

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Kyle "KC" Gibson

Case No.: FEC 19-329

TO: Kyle "KC" Gibson
Post Office Box 590581
Tamarac, FL 33359

Division of Elections
500 S Bronough Street, Room 316
Tallahassee, FL 32399

NOTICE OF HEARING (INFORMAL HEARING)

A hearing will be held in this case before the Florida Elections Commission on, **December 1, 2020 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**. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

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.

Tim Vaccaro

Executive Director
Florida Elections Commission
November 9, 2020

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.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

Case No.: FEC 19-329

v.

**Kyle C. Gibson,
Respondent.**

ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on August 25, 2020, in Tallahassee, Florida.

On March 3, 2020, Staff recommended to the Commission there was probable cause to believe that the Florida Election Code was violated. The facts articulated in Staff's Recommendation are adopted by reference and incorporated herein. Based on the Referral, Report of Investigation, Staff's Recommendation, and oral statements, if any, made at the probable cause hearing, the Commission finds there is **probable cause** to charge Respondent with the following violations:

Count 1:

On or about August 3, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before August 3, 2018, that Respondent would not be filing a 2018 P4 Report on the prescribed due date.

Count 2:

On or about August 17, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before August 17, 2018, that Respondent would not be filing a 2018 P6 Report on the prescribed due date.

Count 3:

On or about August 24, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before August 24, 2018, that Respondent would not be filing a 2018 P7 Report on the prescribed due date.

Count 4:

On or about October 28, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before October 28, 2018, that Respondent would not be filing a 2018 D2 Report on the prescribed due date.

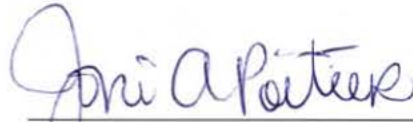
Count 5:

On or about November 1, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before November 1, 2018, that Respondent would not be filing a 2018 D6 Report on the prescribed due date.

Count 6:

On or about February 4, 2019, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before February 4, 2019, that Respondent would not be filing a 2019 Termination Report on the prescribed due date.

DONE AND ORDERED by the Florida Elections Commission on August 25, 2020.



Joni Alexis Poitier, Vice Chair
Florida Elections Commission

Copies furnished to:
Eric M. Lipman, General Counsel
Kyle C. Gibson, Respondent
Division of Elections, Complainant

NOTICE OF RIGHT TO A HEARING

As the Respondent, you may elect to resolve this case in several ways. First, you may elect to resolve this case by consent order where you and Commission staff agree to resolve the violation(s) and agree to the amount of the fine. The consent order is then presented to the Commission for its approval. To discuss a consent order, contact the FEC attorney identified in the Order of Probable Cause.

Second, you may request an informal hearing held before the Commission, if you do not dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to make written or oral arguments to the Commission concerning the legal issues related to the violation(s) and the potential fine. At the request of Respondent, the Commission will consider and determine willfulness at an informal hearing. Otherwise, live witness testimony is unnecessary.

Third, you may request a formal hearing held before an administrative law judge in the Division of Administrative Hearings (DOAH), if you dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to present evidence relevant to the violation(s) listed in this order, to cross-examine opposing witnesses, to impeach any witness, and to rebut the evidence presented against you.

If you do not elect to resolve the case by consent order or request a formal hearing at the DOAH or an informal hearing before the Commission within 30 days of the date this Order of Probable Cause is filed with the Commission, the case will be sent to the Commission for a formal or informal hearing, depending on whether the facts are in dispute. The date this order was filed appears in the upper right-hand corner of the first page of the order.

To request a hearing, please send a written request to the Commission Clerk, Donna Ann Malphurs. The address of the Commission Clerk is 107 W. Gaines Street, Collins Building, Suite 224,

Tallahassee, Florida 32399-1050. The telephone number is (850) 922-4539. The Clerk will provide you with a copy of Chapter 28-106, *Florida Administrative Code*, and other applicable rules upon request. No mediation is available.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Kyle "KC" Gibson

Case No.: FEC 19-329

TO: Kyle "KC" Gibson
Post Office Box 590581
Tamarac, FL 33359

Division of Elections
500 S Bronough Street, Room 316
Tallahassee, FL 32399

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on **August 25, 2020**. The Commission will begin at **8:30 am, EST**, and will consider multiple cases that day.

Please note that because of COVID-19, this will be a virtual meeting conducted by remote video or teleconference. Enclosed you will find additional details on joining the video conference via ZOOM, Meeting ID 340 226 0750, or via teleconference by dialing (929) 205-6099 and entering the meeting access code 673802, when prompted. If you wish to speak before the Commission, you will need to appear by webcam and will be sworn in remotely. Please be advised that the Commission will consider multiple cases, so you will need to wait until your case is considered. If you have any questions, please contact Commission staff at (850) 922-4539.

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 motions to dismiss 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 motions to dismiss 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.

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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.

Tim Vaccaro
Executive Director
Florida Elections Commission
August 13, 2020

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 **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

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-1050

Telephone: (850) 922-4539 · Facsimile: (850) 921-0783

FEC@myfloridalegal.com · www.fec.state.fl.us



Confidential Commission Meeting August 25, 2020 at 8:30AM via Zoom

In order to participate in the confidential portion of the August 25, 2020, Florida Elections Commission meeting, please follow the instructions below:

Join Zoom Meeting

Click on the meeting link sent to your attention via email:

<https://zoom.us/j/91062518383?pwd=VkJ4Mi9kUUZXM1lIZW5YcDFObU1Sdz09>

If you have difficulty launching the hyperlink, follow these steps.

1. Open your web browser and search ZOOM or enter www.zoom.us
2. Select "Join A Meeting" in the upper right corner of the website.
3. Enter the Meeting ID: 910 6251 8383 and click "Join".
4. Enter the Meeting Passcode: 673802 and click "Join".

For alternative audio participation:

1. Dial: 1 (929) 205-6099
2. Meeting ID: 910 6251 8383
3. Passcode: 673802

While this is a confidential meeting and advanced registration is not mandatory, we ask that if you plan to attend via Video Conference or Teleconference, that you notify our office in advance. This will give the Commission the opportunity to organize the agenda as efficiently as possible. It will be the goal of the Commission to hear cases in which parties are present, first, in order to reduce the standby time of the parties in attendance.

Please test your audio; microphone, speakers and webcam, in advance.

Those attendees who wish to speak before the Commission will need to appear by webcam and will be sworn in remotely.

Please be advised that the Commission will consider multiple cases, so you will be placed in a ZOOM breakout room until your case is considered.

If you have any questions, contact Commission staff at (850) 922-4539. Please provide the case number(s) when contacting our office.

Thank you,

Commission Staff

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Kyle "KC" Gibson

Case No.: FEC 19-329

TO: Kyle "KC" Gibson
Post Office Box 590581
Tamarac, FL 33359

Division of Elections
500 S Bronough Street, Room 316
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NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

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Please note that because of COVID-19, this will be a virtual meeting conducted by remote video conference only. If you wish to attend the meeting, please notify the Commission office by email at fec@myfloridalegal.com no later than 5:00 pm EST, on Friday, August 7, 2020. After receiving your request, the Commission office will send you a set of participant instructions prior to the meeting, which will include login information and specific details regarding the time of your hearing. If you have questions, please contact Commission staff at (850) 922-4539.

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.

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See further instructions on the reverse side.

Tim Vaccaro

Executive Director
Florida Elections Commission
July 28, 2020

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 **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.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Kyle "KC" Gibson

Case No.: FEC 19-329

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the complaint in this case recommending that there is **probable cause** to charge Respondent with violating **Section 106.07(7), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on February 7, 2020, the following facts and law support this staff recommendation.

1. On June 3, 2019, the Florida Elections Commission ("Commission") received a referral from the Division of Elections ("Division") alleging that Kyle "KC" Gibson ("Respondent") violated Chapter 106, Florida Statutes.

2. Respondent was a candidate for Governor in the 2018 election. Respondent's initial Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form ("DS-DE 9") was filed with the Division on September 25, 2014. A second DS-DE 9 was filed with the Division on July 7, 2017. (ROI Exhibit 1)¹

3. By letter dated September 26, 2014, Kristi Reid Bronson, Chief, Bureau of Election Records, sent a letter to Respondent notifying him that his name had been placed on file in the Division's office as a candidate for Governor. The letter advised Respondent that all candidates filing reports with the Division are required to use the Division's electronic filing system ("EFS") and provided Respondent with a user identification number and initial password to access the EFS. (ROI Exhibit 2, page 1)²

4. Ms. Bronson's September 26, 2014 letter also stated that all of the Division's publications and reporting forms were on the Division's website and directed Respondent to print a copy of Chapters 104 and 106, Florida Statutes, the *2014 Candidate and Campaign Treasurer Handbook* ("Handbook"), and the *2014 Calendar of Reporting Dates*. (ROI Exhibit 2, page 3)

¹ The Report of Investigation shall be referred to herein as "ROI."

² Kristi Reid Bronson is now known as Kristi Reid Willis.

5. On August 9, 2019, the Executive Director sent Respondent notification that Commission staff would investigate the following alleged violations:

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent, a 2018 candidate for Governor, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the following reporting periods:

- 2018 P4
- 2018 P6
- 2018 P7
- 2018 D2
- 2018 D6
- 2019 TR

6. Page 47 of the Handbook states:

In any reporting period during which a candidate has not received funds or made any expenditures, the filing of the required report for that period is waived; **however**, the candidate must indicate there is no activity by filing [a notice of no activity] on the prescribed due date. ([Notices of no activity] filed with the Division must be filed using the EFS.) (Emphasis in original.)

(Section 106.07, F.S.)

(ROI Exhibit 3, pages 1 and 3)

7. Pages 12, 13, 44, and 45 of the *Candidate EFS User's Guide* explain the steps a candidate should take to notify the Division in writing on the prescribed reporting date that no report will be filed for the reporting period using the EFS. Specifically, at the top of page 13, the Guide instructs the user to click the box next to "Waiver" if there is no financial activity to report. (ROI Exhibit 4)

8. Section 106.07(7), Florida Statutes, provides:

Notwithstanding any other provisions of this chapter, in any reporting period during which a candidate or political committee has not received funds, made any contributions, or expended any reportable funds, the filing of the required report for that period is waived. However, the next report filed must specify that the report covers the entire period between the last submitted report and the report being filed, and any candidate or political committee not reporting by virtue of this subsection on dates prescribed elsewhere

in this chapter shall notify the filing officer in writing on the prescribed reporting date that no report is being filed on that date. (Emphasis added.)

