

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Mary Estime-Irvin**

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**Case No.: FEC 18-172**

**TO:** Mary Estime-Irvin  
155 NE 131st Street  
North Miami, FL 33160

Michael Etienne, City Clerk  
City of North Miami  
776 NE 125th Street, Suite 101  
North Miami, FL 33161

**NOTICE OF HEARING (INFORMAL)**

A hearing will be held in this case before the Florida Elections Commission on, **May 14, 2019 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  
April 30, 2019

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.

FILED

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STATE OF FLORIDA  
ELECTIONS COMMISSION

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,  
Petitioner,**

**Case No.: FEC 18-172**

**v.**

**Mary Estime-Irvin,  
Respondent.**

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**ORDER OF PROBABLE CAUSE**

**THIS MATTER** was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on February 26, 2019, in Tallahassee, Florida.

On January 7, 2019, Staff recommended to the Commission that 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 Complaint, Report of Investigation, Staff's Recommendation, and oral statements (if any) made at the probable cause hearing, the Commission finds that there is **probable cause** to charge Respondent with the following violations:

**Count 1:**

On or about May 10, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the filing officer on the prescribed due date for the 2018 M4 Report that no report would be filed because Respondent had no reportable financial activity during the reporting period.

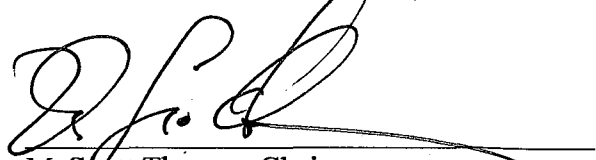
**Count 2:**

On or about June 11, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the filing officer on the prescribed due date for the 2018 M5 Report that no report would be filed because Respondent had no reportable financial activity during the reporting period.

**Count 3:**

On or about July 10, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the filing officer on the prescribed due date for the 2018 M6 Report that no report would be filed because Respondent had no reportable financial activity during the reporting period.

**DONE AND ORDERED** by the Florida Elections Commission on February 26, 2019.



M. Scott Thomas, Chairman  
Florida Elections Commission

Copies furnished to:

Eric M. Lipman, General Counsel

Mary Estime-Irvin, Respondent

North Miami City Clerk, 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



**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Mary Estime-Irvin**

**Case No.: FEC 18-172**

**TO:** Mary Estime-Irvin  
155 NE 131st Street  
North Miami, FL 33160

Michael Etinne, City Clerk  
City of North Miami  
776 NE 125th Street, Suite 101  
North Miami, FL 33161

**NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)**

A hearing will be held in this case before the Florida Elections Commission on, **February 26, 2019 at 9:30 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.

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

**Tim Vaccaro, J.D.**  
Executive Director  
Florida Elections Commission  
February 11, 2019

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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.

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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.

THIS FILE CONTAINS INFORMATION  
THAT IS CONFIDENTIAL  
AND EXEMPT FROM DISCLOSURE  
PURSUANT TO  
CHAPTER 119, FLORIDA STATUTES

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Mary Estimé-Irvin**

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**Case No.: FEC 18-172**

**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**, and **no probable cause** to charge Respondent with violating **Section 106.19(1)(c) Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on December 12, 2018, the following facts and law support this staff recommendation.

1. On July 24, 2018, the Florida Elections Commission (“Commission”) received a sworn complaint from the North Miami City Clerk (“City Clerk”) alleging that Mary Estimé-Irvin (“Respondent”) violated Chapter 106, Florida Statutes.

2. Respondent is a candidate for the North Miami City Council, District 3, in the 2021 election. Respondent's Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form ("DS-DE 9") was filed with the North Miami City Clerk on January 11, 2018. Respondent appointed herself as her campaign treasurer. (ROI Exhibit 1)<sup>1</sup>

3. By letter dated August 28, 2018, the Executive Director notified Respondent that Commission staff would investigate the following alleged violations:

**Section 106.07(7), Florida Statutes:** As alleged in the complaint, Respondent failed to notify the filing officer on the prescribed reporting dates that no report would be filed on those dates because she had not received funds, made contributions, or expended reportable funds during the following reporting periods:

- 2018 M4
- 2018 M5
- 2018 M6

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<sup>1</sup> The Report of Investigation shall be referred to herein as “ROI.”

