates registered with the Division of Elections

<u>Cover Period</u>	<u>Report Code</u>	<u>Due Date</u>
12/01/15 - 12/31/15	2015 M12	01/11/16
01/01/16 - 01/31/16	2016 M1	02/10/16
02/01/16 - 02/29/16	2016 M2	03/10/16
03/01/16 - 03/31/16	2016 M3	04/11/16
04/01/16 - 04/30/16	2016 M4	05/10/16
05/01/16 - 05/31/16	2016 M5	06/10/16

06/01/16 - 06/24/16	2016 P1	07/01/16
06/25/16 - 07/08/16	2016 P2	07/15/16
07/09/16 - 07/22/16	2016 P3	07/29/16
07/23/16 - 07/29/16	2016 P4	08/05/16
07/30/16 - 08/05/16	2016 P5	08/12/16
08/06/16 - 08/12/16	2016 P6	08/19/16
08/13/16 - 08/25/16	2016 P7	08/26/16

08/26/16 - 09/02/16	2016 G1	09/09/16
09/03/16 - 09/16/16	2016 G2	09/23/16
09/17/16 - 09/30/16	2016 G3	10/07/16
10/01/16 - 10/07/16	2016 G4	10/14/16
10/08/16 - 10/14/16	2016 G5	10/21/16
10/15/16 - 10/21/16	2016 G6	10/28/16
10/22/16 - 11/03/16	2016 G7	11/04/16

### Termination Reports

<u>Cover Period</u>	<u>Report Code</u>	<u>Due Date</u>
After May Qualifying	TR	08/04/16
After June Qualifying	TR	09/22/16
Primary Election	TR	11/28/16
General Election	TR	02/06/17