9. The table below reflects Respondent's untimely notices of no activity filed with the Division:

Report	Report Cover Period	Date Notification Due	Date Notification Filed	No. of Days Late
2018 P4	7/21/18 – 7/27/18	8/3/18	8/4/18	1
2018 P6	8/4/18 – 8/10/18	8/17/18	8/18/18	1
2018 P7	8/11/18 – 8/23/18	8/24/18	8/26/18	2
2018 D2	10/27/18	10/28/18	10/29/18	1
2018 D6	10/31/18	11/1/18	11/2/18	1
2019 TR	11/2/18 – 2/4/19	2/4/19	2/28/19	24

(ROI Exhibit 5, page 1; Attachment A; and ROI ¶17)

10. On February 3, 2020, and February 6, 2020, Investigator Sheppard called Respondent by telephone. On both occasions Investigator Sheppard left a voice-message requesting Respondent to return her call, which Respondent failed to do. (ROI Exhibit 8, Phone Log Entries 1 and 2)

11. "Probable Cause" is defined as reasonable grounds of suspicion supported by circumstances sufficiently strong to warrant a cautious person in the belief that the person has committed the offense charged. *Schmitt v. State*, 590 So.2d 404, 409 (Fla. 1991). Probable cause exists where the facts and circumstances, of which an [investigator] has reasonably trustworthy information, are sufficient in themselves for a reasonable man to reach the conclusion that an offense has been committed. *Department of Highway Safety and Motor Vehicles v. Favino*, 667 So.2d 305, 309 (Fla. 1st DCA 1995).

12. The above facts show Respondent was a candidate for Governor in the 2018 election. Respondent failed to notify the filing officer in writing on the prescribed due date for the 2018 P4, 2018 P6, 2018 P7, 2018 D2, 2018 D6 and 2019 Termination Reports that he had no reportable financial activity and would not be filing a report for the applicable reporting period.

Based on the foregoing, I recommend that the Commission find probable cause to charge Respondent with the following violations:

Count 1:

On or about August 3, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before August 3, 2018, that

Respondent would not be filing a 2018 P4 Report on the prescribed due date.

Count 2:

On or about August 17, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before August 17, 2018, that Respondent would not be filing a 2018 P6 Report on the prescribed due date.

Count 3:

On or about August 24, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before August 24, 2018, that Respondent would not be filing a 2018 P7 Report on the prescribed due date.

Count 4:

On or about October 28, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before October 28, 2018, that Respondent would not be filing a 2018 D2 Report on the prescribed due date.

Count 5:

On or about November 1, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before November 1, 2018, that Respondent would not be filing a 2018 D6 Report on the prescribed due date.

(THIS SPACE INTENTIONALLY LEFT BLANK)

Count 6:

On or about February 4, 2019, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before February 4, 2019, that Respondent would not be filing a 2019 Termination Report on the prescribed due date.

Respectfully submitted on March 3, 2020.



Eric M. Lipman
General Counsel

I have reviewed this Staff Recommendation on the 3rd day of March 2020.



Tim Vaccaro
Executive Director

Calendar of Reporting Dates

for 2018 Statewide Candidates registered with the Division of Elections

Cover Period	Report Code	Due Date
12/1/17 - 12/31/17	2017 M12	1/10/2018
1/1/18 - 1/31/18	2018 M1	2/12/2018
2/1/18 - 2/28/18	2018 M2	3/12/2018
3/1/18 - 3/31/18	2018 M3	4/10/2018
4/1/18 - 4/30/18	2018 M4	5/10/2018
5/1/18 - 5/31/18	2018 M5	6/11/2018

6/1/18 - 6/22/18	2018 P1	6/29/2018
6/23/18 - 6/29/18	2018 P1A	7/6/2018
6/30/18 - 7/6/18	2018 P2	7/13/2018
7/7/18 - 7/13/18	2018 P2A	7/20/2018
7/14/18 - 7/20/18	2018 P3	7/27/2018
7/21/18 - 7/27/18	2018 P4	8/3/2018
7/28/18 - 8/3/18	2018 P5	8/10/2018
8/4/18 - 8/10/18	2018 P6	8/17/2018
8/11/18 - 8/23/18	2018 P7	8/24/2018
8/24/18	2018 P7A	8/31/2018

8/25/18 - 8/31/18	2018 G1	9/7/2018
9/1/18 - 9/7/18	2018 G1A	9/14/2018
9/8/18 - 9/14/18	2018 G2	9/21/2018
9/15/18 - 9/21/18	2018 G2A	9/28/2018
9/22/18 - 9/28/18	2018 G3	10/5/2018
9/29/18 - 10/5/18	2018 G4	10/12/2018
10/6/18 - 10/12/18	2018 G5	10/19/2018
10/13/18 - 10/19/18	2018 G6	10/26/2018

10/20/18 - 10/26/18*	2018 D1*	10/27/2018*
10/27/2018*	2018 D2*	10/28/2018*
10/28/2018*	2018 D3*	10/29/2018*
10/29/2018*	2018 D4*	10/30/2018*
10/30/2018*	2018 D5*	10/31/2018*
10/31/2018*	2018 D6*	11/1/2018*

10/20/18 - 11/1/18**	2018 G7**	11/2/2018**
----------------------	-----------	-------------

Termination Reports

Cover Period	Report Code	Due Date
After April-May Qualifying	TR	8/2/2018
After June Qualifying	TR	9/20/2018
Primary Election	TR	11/26/2018
General Election	TR	2/4/2019

* These reports need only contain information on all previously unreported contributions received as of the preceding day; however, expenditures can be reported if desired.

** If expenditures for 10/20/18 - 10/31/18 have already been reported during the daily reports, do not duplicate expenditures in this report.

ATTACHMENT A

FLORIDA ELECTIONS COMMISSION

Report of Investigation for Failure to Notify Filing Officer

<p>Case Number: FEC 19-329</p> <p>Section 106.07(7), Florida Statutes, failure of a candidate who did not receive any contributions or make any expenditures during a reporting period to notify timely the filing officer, in writing, that no report is being filed</p>	<p>Respondent: Kyle "KC" Gibson</p> <p>Complainant: Division of Elections</p> <p>Respondent Type:</p> <p><input checked="" type="checkbox"/> Candidate</p> <p><input type="checkbox"/> Political Committee</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

I. Preliminary Information:

1. An Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9) was filed on September 25, 2014 and again on July 17, 2017, wherein Respondent designated himself as treasurer.¹ (Ex. 1)

2. An acknowledgement letter was mailed to the address provided on Respondent's DS-DE 9 on September 26, 2014 advising Respondent that all of the Division's publications and reporting forms are available on their website, including Chapter 106, Florida Statutes, the *Candidate and Campaign Treasurer Handbook*, and the *Calendar of Reporting Dates*. (Ex. 2)

3. The acknowledgement letter also states, "An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports" and provides the telephone number for the Division's EFS Help Desk.

4. The *Candidate and Campaign Treasurer Handbook* discusses filing a waiver when there is no activity to disclose on page 47. (Ex. 3)

5. Pages 12, 13, 44, and 45 of the *Candidate EFS User's Guide* discuss how to notify the Division on the prescribed reporting date that no report will be filed using the EFS. Specifically, page 13 instructs the user to click the box next to "waiver" if there is no activity to disclose. (Ex. 4)

6. In a telephone interview on April 2, 2014, Kristi Reid-Bronson clarified that once the waiver box is chosen and a new report is opened as shown on page 13, the only available option on the report summary screen will be "Go To File Report" as shown on page 44. Choosing "Go To File Report" will take the user directly to the screens where the candidate/treasurer PINS are entered as shown on pages 44 and 45.

II. Alleged Violation of Section 106.07(7), Florida Statutes:

7. Respondent's filing history reflects the untimely filed notifications summarized below. (Ex. 5)

Report	Report Cover Period	Date Notification Due	Date Notification Filed	No. of Days Late
2018 P4	7/21/18 – 7/27/18	8/3/18	8/4/18	1

¹ A change in campaign repository (Centennial Bank, rather than Wells Fargo) is the only change made to Respondent's DS-DE 9 Form between 9/25/14 and 7/17/17.

2018 P6	8/4/18 – 8/10/18	8/17/18	8/18/18	1
2018 P7	8/11/18 – 8/23/18	8/24/18	8/26/18	2
2018 D2	10/27/18	10/28/18	10/29/18	1
2018 D6	10/31/18	11/1/18	11/2/18	1
2019 TR	11/2/18 – 2/4/19	2/4/19	2/28/19	24

8. Respondent has not provided a written response to the referral dated June 3, 2019.

III. FEC History:

9. Respondent has had many cases before the Florida Elections Commission (FEC). In a recent case heard before Commission members, FEC 18-194, the Report of Investigation (ROI) listed each case involving Respondent. To review, please see pages two and three of the attached ROI. (Ex. 6)

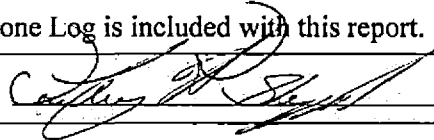
Conclusion:

10. I attempted to contact Respondent on 2 occasions to give him an opportunity to discuss the allegations in the referral. Additionally, an affidavit was mailed to Respondent on January 23, 2020. As of the date of this report, Respondent has not returned my calls, nor has he returned an affidavit.