**Section 106.19(1)(c), Florida Statutes:** As alleged in the complaint, Respondent falsely reported or deliberately failed to include information required by Chapter 106, Florida Statutes, when she failed to file a report on the prescribed reporting date for the following reporting periods:

- 2018 M4
- 2018 M5
- 2018 M6

4. The City of North Miami's website contains a link to the *2016 Candidate & Campaign Treasurer Handbook* ("Handbook") published by the Division of Elections. (Attachment A, page 2)

5. 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 notify the filing officer in writing on or before the prescribed reporting date that no report is being filed on that date.**

*(Section 106.07, F.S.)*

(Emphasis in original) (Attachment B)

6. Respondent's 2018 M4 Report was due on May 10, 2018. However, Respondent failed to file a 2018 M4 Report or notice of no activity on the due date. By letters dated May 14, 2018, May 29, 2018, and July 2, 2018, the City Clerk notified Respondent that the City Clerk's records indicated Respondent had not filed a 2018 M4 campaign Report or notice of no activity, whichever was applicable. (Attachments C and D)

7. Respondent's 2018 M5 Report was due on June 11, 2018. However, Respondent failed to file a 2018 M5 Report or notice of no activity on the due date. By letters dated June 12, 2018, June 22, 2018, and July 2, 2018, the City Clerk notified Respondent that the City Clerk's records indicated Respondent had not filed a 2018 M5 Report or notice of no activity, whichever was applicable. (Attachments C and E)

8. Respondent's 2018 M6 Report was due by July 10, 2018. However, Respondent failed to file a 2018 M6 Report or notice of no activity on the due date. By letter dated July 13, 2018, the City Clerk notified Respondent that the City Clerk's records indicated Respondent had not filed a 2018 M6 Report or notice of no activity, whichever was applicable. (Attachments C and F)

9. The table below sets forth the information relevant to Respondent's late filed notice of no activity:

<b>NOTICE-OF-NO-ACTIVITY REPORTING INFORMATION</b>				
<b>Report</b>	<b>Report Cover Period</b>	<b>Date Notification Due</b>	<b>Date Notification Filed</b>	<b>No. of Days Late</b>
2018 M4	04/01/18 – 04/30/18	05/10/18	08/24/18	106
2018 M5	05/01/18 – 05/31/18	06/11/18	08/24/18	74
2018 M6	06/01/18 – 06/30/18	07/10/18	08/24/18	45

(Attachment C, G, and ROI Paragraph 7)

10. Investigator Spore attempted to obtain copies of Respondent's campaign account records from TD Bank. By letter dated November 30, 2018, TD Bank notified Investigator Spore that it was unable to locate any records based on the information staff provided. Therefore, it appears Respondent did not have any reportable financial activity during the 2018 M4, 2018 M5, and 2018 M6 reporting periods. (ROI Exhibit 3)

11. Investigator Spore attempted to contact Respondent by telephone at the phone number Respondent listed on her DS-DE 9. Investigator Spore left a voice mail message requesting Respondent return her call, which Respondent failed to do. (ROI Exhibit 1; Attachment H, Phone Log Entry 3)

12. Based on the information above, it appears Respondent failed to timely notify the filing officer on the prescribed due date for the 2018 M4, 2018 M5, and 2018 M6 Report that no report would be filed because she had not received funds, made contributions, or expended reportable funds during the respective reporting period. It also appears Respondent was not required to file a 2018 M4, 2018 M5, and 2018 M6 Report.

13. "Probable Cause" is defined as a reasonable ground 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. 1<sup>st</sup> DCA 1995).

14. The above facts show Respondent is candidate for North Miami City Council, District 3, in the 2021 municipal election. Respondent failed to timely file a 2018 M4, 2018 M5, and 2018 M6 Report or notice of no activity, which ever was applicable. Respondent's campaign depository did not have any information about Respondent's campaign account based upon the information staff provided. Therefore, it appears Respondent did not have any financial activity during the 2018 M4, 2018 M5, and 2018 M6 reporting periods.

15. The above facts also show Respondent was required to file a notice of no activity with the filing officer for the 2018 M4, 2018 M5, and 2018 M6 reporting periods. Despite

receiving notifications from the City Clerk's office that she had not filed a 2018 M4, 2018 M5, and 2018 M6 Report or notice of no activity whichever was applicable, Respondent failed to file a notice of no activity for the 2018 M4, 2018 M5, and 2018 M6 reporting periods until August 24, 2018.

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

**Count 1:**

On or about May 10, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the filing officer on the prescribed due date for the 2018 M4 Report that no report would be filed because Respondent had no reportable financial activity during the reporting period.

**Count 2:**

On or about June 11, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the filing officer on the prescribed due date for the 2018 M5 Report that no report would be filed because Respondent had no reportable financial activity during the reporting period.

**Count 3:**

On or about July 10, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the filing officer on the prescribed due date for the 2018 M6 Report that no report would be filed because Respondent had no reportable financial activity during the reporting period.