11. Because Respondent has not contacted the Commission or returned an affidavit, I am unable to ascertain whether Respondent has read Chapter 106, Florida Statutes and/or the *Candidate and Campaign Treasurer Handbook*. Respondent signed his Statement of Candidate form on September 20, 2014. (Ex. 7)

12. The Investigative Phone Log is included with this report. (Ex. 8)

SIGNATURE OF INVESTIGATOR:



Date: 2-7-20

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Kyle "KC" Gibson -- FEC 19-329

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	DS-DE 9 Forms: Filed on 9/25/14 and 7/7/17
Exhibit 2	DOE Acknowledgment Letter: 9/26/14
Exhibit 3	<i>Candidate and Campaign Treasurer Handbook: Waiver Details</i>
Exhibit 4	<i>Candidate EFS User's Guide: Report & Waiver Filing Details</i>
Exhibit 5	Filing History and Notices-of-No-Activity: 2018 P4, 2018 P6, 2018 P7, 2018 D2, 2018 D6, & 2019 TR
Exhibit 6	FEC 18-194 ROI
Exhibit 7	DS-DE 84 Form: Signed on 9/20/14
Exhibit 8	Phone Log

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR CANDIDATES**

(Section 106.021(1), F.S.)

(PLEASE PRINT OR TYPE)

RECEIVED
DEPARTMENT OF STATE

2014 SEP 25 AM 9:59

DIVISION OF ELECTIONS
TALLAHASSEE, FL

NOTE: This form must be on file with the qualifying officer before opening the campaign account.

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

Initial Filing of Form Re-filing to Change: Treasurer/Deputy Depository Office Party

2. Name of Candidate (in this order: First, Middle, Last)

Kyle Chaderwick Gibson

3. Address (include post office box or street, city, state, zip code)

P.O. Box 590581 Tamarac, FL 33359-0581

4. Telephone

(850) 322-8815

5. E-mail address

KCIN2018@gmail.com

6. Office sought (include district, circuit, group number)

Governor of Florida

7. If a candidate for a nonpartisan office, check if applicable:

My intent is to run as a Write-In candidate.

8. If a candidate for a partisan office, check block and fill in name of party as applicable: My intent is to run as a

Write-In No Party Affiliation _____ Party candidate.

9. I have appointed the following person to act as my Campaign Treasurer Deputy Treasurer

10. Name of Treasurer or Deputy Treasurer

Kyle C. Gibson

11. Mailing Address

P.O. Box 590581

12. Telephone

()

13. City

Tamarac

14. County

Broward

15. State

Florida

16. Zip Code

33359-0581

17. E-mail address

KCIN2018@gmail.com

18. I have designated the following bank as my Primary Depository Secondary Depository

19. Name of Bank

Wells Fargo

20. Address

1700 West Commercial Blvd

21. City

Ft. Lauderdale

22. County

Broward

23. State

Florida

24. Zip Code

33309

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY AND THAT THE FACTS STATED IN IT ARE TRUE.

25. Date

September 20, 2014

26. Signature of Candidate

X *Kyle C. Gibson*

27. Treasurer's Acceptance of Appointment (fill in the blanks and check the appropriate block)

I, Kyle C. Gibson, do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer.

Sept 20, 2014

Date

X *Kyle C. Gibson*

Signature of Campaign Treasurer or Deputy Treasurer

HAND DELIVERED

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR CANDIDATES**

(Section 106.021(1), F.S.)

(PLEASE PRINT OR TYPE)

RECEIVED
DEPARTMENT OF STATE

2017 JUL -7 PM 3:28

DEPARTMENT OF STATE
DIVISION OF ELECTIONS

NOTE: This form must be on file with the qualifying officer before opening the campaign account.

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

Initial Filing of Form Re-filing to Change: Treasurer/Deputy Depository Office Party

2. Name of Candidate (in this order: First, Middle, Last)
Kyle Chaderwick Gibson

3. Address (include post office box or street, city, state, zip code)

1418 NE 57th Court Ft. Lauderdale, FL 33334

4. Telephone

(850) 322-8815

5. E-mail address

KCIN2018@gmail.com

PO Box 590581 Tamarac, Florida 33359-0581

6. Office sought (include district, circuit, group number)

Governor of Florida

7. If a candidate for a nonpartisan office, check if applicable:

My intent is to run as a Write-In candidate.

8. If a candidate for a partisan office, check block and fill in name of party as applicable: My intent is to run as a

Write-In No Party Affiliation _____ Party candidate.

9. I have appointed the following person to act as my Campaign Treasurer Deputy Treasurer

10. Name of Treasurer or Deputy Treasurer

Kyle C. Gibson

11. Mailing Address

P.O Box 590581 Tamarac, Florida 33359-0581

12. Telephone

(850) 322-8815

13. City

Tamarac

14. County

Broward

15. State

Florida

16. Zip Code

33359-0581

17. E-mail address

KCIN2018@gmail.com

18. I have designated the following bank as my Primary Depository Secondary Depository

19. Name of Bank

Centennial Bank

20. Address

2600 E. Commercial Blvd

21. City *Ft. Lauderdale*

Ft Lauderdale

22. County

Broward

23. State

Florida

24. Zip Code

33308

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY AND THAT THE FACTS STATED IN IT ARE TRUE.

25. Date

June 28, 2017

26. Signature of Candidate

X Kyle C. Gibson

27. Treasurer's Acceptance of Appointment (fill in the blanks and check the appropriate block)

I, Kyle C. Gibson, do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer.

June 28, 2017

Date

X Kyle C. Gibson

Signature of Campaign Treasurer or Deputy Treasurer



FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

September 26, 2014

Kyle Chaderwick Gibson
Post Office Box 590581
Tamarac, Florida 33359-0581

Dear Mr. Gibson:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of Governor, which was placed on file in our office on September 25, 2014. Your name has been placed on the 2018 active candidate list.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **October 10, 2014**. The report will cover the period of September 1-30, 2014 (M9). All candidates who file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

Credentials and Sign-ons

Below is the web address to access the EFS and your user identification number. The enclosed sealed envelope contains your initial password. Once you have logged in using the initial password, you will be immediately prompted to change it to a confidential sign-on. You, your campaign treasurer, and deputy treasurers are responsible for protecting these passwords from disclosure and are responsible for all filings using these credentials, unless the Division is notified that your credentials have been compromised.

EFS Website Address: <https://efs.dos.state.fl.us>

Identification Number: 64360

Division of Elections

R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399

850.245.6200 • 850.245.6217 (Fax) election.dos.state.fl.us

Promoting Florida's History and Culture VivaFlorida.org



EXHIBIT 2 of 3

Kyle Chaderwick Gibson
September 26, 2014
Page Two

Pin Numbers

Pin numbers are confidential secure credentials that allow you to submit reports and update personal information. The enclosed sealed envelope contains your confidential pin numbers.

Each candidate is required to provide the Division of Elections with confidential personal information that may be used to allow access in the event that password is forgotten or lost. When you enter the campaign account screen, there will be a drop down box where you pick a question (such as *What is your mother's maiden name?*) and supply an answer. All passwords and answers to questions are stored as encrypted data and cannot be viewed by Division staff and given out over the phone. Please notify the Division if your credentials have been compromised.

Timely Filing

All reports filed must be completed and filed through the EFS no later than midnight, Eastern Standard Time, of the due date. Reports not filed by midnight of the due date are late filed and subject to the penalties in Section 106.07(8), Florida Statutes. In the event that the EFS is inoperable on the due date, the report will be accepted as timely filed if filed no later than midnight of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

Any candidate failing to file a report on the designated due date shall be subject to a fine of \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for reports immediately preceding each primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

Electronic Receipts

The person submitting the report on the EFS will be issued an electronic receipt indicating and verifying the report was filed. Each campaign treasurer's report filed by means of the EFS is considered to be under oath by the candidate and campaign treasurer and such persons are subject to the provisions of Section 106.07(5), Florida Statutes.

Kyle Chaderwick Gibson
September 26, 2014
Page Three

Instructions and Assistance

An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports. The Division of Elections will also provide assistance to all users by contacting the EFS Help Desk at (850) 245-6280.

All of the Division's publications and reporting forms are available on the Division of Elections' website at <http://elections.myflorida.com>. It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapters 104 and 106, Florida Statutes, *2014 Candidate and Campaign Treasurer Handbook*, *2014 Calendar of Reporting Dates*, and Rule 1S-2.017, Florida Administrative Code.

Please let me know if you need additional information.

Sincerely,



Kristi Reid Bronson, Chief
Bureau of Election Records

KRB/ljr

Enclosures

Candidate & Campaign Treasurer Handbook



FLORIDA
★ DIVISION OF ★
ELECTIONS

November 2013
Florida Department of State
Division of Elections
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, FL 32399-0250
(850) 245-6240

Advertisement Provided In-kind	36
CHAPTER 13: OTHER DISCLAIMERS	37
Endorsements in Political Advertisements	37
Independent Expenditure Disclaimers.....	38
Disclaimers for Other than Independent Expenditures.....	39
Disclaimers on Novelty Items	40
Language Other Than English	40
Electioneering Communications Disclaimers.....	40
Other Political Disclaimer Examples	40
Miscellaneous Advertisements.....	42
Use of Closed Captioning and Descriptive Narrative in all Television Broadcasts	42
CHAPTER 14: FUND RAISERS	43
Contributions from Fund Raisers.....	43
Expenditures for Fund Raisers	43
Tickets	43
CHAPTER 15: TELEPHONE SOLICITATION	44
Telephone Solicitation	44
Registered Agent	44
CHAPTER 16: FILING CAMPAIGN REPORTS	46
Where to File	46
When to File.....	46
Penalty for Late Filing	47
Waiver of Report.....	47
Incomplete Reports	47
Reporting Total Sums.....	47
Reporting Contributions	48
Returning Contributions	48
Reporting Expenditures	48
Special Requirements for Judicial Candidates	49
CHAPTER 17: TERMINATION REPORTS.....	50
Prior to Disposing of Surplus Funds.....	50
Disposing of Surplus Funds	50
Money from Separate Interest-Bearing Account or Certificate of Deposit	51
Campaign Loans Report	51

day designated is deemed timely filed. A report received by the filing officer within 5 days after the designated due date that was delivered by the U.S. Postal Service is deemed timely filed unless it has a postmark indicating the report was mailed after the designated due date. A certificate of mailing obtained from and dated by the U.S. Postal Service at the time of mailing or a receipt from an established courier company, which bears a date on or before the date on which the report is due, is proof of mailing in a timely manner. Reports filed with the Division through the Electronic Filing System (EFS) are due no later than midnight, Eastern Time, of the due date.

(Sections 106.07, 106.0705 and 106.141, F.S.)

Penalty for Late Filing

Any candidate failing to file a report on the designated due date shall be subject to a fine of \$50 per day for the first three days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding the primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. For a candidate's termination report, the fine shall be \$50 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater for the period covered by the late report. All fines must be paid from the candidate's **personal funds** – not campaign funds.

(Section 106.07(2) and (8), F.S.)

Waiver of Report

In any reporting period during which a candidate has not received funds or made any expenditures, the filing of the required report for that period is waived; **however**, the candidate must indicate there is no activity by filing a waiver of report on the prescribed due date. (Waivers filed with the Division must be filed using the EFS.) The next report filed must specify that the report covers the entire period between the last submitted report and the report being filed.

(Section 106.07, F.S.)

Incomplete Reports

If a campaign treasurer files a report that is deemed incomplete, it shall be accepted on a conditional basis. The campaign treasurer will be notified by the filing officer as to why the report is incomplete. The campaign treasurer must file an addendum to the incomplete report within seven days of notification. The addendum must include all necessary information to complete the report.

(Section 106.07(2), F.S.)

Reporting Total Sums

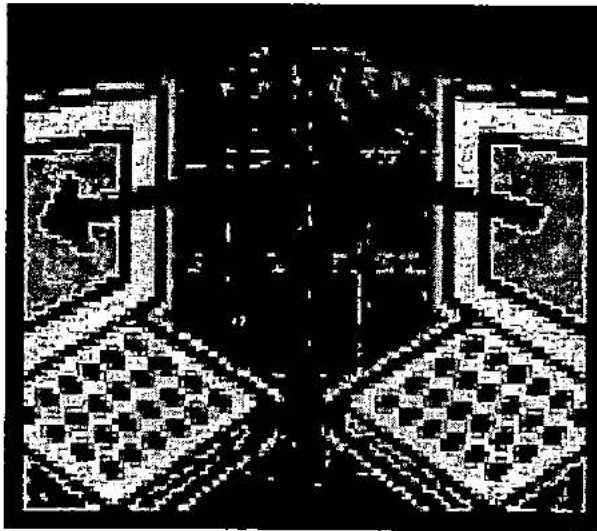
Each campaign treasurer's report required by Chapter 106, F.S., shall contain the total sums of all loans, in-kind contributions, and other receipts by or for such candidate, and total sums of all expenditures made by such candidate during the reporting period. The

reporting forms shall be designed to elicit separate totals for in-kind contributions, loans, and other receipts.

(Section 106.07, F.S.)

Department of State
Division of Elections

Candidate EFS User's Guide



Florida Department of State
Division of Elections
R.A. Gray Building, Room 316
500 S Bronough Street
Tallahassee, FL 32399-0250

EFS HELP LINE: 850-245-6280

January 2011

Rule 1S-2.017, F.A.C.

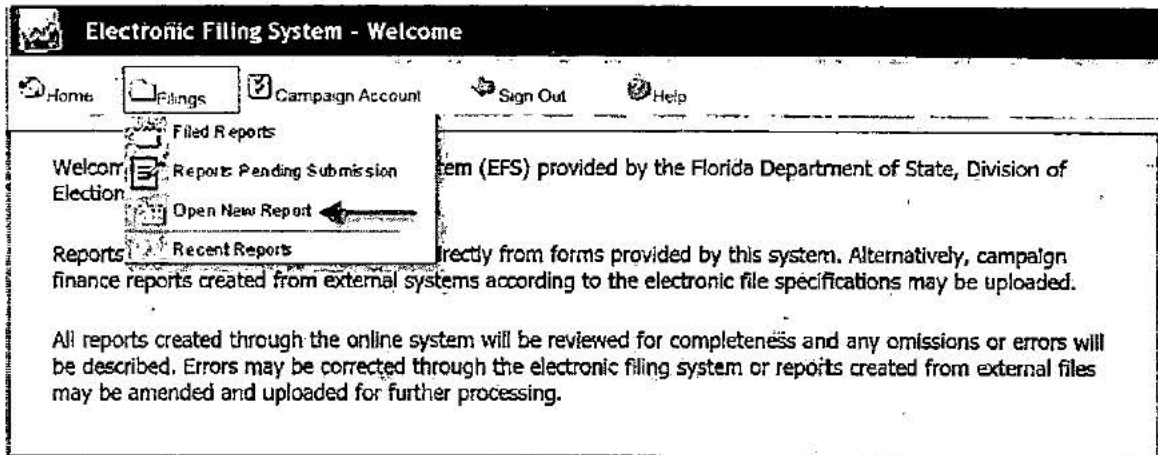
DS-DE 110A (eff. 01/11)

Index

Introduction	1
Access the EFS	2
Passwords and PINs	3
Set a Password Recovery Question	3
Recover Password.....	4
Change a Password	5
Set a PIN Recovery Question.....	6
Recover a PIN	8
Change a PIN.....	10
Create a New Report by Data Entry	12
Enter Contributions	14
Enter Expenditures	17
Enter Other Distributions	20
Enter Fund Transfers.....	23
Report Credit Card Activity.....	25
Report Prepaid Distributions	29
Report Reimbursements	32
Create a New Report by File Upload.....	36
Review Data for Errors.....	38
Create an Error Filter	42
File the Report.....	44
Print a File Receipt	46
Make Changes to the Report after Candidate Enters PIN.....	48
Access a Pending Report.....	49
Amend a Report	50
Amend by Direct Entry.....	52
Amend by File Upload	54
Print a Report	55

Create a New Report by Data Entry

From the Welcome Screen, click  Filings and then  Open New Report



Use this form to submit an original report. To submit an amendment to a previously filed report, first select the report from the 'Filed Reports' listing and then choose the 'Amend Report' option from the 'Edit' menu item.

Coverage Periods
Campaign finance reports itemize financial activity occurring during a specific reporting period. The reporting period is declared by first selecting the reporting year and then the report type. The beginning and ending coverage dates and the filing due date of the report are automatically associated with the *Reporting Year and Report Type*.


Election Cycle: 2010 General Election
Report Type: F2 2010
Coverage Period: 7/17/2010 7/30/2010 Due Date: 08/06/2010


Waiver

Uploading a Campaign Finance Report
A Campaign Finance report file meeting the department's specifications may be uploaded at the time a report is opened. Use the Browse button to locate and select the report text or zip file to be uploaded. You may upload the report file in a compressed zip. The zip file must contain only one report file.

Browse...

Open Report

Click  arrow next to **Election Cycle**. Scroll to the cycle associated with the report you are entering.

Click  arrow next to **Report Type** and select the report type that corresponds to the appropriate cover period and due date.

The **Cover Period** dates will automatically fill in based on the **Calendar of Election and Reporting Dates**. The end date can be changed for candidate termination reports.

The Due Date will automatically fill in based on the Calendar of Election and Reporting Dates.

****NOTE****

If this report is a waiver of report (no activity), click the box next to Waiver.

Election Cycle: 2010 General Election
Report Type: F2 2010
Coverage Period: 7/17/2010 - 7/30/2010 Due Date: 08/06/2010
 Waiver

Click at the bottom of the screen. A Report Detail screen (view only) will appear. This screen will not indicate any activity until individual detail data is entered, saved and a review is performed.

Report: 2010 - G4 - 27 2010 General Election Covers: 10/16/2010-10/28/2010 Due: 10/29/2010

Waiver Complete Status: Incomplete Detail Records
File Date: Review Status: Not Reviewed
Status: Last Review:

of Transactions: 0

Contributions		Total Amount	Expenditures		Total Amount
Cash and Checks:		0.00	Monetary:		0.00
Loans:		0.00	Transfers to Off Acct:		0.00
Total Monetary:		0.00	Total Monetary:		0.00
In-Kind:		0.00	Other Distributions:		0.00

Review Messages

Created: 10/26/2010 11:41:25 AM By: 50552 Revised: 10/26/2010 11:41:25 AM By: 50552

File the Report

If the **Review Status** is Updated Detail – Needs Review the report has not been reviewed since the last update. (See page 38 for instructions on how to submit the report to the system for review.)

If the status of the report is Complete Detail Records, you are ready to file the report.

Report: 2010 - F3 - 26		2010 General Election		Covers: 8/7/2010-8/19/2010		Due: 8/20/2010																	
<input type="checkbox"/> Waiver		Complete Status: Complete Detail Records		Review Status: Reviewed																			
File Dates:		Last Review: 8/19/2010 3:56:42 PM																					
Status: Complete																							
# of Transactions: 1		Review		Recalculate		Go To File Report																	
		Append File		Delete Report		Save																	
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Contributions</th> <th>Total Amount</th> </tr> </thead> <tbody> <tr> <td>Cash and Checks:</td> <td style="text-align: right;">0.00</td> </tr> <tr> <td>Loans:</td> <td style="text-align: right;">0.00</td> </tr> <tr> <td>Total Monetary:</td> <td style="text-align: right;">0.00</td> </tr> <tr> <td>In-Kind:</td> <td style="text-align: right;">0.00</td> </tr> </tbody> </table>		Contributions	Total Amount	Cash and Checks:	0.00	Loans:	0.00	Total Monetary:	0.00	In-Kind:	0.00	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Expenditures</th> <th>Total Amount</th> </tr> </thead> <tbody> <tr> <td>Monetary:</td> <td style="text-align: right;">51.00</td> </tr> <tr> <td>Transfers to Off Acct:</td> <td style="text-align: right;">0.00</td> </tr> <tr> <td>Total Monetary:</td> <td style="text-align: right;">51.00</td> </tr> <tr> <td>Other Distributions:</td> <td style="text-align: right;">0.00</td> </tr> </tbody> </table>		Expenditures	Total Amount	Monetary:	51.00	Transfers to Off Acct:	0.00	Total Monetary:	51.00	Other Distributions:	0.00
Contributions	Total Amount																						
Cash and Checks:	0.00																						
Loans:	0.00																						
Total Monetary:	0.00																						
In-Kind:	0.00																						
Expenditures	Total Amount																						
Monetary:	51.00																						
Transfers to Off Acct:	0.00																						
Total Monetary:	51.00																						
Other Distributions:	0.00																						
Review Messages		Created: 8/19/2010 2:01:25 PM		By: 50552		Revised: 8/19/2010 3:56:42 PM																	
						By: 50552																	

Click on **Go To File Report**.