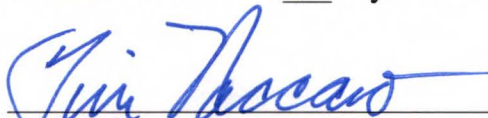
I further recommend the Commission find no probable cause to charge Respondent with violating Section 106.19(1)(c), Florida Statutes.

Respectfully submitted on January 7<sup>th</sup>, 2019.



Eric M. Lipman  
General Counsel

I have reviewed this Staff Recommendation on the 7<sup>th</sup> day of January 2019.



Tim Vaccaro  
Executive Director





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<p><b>Board Application</b> The application can be submitted via e-mail to <a href="mailto:cityclerk@northmiamifl.gov">cityclerk@northmiamifl.gov</a></p>
<p><b>Financial Disclosure</b></p> <ul style="list-style-type: none"> <li><a href="#">Source of Income Statement</a></li> <li><a href="#">Financial Statement</a> (For Full-time County and Municipal Employess)</li> <li><a href="#">Form 1</a> - Statement of Financial Interests 2016</li> <li><a href="#">Outside Employment Request</a></li> <li><a href="#">Outside Employment Statement</a> (For Full-time County and Municipal Employees)</li> </ul>
<p><b>Lobbyist Forms</b></p> <ul style="list-style-type: none"> <li><a href="#">Lobbyist Registration Affidavit Form</a></li> <li><a href="#">Notice of Withdrawal of Lobbyist Registration Form</a></li> <li><a href="#">Lobbying Expenditure Statement</a></li> </ul>
<p><b>Passport Forms</b></p> <ul style="list-style-type: none"> <li><a href="#">DS 11</a></li> <li><a href="#">DS 64</a></li> </ul>

ATTACHMENT A, page 1



- [DS - 82](#)
- [DS - 3053](#)

[U.S. Passport Applications and Forms](#)

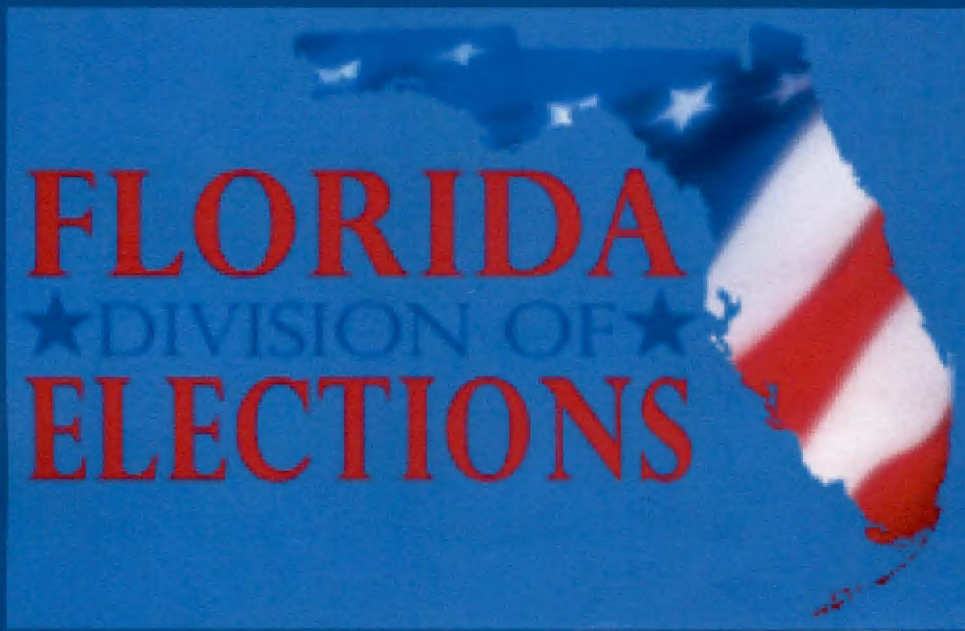
[Research Request / Public Request](#)

### **[Miami-Dade County Elections Department Municipal Candidate Qualifying Forms](#)**

- [Election Laws of the State of Florida](#)
- [Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees-State of Florida Commission on Ethics](#)
- [Code of Ethics for Public Officers and Employees-2015 F.S., Title X, Chapter 112, Part III](#)
- [Candidate and Campaign Treasurer Handbook](#)
- [Calendar of Reporting Dates for 2016 Miami-Dade County Candidates, Political Committees, Electioneering Communication Organizations, and Independent Expenditure Organizations](#)
- **Most Commonly Used Forms\*:**
  - [DS-DE-2](#) - Contributions Returned
  - [DS-DE-9](#) - Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates
  - [DS-DE 12](#) - Campaign Treasurer's Report - Summary
  - [DS-DE 13](#) - Campaign Treasurer's Report - Itemized Contributions
  - [DS-DE 14](#) - Campaign Treasurer's Report - Itemized Expenditures
  - [DS-DE 25](#) - Candidate Oath - Nonpartisan Office
  - [DS-DE 48](#) - Office Account Report
  - [DS-DE 48A](#) - Office Account Disbursement or Deposit Information