The candidate enters his or her **PIN**, and then selects

Report Approved

NOTE: A PIN is the same as your signature attesting to the validity of the report.

Step 1: Enter the candidate/chairperson PIN.

Step 2: Select the 'Report Approved' button.

Report: 2010 - F3 - 26	Coverage Period: 8/7/2010-8/19/2010	Due: 8/20/2010
Review Status: Report Approved	<input type="checkbox"/> Original	<input type="checkbox"/> Amended
	<input type="checkbox"/> Waiver	
PIN for Candidate/Chairperson: <input type="text"/>	Report Approved	

If there is more than one treasurer, click on the drop down and select the treasurer that is filing the report.

Campaign Treasurer: ←

The treasurer enters his or her PIN and then clicks

Report: 2010 - F3 - 26	Coverage Period: 8/7/2010-8/19/2010	Due: 8/20/2010
Review Status: <input type="text"/>	<input type="radio"/> Original <input type="radio"/> Amended	
Campaign Treasurer: <input type="text" value="James Bond"/>	<input type="radio"/> Waiver	
PIN for specified Treasurer: <input type="text"/>		
To Edit Report Again Select Cancel: <input type="button" value="Cancel"/>	<input type="button" value="File Report"/> ←	

IMPORTANT NOTE: If changes need to be made after a candidate enters his PIN, the treasurer must undo the candidate's PIN validation before the system will allow changes. See page 48 for instructions.



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Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Candidate Name: Kyle "KC" Gibson

Name:

Account: 64360

Election:

Acct:

Type:

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
2/4/2019	TR	2/28/2019	FEC	24	\$0.00		\$0.00	\$0.00
11/2/2018	G7	11/2/2018						
11/1/2018	D6	11/2/2018	FEC	1	\$0.00		\$0.00	\$0.00
10/31/2018	D5	10/31/2018						
10/30/2018	D4	10/29/2018						
10/29/2018	D3	10/29/2018						
10/28/2018	D2	10/29/2018	FEC	1	\$0.00		\$0.00	\$0.00
10/27/2018	D1	10/26/2018						
10/26/2018	G6	10/26/2018						
10/25/2018	G4	10/13/2018						
10/19/2018	G5	10/13/2018						
10/5/2018	G3	10/5/2018						
9/28/2018	G2A	9/28/2018						
9/21/2018	G2	9/23/2018	NEN	2	\$6.25		\$6.25	\$0.00
9/14/2018	G1A	9/14/2018						
9/7/2018	G1	9/7/2018						
8/31/2018	P7A	8/31/2018						
8/24/2018	P7	8/26/2018	FEC	2	\$0.00		\$0.00	\$0.00
8/17/2018	P6	8/18/2018	FEC	1	\$0.00		\$0.00	\$0.00
8/10/2018	P5	8/10/2018						
8/3/2018	P4	8/4/2018	FEC	1	\$0.00		\$0.00	\$0.00
7/27/2018	P3	7/27/2018						
7/20/2018	P2A	7/13/2018						
7/13/2018	P2	7/6/2018						
7/6/2018	P1A	2/26/2019	DFS	235	\$109.74		\$109.74	\$0.00
6/29/2018	P1	6/29/2018						
6/11/2018	M5	6/11/2018						
5/10/2018	M4	5/10/2018						
4/10/2018	M3	4/10/2018						
3/12/2018	M2	3/12/2018						
2/12/2018	M1	2/12/2018						
1/10/2018	M12	1/10/2018						
12/11/2017	M11	12/11/2017						
11/13/2017	M10	11/10/2017						
10/10/2017	M9	10/10/2017						
9/22/2017	M8	9/12/2017						
8/10/2017	M7	8/7/2017						
7/10/2017	M6	6/30/2017						
6/12/2017	M5	6/9/2017						
5/10/2017	M4	5/10/2017						
4/10/2017	M3	4/10/2017						
3/11/2017	M2	3/11/2017						
2/10/2017	M1	2/9/2017						
1/10/2017	M12	1/10/2017						
12/12/2016	M11	12/10/2016						

EXHIBIT 5 p 1 of 8

11/10/2016	M10	11/11/2016	CLO	1	\$0.00	\$0.00	\$0.00
10/11/2016	M9	10/10/2016					
9/12/2016	M8	9/10/2016					
8/10/2016	M7	8/10/2016					
7/11/2016	M6	7/10/2016					
6/10/2016	M5	6/10/2016					
5/10/2016	M4	5/10/2016					
4/11/2016	M3	4/11/2016					
3/24/2016	M7	8/11/2015	DFS	1	\$37.50	\$37.50	\$0.00
3/10/2016	M2	3/4/2016					
2/10/2016	M1	2/11/2016	DFS	1	\$50.00	\$50.00	\$0.00
1/11/2016	M12	1/12/2016	DFS	1	\$50.00	\$50.00	\$0.00
12/10/2015	M11	12/10/2015					
11/10/2015	M10	11/10/2015					
10/13/2015	M9	10/10/2015					
9/10/2015	M8	9/10/2015					
7/10/2015	M6	7/10/2015					
6/10/2015	M5	6/7/2015					
5/11/2015	M4	5/11/2015					
4/10/2015	M3	4/15/2015	FOI	5	\$0.00	\$0.00	\$0.00
3/10/2015	M2	3/10/2015					
2/10/2015	M1	2/9/2015					
1/12/2015	M12	1/21/2015	FOI	9	\$0.00	\$0.00	\$0.00
12/10/2014	M11	12/4/2014					
11/10/2014	M10	10/31/2014					
10/10/2014	M9	10/16/2014	FOI	6	\$0.00	\$0.00	\$0.00


EXHIBIT 5 p. 2 of 8

 Treasurer Report Status


ID: 64360 Name: Kyle "KC" Gibson	
Report: 2018 - P4 - 51	Print Date: 5/21/2019 9:35:03 AM
Election: 2018 General Election	
Covers: 7/21/2018-7/27/2018	<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Waiver
Due: 8/3/2018	
Filed: 8/4/2018 11:49:02 PM	File Status: Filed Report
Reviewed: 8/4/2018	Review Status: Reviewed
	Detail Complete: No Detail Records Found
File Method: Web Filed	<u>Number of Detail Records</u>
Entry Method: Web Data Entry	Contributions: 0
	Expenditures: 0
Pending Queued Items: 0	Fund Transfers: 0
	Distributions: 0
To Print Report: Right Click Mouse and Select 'Print'	

 Treasurer Report Status

ID: 64360	Name: Kyle "KC" Gibson
Report: 2018 - P6 - 53	Print Date: 5/21/2019 9:36:08 AM
Election: 2018 General Election	
Covers: 8/4/2018-8/10/2018	<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Waiver
Due: 8/17/2018	
Filed: 8/18/2018 11:28:20 PM	File Status: Filed Report
Reviewed: 8/18/2018	Review Status: Reviewed
	Detail Complete: No Detail Records Found
File Method: Web Filed	<u>Number of Detail Records</u>
Entry Method: Web Data Entry	Contributions: 0
	Expenditures: 0
Pending Queued Items: 0	Fund Transfers: 0
	Distributions: 0
To Print Report: Right Click Mouse and Select 'Print'	

 Treasurer Report Status


ID: 64360	Name: Kyle "KC" Gibson
Report: 2018 - P7 - 54	Print Date: 5/21/2019 9:37:15 AM
Election: 2018 General Election	
Covers: 8/11/2018-8/23/2018	<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Waiver
Due: 8/24/2018	
Filed: 8/26/2018 3:16:47 PM	File Status: Filed Report
Reviewed: 8/26/2018	Review Status: Reviewed
	Detail Complete: No Detail Records Found
File Method: Web Filed	<u>Number of Detail Records</u>
Entry Method: Web Data Entry	Contributions: 0
	Expenditures: 0
Pending Queued Items: 0	Fund Transfers: 0
	Distributions: 0
To Print Report: Right Click Mouse and Select 'Print'	

 Treasurer Report Status

ID: 64360	Name: Kyle "KC" Gibson
Report: 2018 - D2 - 66	Print Date: 5/21/2019 9:38:08 AM
Election: 2018 General Election	
Covers: 10/27/2018-10/27/2018	<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Waiver
Due: 10/28/2018	
Filed: 10/29/2018 2:42:14 AM	File Status: Filed Report
Reviewed: 10/29/2018	Review Status: Reviewed
	Detail Complete: No Detail Records Found
File Method: Web Filed	<u>Number of Detail Records</u>
Entry Method: Web Data Entry	Contributions: 0
	Expenditures: 0
Pending Queued Items: 0	Fund Transfers: 0
	Distributions: 0
To Print Report: Right Click Mouse and Select 'Print'	

 Treasurer Report Status

ID: 64360		Name: Kyle "KC" Gibson	
Report: 2018 - D6 - 70		Print Date: 5/21/2019 9:38:55 AM	
Election: 2018 General Election			
Covers: 10/31/2018-10/31/2018		<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Waiver	
Due: 11/1/2018			
Filed: 11/2/2018 3:33:39 AM		File Status: Filed Report	
Reviewed: 11/2/2018		Review Status: Reviewed	
		Detail Complete: No Detail Records Found	
File Method: Web Filed		<u>Number of Detail Records</u>	
Entry Method: Web Data Entry		Contributions: 0	
		Expenditures: 0	
Pending Queued Items: 0		Fund Transfers: 0	
		Distributions: 0	
To Print Report: Right Click Mouse and Select 'Print'			

 Treasurer Report Status

ID: 64360	Name: Kyle "KC" Gibson
Report: 2019 - TR - 71	Print Date: 5/21/2019 9:40:22 AM
Election: 2018 General Election	
Covers: 11/2/2018-2/4/2019	<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Waiver
Due: 2/4/2019	
Filed: 2/28/2019 10:52:32 PM	File Status: Filed Report
Reviewed: 2/28/2019	Review Status: Reviewed
	Detail Complete: No Detail Records Found
File Method: Web Filed	<u>Number of Detail Records</u>
Entry Method: Web Data Entry	Contributions: 0
	Expenditures: 0
	Fund Transfers: 0
Pending Queued Items: 0	Distributions: 0
To Print Report: Right Click Mouse and Select 'Print'	

1

**FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Case No.: FEC 18-194**

Respondent: Kyle Gibson
Counsel for Respondent: n/a

Complainant: Division of Elections
Counsel for Complainant: n/a

On August 3, 2018, the Florida Elections Commission ("Commission") received a referral from the Division of Elections alleging that Respondent violated Chapter 106, Florida Statutes. Commission staff investigated whether Respondent violated the following statute:

Section 106.07(2)(b)1, Florida Statutes, failure of the treasurer of a candidate to file an addendum to an incomplete report after receiving notice from the filing officer.

I. Preliminary Information:

1. Respondent was a 2018 candidate for the office of Governor. He lost this election bid on November 6, 2018 when he received 0.3% of the vote. He was also a write-in candidate in the 2014 Governor's race but was removed from the ballot due to failing to designate and qualify a Lieutenant Governor candidate prior to the general election.
2. Complainant is the Division of Elections.
3. Respondent's filing officer is Kristi Willis, Chief, Bureau of Election Records.

II. Alleged Violation of Section 106.07(2)(b)1, Florida Statutes:

4. I investigated whether Respondent violated this section of the election laws by not filing an addendum to the 2018 M1 Report, after receiving notice that it was incomplete.
5. A DOE staff representative, Kristi Willis, submitted a sworn-affidavit dated August 2, 2018 regarding Respondent's failure-to-file an addendum to the 2018 M1 Report. To view a copy of the August 2, 2018 sworn-affidavit from Kristi Willis, refer to exhibit 1.
6. On September 25, 2014, Respondent filed his original Appointment of Campaign Treasurer and Designation of Campaign Depository form (DS-DE 9) with his filing officer. Respondent appointed himself as his own campaign treasurer. To view a copy of Respondent's DS-DE 9 forms, refer to exhibit 2.
7. On September 26, 2014, Complainant mailed Respondent a letter acknowledging receipt of the DS-DE 9 form and informing him that his name had been placed on the 2018 active candidate list. To view a copy of the September 26, 2014 acknowledgement letter, refer to exhibit 3.
8. I have reviewed records from the Division of Elections. These records reflect that

Respondent timely filed his original 2018 M1 Report with his filing officer on February 12, 2018 at approximately 10:20 pm. To view a copy of Respondent's original 2018 M1 Report, refer to exhibit 4. To view a copy of Respondent's filing history, refer to exhibit 5.

9. On February 15, 2018, Complainant mailed Respondent a letter informing him that the 2018 M1 Report was incomplete. Complainant attached a list of errors to this letter that specifically stated the errors that required amending. This letter was sent to the address Respondent provided on his DS-DE 9 forms (Exhibit 2). To view a copy of the February 15, 2018 incomplete-report letter, refer to exhibit 6.

10. On March 13, 2018, Complainant mailed Respondent a second letter informing him that the 2018 M1 Report remained incomplete. Complainant attached a list of errors to this letter that specifically stated the errors that required amending. This letter was also sent to the address Respondent provided on his DS-DE 9 forms (Exhibit 2). To view a copy of the March 13, 2018 incomplete-report letter, refer to exhibit 7.

11. On April 6, 2018, Complainant mailed Respondent a certified letter titled "Final Notice" informing him that the 2018 M1 Report remained incomplete. Complainant included a list of errors with this letter that specifically stated the errors that required amending. This letter was also sent to the address Respondent provided on his DS-DE 9 form (Exhibit 2). This letter also included a delivery confirmation receipt. To view a copy of the April 6, 2018 "Final Notice" with delivery confirmation receipt, refer to exhibit 8.

12. In a December 4, 2018 email with Kristi Willis, FEC staff was advised that the 2018 M1 Report has not been corrected. To view a copy of the December 4, 2018 email with Kristi Willis, refer to exhibit 9.

13. There is a record that Respondent has previously violated this section of the election laws.

III. FEC History:

14. Respondent has had many cases in front of the Florida Elections Commission (Commission). In the matter of FEC 13-251, the Commission issued a default final order for alleged violation of 106.07(8)(b). In the matter of FEC 15-261, the Commission found a violation of Sections 106.07(2)(b)1 and 106.19(1)(c), and levied a civil penalty of \$750.00, which Respondent has not paid. In the matter of FEC 15-329, the Commission found a violation of Section 106.07(2)(b)1, and levied a civil penalty of \$500.00, which Respondent has not paid. In the matter of FEC 15-397, the Commission combined this case with FEC 14-299 and upheld the automatic-fine of \$37.50 and issued a default final order, which Respondent has paid. In the matter of FEC 14-497, the Commission found no probable cause for alleged violation of 106.07(7). In the matter of FEC 15-510, the Commission issued a default final order for alleged violation of 106.07(8)(b). In the matter of FEC 16-028, the Commission found a violation of Section 106.07(2)(b)1, and levied a civil penalty of \$1,000.00, which Respondent has not paid. In the matter of FEC 16-157, the Commission found a violation of Section 106.07(2)(b)1, and levied a civil penalty of \$2,000.00, which Respondent has not paid. In the matter of FEC 16-173, the Commission upheld the automatic-fine of \$50.00 and issued a default final order; which Respondent has not paid. In the matter of FEC 16-174, the Commission upheld the automatic-fine of \$50.00 and issued a default final order; which Respondent has not paid. In the matter of FEC 16-520, the Commission found a violation of Section 106.07(2)(b)1, and levied a civil penalty in the

amount of \$1,000.00, which Respondent has not paid. In the matter of FEC 16-544, the Commission found a violation of Section 106.07(2)(b)1, and levied a civil penalty in the amount of \$100.00, which Respondent has not paid. In the matter of FEC 17-146, the Commission found no violation of 106.07(5) or 106.19(1)(c). In the matter of FEC 17-244, the Commission found no violation of violation of 106.07(2)(b)1. In the matter of FEC 17-276, the Commission found violations of 106.07(2)(b)1, 106.19(1)(b), 106.07(5), and 106.19(1)(d), but with no probable cause found for 106.19(1)(c)/fined \$5000.00/no record of fine being paid. In the matter of FEC 17-436, the Commission found a violation of 106.07(2)(b)1/fined \$1,000.00/no record of fine being paid. In the matter of FEC 18-072, the Commission found five violations of 106.07(2)(b)1/fined \$5,000.00/no record of fine being paid.

Conclusion:

15. Respondent was offered several opportunities to make comments regarding the findings of this investigation. Respondent did not respond to any of these attempts.

16. In the September 26, 2014 acknowledgement letter, Respondent was informed that all of the Division's publications were available online at the DOE's website. In the letter, Respondent was admonished as follows: **It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapters 104 and 106, Florida Statutes, 2014 Candidate and Campaign Treasurer Handbook, 2014 Calendar of Reporting Dates, and Rule 1S-2.017, Florida Administrative Code.** To view a copy of the September 26, 2014 acknowledgement letter, refer to exhibit 3.

17. On September 25, 2014, Respondent filed his Statement of Candidate for Governor of Florida acknowledging that he had been provided access to read and understand the requirements of Chapter 106, Florida Statutes. To view a copy of the Statement of Candidate, refer to exhibit 10.

Respectfully submitted on January 24, 2019.

Cedric Oliver
Investigation Specialist

Current address of Respondent

Mr. Kyle Gibson
1418 Northeast 57th Court
Fort Lauderdale, FL 33359-0581

Current address of Complainant

Division of Elections
500 South Bronough Street, Room #316
Tallahassee, FL 32399

Name and Address of Filing Officer:

Ms. Kristi Willis
Bureau of Election Records Chief
500 South Bronough Street, Room #316
Tallahassee, FL 32399

Copy furnished to: Mr. David Flagg, Investigations Manager

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

RECEIVED
DEPARTMENT OF STATE
OFFICE USE
2014 SEP 25 AM 10:00
DIVISION OF ELECTIONS
TALLAHASSEE, FL

I, Kyle KC Gibson ;
candidate for the office of Governor of Florida ;

have been provided access to read and understand the requirements of
Chapter 106, Florida Statutes.

X Pepe C. Gibson
Signature of Candidate

Sept 20, 2014
Date

Each candidate must file a statement with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository is filed. Willful failure to file this form is a first degree misdemeanor and a civil violation of the Campaign Financing Act which may result in a fine of up to \$1,000, (ss. 106.19(1)(c), 106.265(1), Florida Statutes).

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 19-329**

Respondent: Kyle Gibson

Complainant: Division of Elections

1. **Date and time:** 2/3/20 @ 12:40pm
Name: Kyle Gibson
Phone #: (850) 322-8815
Summary: I attempted to reach Mr. Gibson using the number listed on his 2018 campaign profile with the Division of Elections. I left a voicemail and provided the case number, as well as all the specific late filed waivers in the LS letter. I also mentioned the Affidavit of Background Info (and date this was mailed). I requested a call-back to discuss the matter.
Memo to File?
Entered by: CHS

2. **Date and time:** 2/6/20 @ 2:13pm
Name: Kyle Gibson
Phone #: (850) 322-8815
Summary: I called Mr. Gibson a second time and left a voicemail. I referenced my earlier call and stated that I wanted to discuss the case. I also mentioned the LS letter (dated 8/9/19) and the Affidavit of Background Info. I requested a call-back.
Memo to File? No
Entered by: CHS

3. **Date and time:**
Name:
Phone #:
Summary:
Memo to File?
Entered by:

4. **Date and time:**
Name:
Phone #:
Summary:
Memo to File?
Entered by:

EXHIBIT 8-plot-1



FLORIDA ELECTIONS COMMISSION

**107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, Florida 32399-1050
Telephone: (850) 922-4539
Fax: (850) 921-0783
www.fec.state.fl.us; fec@myfloridalegal.com**

August 9, 2019

Kyle "KC" Gibson
Post Office Box 590581
Tamarac, FL 33359

RE: Case No.: FEC 19-329; Respondent: Kyle "KC" Gibson

Dear Mr. Gibson:

On June 3, 2019, the Florida Elections Commission received a complaint alleging that you violated Florida's election laws. I have reviewed the complaint and find that it contains one or more legally sufficient allegations. The Commission staff will investigate the following alleged violation(s):

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent, a 2018 candidate for Governor, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the following reporting periods:

- 2018 P4
- 2018 P6
- 2018 P7
- 2018 D2
- 2018 D6
- 2019 TR

However, prior to an investigation, you have the option to **resolve your case now by** signing a minor violation consent order and **paying a fine of \$300**, per Rule 2B-1.003, Florida Administrative Code, **rather than the potential \$1,000 per violation** provided for in Section 106.265, Florida Statutes.