ATTACHMENT A Page 22

# 2016 Candidate & Campaign Treasurer Handbook



Florida Department of State  
Division of Elections  
R. A. Gray Building, Room 316  
500 South Bronough Street  
Tallahassee, FL 32399-0250  
850.245.6240

(Rev. 01/22/16)

ATTACHMENT *B, Page 1*



An individual seeking a publicly elected position on a political party executive committee who receives a contribution or makes an expenditure must file a single report of all contributions and expenditures on the 4th day immediately preceding the primary election. (*See [Chapter 18, Reporting for Individuals Seeking a Publicly Elected Position on a Party Executive Committee.](#)*)

Unless the electronic filing requirements of Section [106.0705](#), Florida Statutes, apply, reports shall be filed no later than 5 p.m. of the day designated. A report postmarked by the U.S. Postal Service no later than midnight of the 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.)

### Notice of No Activity

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 notify the filing officer in writing on or before the prescribed reporting date that no report is being filed on that date.** (A notice of no activity filed with the Division must be filed electronically 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



## Calendar of Reporting Dates for 2018

Cover Period	Report Code	Due Date
01/01/2018 - 01/31/2018	2018 M1	02/12/2018
02/01/2018 - 2/28/2018	2018 M2	3/12/2018
03/01/2018 - 3/31/2018	2018 M3	4/10/2018
04/01/2018 - 4/30/2018	2018 M4	5/10/2018
05/01/2018 - 5/31/2018	2018 M5	6/11/2018
06/01/2018 - 6/30/2018	2018 M6	07/10/2018
07/01/2018 - 07/31/2018	2018 M7	08/10/2018
08/01/2018 - 08/31/2018	2018 M8	09/10/2018
09/01/2018 - 09/30/2018	2018 M9	10/10/2018
10/01/2018 - 10/31/2018	2018 M10	11/12/2018
11/01/2018 - 11/30/2018	2018 M11	12/10/2018
12/01/2018 - 12/31/2018	2018 M12	01/10/2019

ATTACHMENT C





# NORTH MIAMI FLORIDA

City of North Miami Office of the City Clerk  
776 NE 125 Street | North Miami | Florida | 33161  
Office: 305.895.9817 Fax: 305.899.0497

May 14, 2018

Mary Estime-Irvin  
155 NE 131<sup>st</sup> Street  
North Miami, FL 33161

Dear Mary Estime-Irvin:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was May 10, 2018.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as follows until you file your report:

- \$50 for the first 3 days late
- \$500 per day for each day after the 3<sup>rd</sup> day late
- If the required report immediately precedes a primary and general election, the automatic fine is \$500 for each late day.

The total fine for the untimely report cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the cover period. Even if you end up filing your report late, we cannot waive the statutory fines. We will notify you of the specific amount of fines owed once you file your report. You have 20 days from the day you receive the notice to pay the fine or to appeal the fine to the Florida Elections Commission.

- If no reportable activity occurred for the report date (s), you are still required to notify us in writing, via the Division's Electronic Filing System, that no reportable activity occurred. No automatic fines are statutorily assessed.

However, in all cases, failure to file and/or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under capter 106.265(1), Fla. Stat.

If you have any questions, please contact the office of the City Clerk at (305)895-9817.

Sincerely,

City Clerk or  
City Clerk liaison

City of North Miami Office of the City Clerk

ATTACHMENT D

Page 1



**NORTH MIAMI**  
**FLORIDA**

City of North Miami Office of the City Clerk  
776 NE 125 Street | North Miami | Florida | 33161  
Office: 305.895.9817 Fax: 305.899.0497



2<sup>nd</sup> Notice

May 29, 2018

Mary Estime-Irvin  
155 ne 131<sup>st</sup> Street  
North Miami, FL 33161

Dear Mary Estime-Irvin:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was May 10, 2018.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as follows until you file your report:

- \$50 for the first 3 days late
- \$500 per day for each day after the 3<sup>rd</sup> day late
- If the required report immediately precedes a primary and general election, the automatic fine is \$500 for each late day.

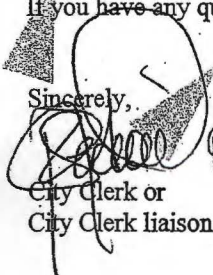
The total fine for the untimely report cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the cover period. Even if you end up filing your report late, we cannot waive the statutory fines. We will notify you of the specific amount of fines owed once you file your report. You have 20 days from the day you receive the notice to pay the fine or to appeal the fine to the Florida Elections Commission.

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However, in all cases, failure to file and/or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under capter 106.265(1), Fla. Stat.

If you have any questions, please contact the office of the City Clerk at (305)895-9817.

Sincerely,

  
City Clerk or  
City Clerk liaison

for Michael Etienne

**ATTACHMENT** D, Page 2

City of North Miami Office of the City Clerk





City of North Miami Office of the Clerk  
 776 NE 125 Street | North Miami | Florida  
 Office: 305.895.9817 Fax: 305.895.9817

July 2, 2018

**Final Notice**

Mary Estime-Irvin  
 155 NE 131<sup>st</sup> Street  
 North Miami, FL 33161

Dear Mary Estime-Irvin:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was May 10, 2018.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as follows until you file your report:

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- \$500 per day for each day after the 3<sup>rd</sup> day late
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If you have any questions, please contact the office of the City Clerk at (305)895-9817.

Sincerely,

City Clerk or

City Clerk liaison

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Certified Mail Restricted Delivery \$ \_\_\_\_\_

Adult Signature Required \$ \_\_\_\_\_

Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage \$ \_\_\_\_\_

Total Postage and Fees \$ \_\_\_\_\_

Sent To  
 Mary Estime Irvin  
 Street and Apt. No., or PO Box No.  
 155 NE 131 Street  
 City, State, ZIP+4®  
 North Miami, FL 33161

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

**ATTACHMENT D, page 3**



City of North Miami Office of the City Clerk  
776 NE 125 Street | North Miami | Florida | 33161  
Office: 305.895.9817 Fax: 305.899.0497

June 12, 2018

Mary Estime-Irvin  
155 NE 131<sup>st</sup> Street  
North Miami, FL 33161

Dear Candidate:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was June 11, 2018.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as follows until you file your report:

- \$50 for the first 3 days late
- \$500 per day for each day after the 3<sup>rd</sup> day late
- If the required report immediately precedes a primary and general election, the automatic fine is \$500 for each late day.

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If you have any questions, please contact the office of the City Clerk at (305)895-9817.

Sincerely,

City Clerk or  
City Clerk liaison

ATTACHMENT E, page 1

City of North Miami Office of the City Clerk





City of North Miami Office of the City Clerk  
 776 NE 125 Street | North Miami | Florida | 33161  
 Office: 305.895.9817 Fax: 305.899.0497

June 22, 2018

Second Notice

Mary Estime-Irvin  
 155 NE 131<sup>st</sup> Street  
 North Miami, FL 33161

Dear Mary Estime-Irvin:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was June 11, 2018.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as follows until you file your report:

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If you have any questions, please contact the office of the City Clerk at (305)895-9817.

Sincerely,

City Clerk or  
 City Clerk liaison

ATTACHMENT E, Page 2

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Return Receipt (hardcopy) \$

Return Receipt (electronic) \$

Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$

Postmark Here

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Originating Office: North Miami, FL 33161

PS Form 3800, April 2015 PSN 7530-02-000-9047

Send To: Mary Estime-Irvin  
 and Apt. No. or PO Box No.  
 155 NE 131<sup>st</sup> Street  
 North Miami, FL 33161



# NORTH MIAMI FLORIDA

City of North Miami Office of the  
776 NE 125 Street | North Miami | FL  
Office: 305.895.9817 Fax: 305.895.9817

CERTIFIED MAIL RECEIPT	
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OFFICIAL USE	
Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$
Sent To	Mary Estime Irvin
Street and Apt. No., or PO Box No.	155 NE 131st Street
City, State, ZIP+4	North Miami FL 33161
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

July 2, 2018

### Final Notice

Mary Estime-Irvin  
155 NE 131<sup>st</sup> Street  
North Miami, FL 33161

Dear Mary Estime-Irvin:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was June 11, 2018.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

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If you have any questions, please contact the office of the City Clerk at (305)895-9817.

Sincerely,

City Clerk or  
City Clerk liaison

ATTACHMENT E, page 3





City of North Miami Office of the City Clerk  
 776 NE 125 Street | North Miami | Florida  
 Office: 305.895.9817 Fax: 305.899.5000

July 13, 2018

Mary Estime-Irvin  
 155 NE 131<sup>st</sup> Street  
 North Miami, FL 33161

Dear Mary Estime-Irvin:

Our records indicate that you have not filed either your campaign treasury activity occurred, whichever is applicable. The filing date was July 10, 2018.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately file the report and the automatic fines that will be assessed for late filing of a report, if a reportable activity occurred and you have not filed a report, as follows until you file your report:

If reportable activity occurred and you have not filed a report, as follows until you file your report:

- \$50 for the first 3 days late
- \$500 per day for each day after the 3<sup>rd</sup> day late
- If the required report immediately precedes a primary and general election, the automatic fine is \$500 for each late day.