If you sign the consent order, **you would not be required to admit or deny the allegation(s)** in the complaint, but you would be required to immediately correct the violation, if feasible.

The signed consent order would then be considered by the Commission at its next available meeting, and would constitute final action by the Commission once it is accepted and approved by the Commission.

Please contact Stephanie Cunningham at 850-922-4539, or at the address listed above, to accept this minor violation consent order offer.

Kyle "KC" Gibson
August 9, 2019
Page 2
FEC 19-329

If you choose not to resolve the case by consent order, an investigation will be conducted, and then the Commission will hold one or more hearings to determine whether the alleged violation(s) occurred and, if so, the amount of the fine to be imposed upon you. For more information, please see our FAQs available at <http://www.fec.state.fl.us>.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Vaccaro", with a long horizontal flourish extending to the right.

Tim Vaccaro
Executive Director

TV/med

DIVISION OF ELECTIONS FEC NOTICE FORM

To FEC from Division of Elections



Candidate: Kyle "KC" Gibson

Account Number: 64360

Treasurer: Kyle C. Gibson



The Division of Elections hereby provides this notice to the Florida Elections Commission pursuant to Sections 106.07(8)(d), 106.22(7), and 106.25(2), Florida Statutes. An apparent violation of Chapter 106, Florida Statutes, has occurred based upon repeated late filings or failure to file notifications to the filing officer in writing that no report was being filed on the prescribed reporting date under s. 106.07(7).


- 2018 P4
- 2018 P6
- 2018 P7
- 2018 D2
- 2018 D6
- 2019 TR

- Kyle Chaderwick Gibson (64360) was a 2018 candidate for the office of Governor.
- On September 25, 2014, Kyle Chaderwick Gibson filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division designating himself as treasurer.
- The 2018 P4 campaign treasurer's report was due on August 3, 2018. Mr. Gibson failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Gibson filed a notification of no activity on August 4, 2018. (See attached file receipt and letter.)
- The 2018 P6 campaign treasurer's report was due on August 17, 2018. Mr. Gibson failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Gibson filed a notification of no activity on August 18, 2018. (See attached file receipt and letter.)

- The 2018 P7 campaign treasurer's report was due on August 24, 2018. Mr. Gibson failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Gibson filed a notification of no activity on August 26, 2018. (See attached file receipt and letter.)
- The 2018 D2 campaign treasurer's report was due on October 28, 2018. Mr. Gibson failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Gibson filed a notification of no activity on October 29, 2018. (See attached file receipt.)
- The 2018 D6 campaign treasurer's report was due on November 1, 2018. Mr. Gibson failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Gibson filed a notification of no activity on November 2, 2018. (See attached file receipt.)
- The 2019 TR campaign treasurer's report was due on February 4, 2019. Mr. Gibson failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Gibson filed a notification of no activity on February 28, 2019. (See attached file receipt.)

Sent By: Kristi Reid Willis
Date: May 21, 2019 *KRW*

dlh

 Treasurer Report Status

ID: 64360		Name: Kyle "KC" Gibson	
Report: 2018 - P4 - 51		Print Date: 5/21/2019 9:35:03 AM	
Election: 2018 General Election			
Covers: 7/21/2018-7/27/2018		<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Waiver	
Due: 8/3/2018			
Filed: 8/4/2018 11:49:02 PM		File Status: Filed Report	
Reviewed: 8/4/2018		Review Status: Reviewed	
		Detail Complete: No Detail Records Found	
File Method: Web Filed		<u>Number of Detail Records</u>	
Entry Method: Web Data Entry		Contributions: 0	
		Expenditures: 0	
Pending Queued Items: 0		Fund Transfers: 0	
		Distributions: 0	
To Print Report: Right Click Mouse and Select 'Print'			



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

August 22, 2018

Kyle C. Gibson
Post Office Box 590581
Tamarac, FL 33359-0581

CAN 64360

Dear Mr. Gibson:


The notification that you had no reportable activity for the report deadline of August 3, 2018, was not filed until August 4, 2018. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

However, to avoid potential issues in the future, please note that state law (s. 106.07(7), Fla. Stat.) requires you to file by the dates set out also in law, either a campaign finance report or if applicable, a notification that no reportable activity occurred for the reporting period. Failure to do may constitute a violation of sections 106.07(1) and 106.19(1)(c), Fla. Stat. The Division is required to notify the Florida Elections Commission of any apparent violation of chapter 106, Fla. Stat., or any failure to file a report or information required by chapter 106, Fla. Stat. If a matter is referred to the Florida Elections Commission, the Commission may assess a civil penalty of up to \$1,000 per violation.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

 Treasurer Report Status

ID: 64360	Name: Kyle "KC" Gibson
Report: 2018 - P6 - 53	Print Date: 5/21/2019 9:36:08 AM
Election: 2018 General Election	
Covers: 8/4/2018-8/10/2018	<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Waiver
Due: 8/17/2018	
Filed: 8/18/2018 11:28:20 PM	File Status: Filed Report
Reviewed: 8/18/2018	Review Status: Reviewed
	Detail Complete: No Detail Records Found
File Method: Web Filed	<u>Number of Detail Records</u>
Entry Method: Web Data Entry	Contributions: 0
	Expenditures: 0
Pending Queued Items: 0	Fund Transfers: 0
	Distributions: 0
To Print Report: Right Click Mouse and Select 'Print'	



FLORIDA DEPARTMENT OF STATE
Ken Detzner
Secretary of State
DIVISION OF ELECTIONS

September 5, 2018

Kyle C. Gibson
Post Office Box 590581
Tamarac, FL 33359-0581

CAN 64360

Dear Mr. Gibson:


The notification that you had no reportable activity for the report deadline of August 17, 2018, was not filed until August 18, 2018. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

However, to avoid potential issues in the future, please note that state law (s. 106.07(7), Fla. Stat.) requires you to file by the dates set out also in law, either a campaign finance report or if applicable, a notification that no reportable activity occurred for the reporting period. Failure to do may constitute a violation of sections 106.07(1) and 106.19(1)(c), Fla. Stat. The Division is required to notify the Florida Elections Commission of any apparent violation of chapter 106, Fla. Stat., or any failure to file a report or information required by chapter 106, Fla. Stat. If a matter is referred to the Florida Elections Commission, the Commission may assess a civil penalty of up to \$1,000 per violation.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

 Treasurer Report Status

ID: 64360	Name: Kyle "KC" Gibson
Report: 2018 - P7 - 54	Print Date: 5/21/2019 9:37:15 AM
Election: 2018 General Election	
Covers: 8/11/2018-8/23/2018	<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Waiver
Due: 8/24/2018	
Filed: 8/26/2018 3:16:47 PM	File Status: Filed Report
Reviewed: 8/26/2018	Review Status: Reviewed
	Detail Complete: No Detail Records Found
File Method: Web Filed	<u>Number of Detail Records</u>
Entry Method: Web Data Entry	Contributions: 0
	Expenditures: 0
Pending Queued Items: 0	Fund Transfers: 0
	Distributions: 0
To Print Report: Right Click Mouse and Select 'Print'	



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

September 17, 2018

Kyle C. Gibson
Post Office Box 590581
Tamarac, FL 33359-0581

CAN 64360

Dear Mr. Gibson:

The notification that you had no reportable activity for the report deadline of August 24, 2018, was not filed until August 26, 2018. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

However, to avoid potential issues in the future, please note that state law (s. 106.07(7), Fla. Stat.) requires you to file by the dates set out also in law, either a campaign finance report or if applicable, a notification that no reportable activity occurred for the reporting period. Failure to do may constitute a violation of sections 106.07(1) and 106.19(1)(c), Fla. Stat. The Division is required to notify the Florida Elections Commission of any apparent violation of chapter 106, Fla. Stat., or any failure to file a report or information required by chapter 106, Fla. Stat. If a matter is referred to the Florida Elections Commission, the Commission may assess a civil penalty of up to \$1,000 per violation.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

 Treasurer Report Status

ID: **64360** Name: **Kyle "KC" Gibson**

Report: 2018 - D2 - 66

Print Date: **5/21/2019 9:38:08 AM**

Election: 2018 General Election

Covers: 10/27/2018-10/27/2018

Amended Waiver

Due: 10/28/2018

Filed: **10/29/2018 2:42:14 AM**

File Status: **Filed Report**

Reviewed: **10/29/2018**

Review Status: **Reviewed**

Detail Complete: **No Detail Records Found**

File Method: Web Filed

Number of Detail Records

Entry Method: Web Data Entry

Contributions: 0

Expenditures: 0

Pending Queued Items: **0**


Fund Transfers: 0

Distributions: 0

To Print Report: Right Click Mouse and Select 'Print'

 Treasurer Report Status

ID: 64360	Name: Kyle "KC" Gibson
Report: 2018 - D6 - 70	Print Date: 5/21/2019 9:38:55 AM
Election: 2018 General Election	
Covers: 10/31/2018-10/31/2018	<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Waiver
Due: 11/1/2018	
Filed: 11/2/2018 3:33:39 AM	File Status: Filed Report
Reviewed: 11/2/2018	Review Status: Reviewed
	Detail Complete: No Detail Records Found
File Method: Web Filed	<u>Number of Detail Records</u>
Entry Method: Web Data Entry	Contributions: 0
	Expenditures: 0
Pending Queued Items: 0	Fund Transfers: 0
	Distributions: 0
To Print Report: Right Click Mouse and Select 'Print'	

 Treasurer Report Status

ID: 64360	Name: Kyle "KC" Gibson
Report: 2019 - TR - 71	Print Date: 5/21/2019 9:40:22 AM
Election: 2018 General Election	
Covers: 11/2/2018-2/4/2019	<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Waiver
Due: 2/4/2019	
Filed: 2/28/2019 10:52:32 PM	File Status: Filed Report
Reviewed: 2/28/2019	Review Status: Reviewed
	Detail Complete: No Detail Records Found
File Method: Web Filed	<u>Number of Detail Records</u>
Entry Method: Web Data Entry	Contributions: 0
	Expenditures: 0
Pending Queued Items: 0	Fund Transfers: 0
	Distributions: 0
To Print Report: Right Click Mouse and Select 'Print'	

**DIVISION OF ELECTIONS
FEC NOTICE FORM**

To FEC from Division of Elections



Candidate: Kyle "KC" Gibson

Account Number: 64360

Treasurer: Kyle C. Gibson



The Division of Elections hereby provides this notice to the Florida Elections Commission pursuant to Sections 106.07(8)(d), 106.22(7), and 106.25(2), Florida Statutes. An apparent violation of Chapter 106, Florida Statutes, has occurred based upon repeated late filings or failure to file notifications to the filing officer in writing that no report was being filed on the prescribed reporting date under s. 106.07(7).