The total fine for the untimely report cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the cover period. Even if you end up filing your report late, we cannot waive the statutory fines. We will notify you of the specific amount of fines owed once you file your report. You have 20 days from the day you receive the notice to pay the fine or to appeal the fine to the Florida Elections Commission.

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If you have any questions, please contact the office of the City Clerk at (305)895-9817.

Sincerely,

City Clerk or  
 City Clerk liaison

ATTACHMENT F

City of North Miami Office of the City Clerk

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature: *Mary Estime-Irvin*

B. Received by (Printed Name): *Mary Estime-Irvin*

C. Date of Delivery: *07-19-18*

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type:  
 Priority Mail Express  
 Registered Mail™  
 Registered Mail™ Restricted Delivery  
 Certified Mail®  
 Certified Mail® Restricted Delivery  
 Collect on Delivery  
 Collect on Delivery Restricted Delivery  
 Signature Confirmation  
 Signature Confirmation Restricted Delivery

**SENDER: COMPLETE THIS SECTION**

1. Article Addressed to:  
 Complete items 1, 2, and 3.  
 Print your name and address on the reverse so that we can return the card to you.  
 Attach this card to the back of the mailpiece, or on the front if space permits.

*Mary Estime-Irvin  
 155 NE 131<sup>st</sup> St  
 North Miami, FL 33161*

2. Article Number (Transfer from service label):  
 9590 9402 2202 6193 6516 45  
 7018 0680 0001 8523 5011

CONCISE NARRATIVE STATEMENT

Florida Elections Commission  
**Attn: Samantha Spore**  
The Collins Building, Suite 224  
107 West Gaines Street  
Tallahassee, Florida 32399

RE: Case No.: FEC 18-172

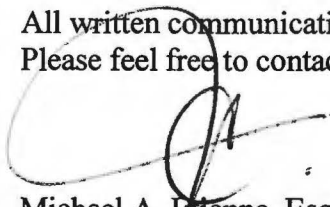
Dear Ms. Spore,

On January 10, 2018, Mary Estime-Irvin filed her Statement of Candidate (form DS-DE 84) for the North Miami Council, District 3. Ms. Irvin filed her Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates (form DS-DE 9) the following day on January 11, 2018 (Please find documents attached as exhibit A). The election for said seat is to be held on May 2021, but may be held on May 2019 if the current seating council member resigns his seat.

Ms. Irvin failed to timely file her Campaign Treasure Reports and/or a Waiver of Report for the following reporting cycles:

- 1) 2018M2, February 1, 2018-February 28, 2018, Due March 12, 2018- Ms. Irvin eventually filed a Waiver of Report on April 10, 2018 (Please find filed Waiver of Report attached as Exhibit B) .
- 2) The following reports were all filed late on August 24, 2018: 2018M3, 2018M4, 2018M5, 2018M6, and 2018M7 (Please find attached all filed Waiver of Reports attached as Exhibit C).

All written communications regarding this issue sent to Ms. Irvin is attached as Exhibit D. Please feel free to contact me with any questions and/or concerns.



Michael A. Etienne, Esquire  
Elected City Clerk  
City of North Miami

ATTACHMENT G



**FLORIDA ELECTIONS COMMISSION  
PHONE LOG**

**Case No.: FEC 18-172**

**Respondent:** Mary Estimé-Irvin

**Complainant:** Michael Etienne, Esq., City Clerk

1. **Date and time:** 10/17/18- 11:12 AM  
**Name:** City Clerk of North Miami  
**Phone #:** 305-895-9817  
**Summary:** I called to speak to the City Clerk regarding the questionnaire-affidavit that was mailed to their office on August 30, 2018. The phone rang multiple times before the call was dropped. No one answered the line, and I was unable to reach a recording to leave a message.  
**Memo to File?** No  
**Entered by:** S. Spore
  
2. **Date and time:** 10/29/18- 9:40 AM  
**Name:** City Clerk of North Miami  
**Phone #:** 305-895-9817  
**Summary:** I called and spoke with the Deputy City Clerk, Ms. Genosier. She stated that Respondent sent in notices-of-no-activity late, and so their office had assumed that the case was no longer active with us, as she had sent our office an email stating they were closing their complaint. I explained that once a case was opened for investigation, the investigation was ongoing until it was completed on our end. I asked if she had received the questionnaire-affidavit that we had send in August, as this information was needed in order to finish the investigation. She asked if we sent it by mail or e-mail. I explained it had been sent by mail, and she stated that they do not get mail at their office and asked if it were possible for me to send it again by e-mail. I told her I could do this, and she gave me her e-mail address: [ggenosier@northmiamifl.gov](mailto:ggenosier@northmiamifl.gov). She told me to copy another e-mail address on this as well: [cscott@northmiamifl.gov](mailto:cscott@northmiamifl.gov). I thanked her for her assistance in this matter, and let her know I would be e-mailing a copy of the affidavit today.  
**Memo to File?** No  
**Entered by:** S. Spore
  