- 2018 P4
- 2018 P6
- 2018 P7
- 2018 D2
- 2018 D6
- 2019 TR

- Kyle Chaderwick Gibson (64360) was a 2018 candidate for the office of Governor.
- On September 25, 2014, Kyle Chaderwick Gibson filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division designating himself as treasurer.
- The 2018 P4 campaign treasurer's report was due on August 3, 2018. Mr. Gibson failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Gibson filed a notification of no activity on August 4, 2018. (See attached file receipt and letter.)
- The 2018 P6 campaign treasurer's report was due on August 17, 2018. Mr. Gibson failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Gibson filed a notification of no activity on August 18, 2018. (See attached file receipt and letter.)

- The 2018 P7 campaign treasurer's report was due on August 24, 2018. Mr. Gibson failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Gibson filed a notification of no activity on August 26, 2018. (See attached file receipt and letter.)
- The 2018 D2 campaign treasurer's report was due on October 28, 2018. Mr. Gibson failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Gibson filed a notification of no activity on October 29, 2018. (See attached file receipt.)
- The 2018 D6 campaign treasurer's report was due on November 1, 2018. Mr. Gibson failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Gibson filed a notification of no activity on November 2, 2018. (See attached file receipt.)
- The 2019 TR campaign treasurer's report was due on February 4, 2019. Mr. Gibson failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Gibson filed a notification of no activity on February 28, 2019. (See attached file receipt.)

Sent By: Kristi Reid Willis
Date: May 21, 2019 *KRW*

dlh

 Treasurer Report Status

ID: 64360		Name: Kyle "KC" Gibson	
Report: 2018 - P4 - 51		Print Date: 5/21/2019 9:35:03 AM	
Election: 2018 General Election			
Covers: 7/21/2018-7/27/2018		<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Waiver	
Due: 8/3/2018			
Filed: 8/4/2018 11:49:02 PM		File Status: Filed Report	
Reviewed: 8/4/2018		Review Status: Reviewed	
		Detail Complete: No Detail Records Found	
File Method: Web Filed		<u>Number of Detail Records</u>	
Entry Method: Web Data Entry		Contributions: 0	
		Expenditures: 0	
Pending Queued Items: 0		Fund Transfers: 0	
		Distributions: 0	
To Print Report: Right Click Mouse and Select 'Print'			



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

August 22, 2018

Kyle C. Gibson
Post Office Box 590581
Tamarac, FL 33359-0581

CAN 64360

Dear Mr. Gibson:


The notification that you had no reportable activity for the report deadline of August 3, 2018, was not filed until August 4, 2018. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

However, to avoid potential issues in the future, please note that state law (s. 106.07(7), Fla. Stat.) requires you to file by the dates set out also in law, either a campaign finance report or if applicable, a notification that no reportable activity occurred for the reporting period. Failure to do may constitute a violation of sections 106.07(1) and 106.19(1)(c), Fla. Stat. The Division is required to notify the Florida Elections Commission of any apparent violation of chapter 106, Fla. Stat., or any failure to file a report or information required by chapter 106, Fla. Stat. If a matter is referred to the Florida Elections Commission, the Commission may assess a civil penalty of up to \$1,000 per violation.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

 Treasurer Report Status

ID: 64360	Name: Kyle "KC" Gibson
Report: 2018 - P6 - 53	Print Date: 5/21/2019 9:36:08 AM
Election: 2018 General Election	
Covers: 8/4/2018-8/10/2018	<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Waiver
Due: 8/17/2018	
Filed: 8/18/2018 11:28:20 PM	File Status: Filed Report
Reviewed: 8/18/2018	Review Status: Reviewed
	Detail Complete: No Detail Records Found
File Method: Web Filed	<u>Number of Detail Records</u>
Entry Method: Web Data Entry	Contributions: 0
	Expenditures: 0
Pending Queued Items: 0	Fund Transfers: 0
	Distributions: 0
To Print Report: Right Click Mouse and Select 'Print'	



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

September 5, 2018

Kyle C. Gibson
Post Office Box 590581
Tamarac, FL 33359-0581

CAN 64360

Dear Mr. Gibson:


The notification that you had no reportable activity for the report deadline of August 17, 2018, was not filed until August 18, 2018. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

However, to avoid potential issues in the future, please note that state law (s. 106.07(7), Fla. Stat.) requires you to file by the dates set out also in law, either a campaign finance report or if applicable, a notification that no reportable activity occurred for the reporting period. Failure to do may constitute a violation of sections 106.07(1) and 106.19(1)(c), Fla. Stat. The Division is required to notify the Florida Elections Commission of any apparent violation of chapter 106, Fla. Stat., or any failure to file a report or information required by chapter 106, Fla. Stat. If a matter is referred to the Florida Elections Commission, the Commission may assess a civil penalty of up to \$1,000 per violation.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

 Treasurer Report Status

ID: 64360	Name: Kyle "KC" Gibson
Report: 2018 - P7 - 54	Print Date: 5/21/2019 9:37:15 AM
Election: 2018 General Election	
Covers: 8/11/2018-8/23/2018	<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Waiver
Due: 8/24/2018	
Filed: 8/26/2018 3:16:47 PM	File Status: Filed Report
Reviewed: 8/26/2018	Review Status: Reviewed
	Detail Complete: No Detail Records Found
File Method: Web Filed	<u>Number of Detail Records</u>
Entry Method: Web Data Entry	Contributions: 0
	Expenditures: 0
Pending Queued Items: 0	Fund Transfers: 0
	Distributions: 0
To Print Report: Right Click Mouse and Select 'Print'	



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

September 17, 2018

Kyle C. Gibson
Post Office Box 590581
Tamarac, FL 33359-0581

CAN 64360

Dear Mr. Gibson:

The notification that you had no reportable activity for the report deadline of August 24, 2018, was not filed until August 26, 2018. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

However, to avoid potential issues in the future, please note that state law (s. 106.07(7), Fla. Stat.) requires you to file by the dates set out also in law, either a campaign finance report or if applicable, a notification that no reportable activity occurred for the reporting period. Failure to do may constitute a violation of sections 106.07(1) and 106.19(1)(c), Fla. Stat. The Division is required to notify the Florida Elections Commission of any apparent violation of chapter 106, Fla. Stat., or any failure to file a report or information required by chapter 106, Fla. Stat. If a matter is referred to the Florida Elections Commission, the Commission may assess a civil penalty of up to \$1,000 per violation.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

 Treasurer Report Status

ID: **64360** Name: **Kyle "KC" Gibson**

Report: 2018 - D2 - 66

Print Date: **5/21/2019 9:38:08 AM**

Election: 2018 General Election

Covers: 10/27/2018-10/27/2018

Amended Waiver

Due: 10/28/2018

Filed: **10/29/2018 2:42:14 AM**

File Status: **Filed Report**

Reviewed: **10/29/2018**

Review Status: **Reviewed**

Detail Complete: **No Detail Records Found**

File Method: Web Filed

Number of Detail Records

Entry Method: Web Data Entry

Contributions: 0

Expenditures: 0

Pending Queued Items: **0**


Fund Transfers: 0

Distributions: 0

To Print Report: Right Click Mouse and Select 'Print'

 Treasurer Report Status

ID: 64360	Name: Kyle "KC" Gibson
Report: 2018 - D6 - 70	Print Date: 5/21/2019 9:38:55 AM
Election: 2018 General Election	
Covers: 10/31/2018-10/31/2018	<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Waiver
Due: 11/1/2018	
Filed: 11/2/2018 3:33:39 AM	File Status: Filed Report
Reviewed: 11/2/2018	Review Status: Reviewed
	Detail Complete: No Detail Records Found
File Method: Web Filed	<u>Number of Detail Records</u>
Entry Method: Web Data Entry	Contributions: 0
	Expenditures: 0
Pending Queued Items: 0	Fund Transfers: 0
	Distributions: 0
To Print Report: Right Click Mouse and Select 'Print'	

 Treasurer Report Status

ID: **64360** Name: **Kyle "KC" Gibson**

Report: 2019 - TR - 71

Print Date: **5/21/2019 9:40:22 AM**

Election: 2018 General Election

Covers: 11/2/2018-2/4/2019

Amended Waiver

Due: 2/4/2019

Filed: **2/28/2019 10:52:32 PM**

File Status: **Filed Report**

Reviewed: **2/28/2019**

Review Status: **Reviewed**

Detail Complete: **No Detail Records Found**

File Method: Web Filed

Number of Detail Records

Entry Method: Web Data Entry

Contributions: 0

Expenditures: 0

Pending Queued Items: **0**

Fund Transfers: 0

Distributions: 0

To Print Report: Right Click Mouse and Select 'Print'