3. **Date and time:** 10/29/18- 10:08 AM  
**Name:** Respondent  
**Phone #:** 305-244-5954  
**Summary:** I called Respondent and reached a generic voicemail box. I left a message, asking Respondent to return my call, and left my telephone number and extension.  
**Memo to File?** No  
**Entered by:** S. Spore
  
4. **Date and time:** 11/13/18- 1:48 PM  
**Name:** Complainant  
**Phone #:** 305-895-9817  
**Summary:** Complainant called and left a voicemail message. He stated that he was an elected City Clerk and does not work out of the City Clerk's office every day. He had been

**ATTACHMENT H, Page 1**

told by the Deputy City Clerk that our office had sent a questionnaire-affidavit to be completed by their office, and he apologized for not completing it sooner. He stated that late filings have been an issue, and that Respondent has filed many reports late, including campaign treasurer reports that were due after the complaint had been filed. He explained that he would be sending the completed questionnaire-affidavit as soon as possible, by mail and e-mail.

**Memo to File?** No

**Entered by:** S. Spore

5. **Date and time:**

**Name:**

**Phone #:**

**Summary:**

**Memo to File?** No

**Entered by:**

6. **Date and time:**

**Name:**

**Phone #:**

**Summary:**

**Memo to File?** No

**Entered by:**

7. **Date and time:**

**Name:**

**Phone #:**

**Summary:**

**Memo to File?** No

**Entered by:**

8. **Date and time:**

**Name:**

**Phone #:**

**Summary:**

**Memo to File?** No

**Entered by:**

9. **Date and time:**

**Name:**

**Phone #:**

**Summary:**

**Memo to File?** No

**Entered by:**

10. **Date and time:**

**Name:**

**Phone #:**

**Summary:**

**ATTACHMENT H**, page 2

**FLORIDA ELECTIONS COMMISSION**  
**REPORT OF INVESTIGATION**  
**Case No.: FEC 18-172**

**Respondent:** Mary Estimé-Irvin

**Complainant:** Michael Etienne, Esq., City Clerk

On July 24, 2018, the Florida Elections Commission (“Commission”) received a sworn complaint alleging that Respondent violated Chapter 106, Florida Statutes. Commission staff investigated whether Respondent violated the following statutes:

Section 106.07(7), Florida Statutes, failing to notify the filing officer on the prescribed reporting dates that no report would be filed on those dates because she had not received funds, made contributions, or expended reportable funds during the reporting periods; and

Section 106.19(1)(c), Florida Statutes, falsely reporting or deliberately failing to include information required by Chapter 106, Florida Statutes.

**I. Preliminary Information:**

1. Respondent is a candidate for North Miami City Council, District 3, for the 2021 election, per the City Clerk of North Miami. She was previously a candidate in 2016 for the office of State Representative, District 107, and finished second in a field of two candidates.

2. On January 11, 2018, Respondent filed the Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9 form). She appointed herself as campaign treasurer. To review the January 11, 2018 DS-DE 9 form, refer to Exhibit 1.

3. Complainant is the elected City Clerk of the City of North Miami.

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

4. I investigated whether Respondent violated this section of the election laws by failing to notify the filing officer on the prescribed reporting dates that no report would be filed on those dates because she had not received funds, made contributions, or expended reportable funds during the 2018 M4, 2018 M5 and 2018 M6 reporting periods.

5. Complainant stated in the original complaint that Respondent did not timely file campaign treasurer reports or notices-of-no-activity for the 2018 M4, 2018 M5 and 2018 M6 reporting periods, despite written notifications by certified mail for each of the reporting periods.



6. On August 27, 2018, the Deputy City Clerk of the City of North Miami sent a letter by e-mail stating Respondent filed notices-of-no-activity for the three reporting periods on August 24, 2018. To review the August 27, 2018 letter, refer to Exhibit 2.

7. A list of Respondent's late filed notices-of-no-activity is found in Table 1 below.

<b>TABLE 1: NOTICE-OF-NO-ACTIVITY REPORTING INFORMATION</b>				
<b>Report</b>	<b>Report Cover Period</b>	<b>Date Notification Due</b>	<b>Date Notification Filed</b>	<b>No. of Days Late</b>
2018 M4	04/01/18 – 04/30/18	05/10/18	08/24/18	106
2018 M5	05/01/18 – 05/31/18	06/11/18	08/24/18	74
2018 M6	06/01/18 – 06/30/18	07/10/18	08/24/18	45

8. Respondent's campaign bank account records were requested by subpoena to TD Bank, Respondent's campaign depository listed on her most recent DS-DE 9 form; Exhibit 1. On December 5, 2018, our office received a response from the bank, stating that they were unable to locate any records for Respondent. To review the response, refer to Exhibit 3.

9. Respondent did not return calls or complete a questionnaire-affidavit, and it is unclear why Respondent filed late notices-of-no-activity.

### **III. Alleged Violation of Section 106.19(1)(c), Florida Statutes:**

10. I investigated whether Respondent violated this section of the election laws by falsely reporting or deliberately failing to include information required by Chapter 106, Florida Statutes.

11. As previously discussed in paragraph 5 and 6, Respondent did not timely file notices-of-no-activity for the 2018 M4, 2018 M5, and 2018 M6 filing periods.

12. As previously discussed in paragraph 8, Respondent's designated campaign depository responded to a subpoena for records, stating that they were unable to locate an account for Respondent.

13. As previously discussed in paragraph 9, Respondent did not return calls or complete a questionnaire-affidavit to respond to the allegations.

### **IV. FEC History:**

14. Respondent has had multiple cases before the Florida Elections Commission (Commission). In the matter of FEC 16-085, the Commission, at the May 18, 2016 meeting, upheld the automatic-fine of \$100.00, and issued a default final order. In the matter of FEC 16-175, the Commission, at the August 16, 2016 meeting, upheld the automatic-fine of \$50.00, and issued a default final order. In the matter of FEC 16-176, the Commission, at the August 16, 2016



meeting, upheld the automatic-fine of \$425.91, and issued a default final order. In the matter of FEC 16-522, the Commission, at the May 15, 2018 meeting, found Respondent violated Section 106.07(2)(b)1, Florida Statutes, and imposed a \$250.00 fine. In the matter of FEC 16-536, the Commission, at the November 16, 2016 meeting, upheld the automatic-fine of \$586.25, and issued a default final order. In the matter of FEC 16-558, the Commission, at the May 15, 2018 meeting, found Respondent violated Section 106.19(1)(c), Florida Statutes, and imposed a \$500.00 fine. In the matter of FEC 16-578, the Commission, at the November 16, 2016 meeting, upheld the automatic-fine of \$50.00, and issued a default final order. In the matter of FEC 16-581, the Commission, at the May 15, 2018 meeting, found Respondent violated Section 106.07(2)(b)1, Florida Statutes, and imposed a \$250.00 fine. In the matter of FEC 16-600, the Commission, at the November 16, 2016 meeting, upheld the automatic-fine of \$50.00, and issued a default final order. In the matter of FEC 16-774, the Commission, at the August 14, 2018 meeting, found Respondent violated Section 106.07(2)(b)1, and imposed a \$1,000.00 fine. As of the date of this report, Respondent has not paid any of the above mentioned fines.

**Conclusion:**

15. Respondent was offered several opportunities to make comments regarding the findings of this investigation. Respondent has not returned phone calls, submitted a written response to the complaint, nor returned a questionnaire-affidavit, and I am unable to ascertain whether Respondent has read Chapter 106, Florida Statutes, and/or the *Candidate and Campaign Treasurer Handbook*.

16. Respondent's filing officer returned a questionnaire-affidavit on November 19, 2018. The filing officer stated that his office has communicated with Respondent via written communication regarding her 2021 campaign. To review the questionnaire-affidavit, refer to Exhibit 4.

17. On January 10, 2018, Respondent filed her Statement of Candidate for North Miami Council, District 3 acknowledging that she 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 5.

Respectfully submitted on December 12, 2018.



---

Samantha Spore  
Investigation Specialist

**Current address of Respondent**

Ms. Mary Estimé-Irvin  
155 NE 131<sup>st</sup> Street  
North Miami, FL 33161

**Current address of Complainant**

Mr. Michael Etienne, Esq.  
776 NE 125<sup>th</sup> Street, Ste. 101  
North Miami, FL 33161

**Name and Address of Filing Officer:**

Mr. Michael Etienne, Esq.  
North Miami City Clerk  
776 NE 125<sup>th</sup> Street, Ste. 101  
North Miami, FL 33161

Copy furnished to: Mr. David Flagg, Investigations Manager

**FLORIDA ELECTIONS COMMISSION**  
**REPORT OF INVESTIGATION**  
**Mary Estimé-Irvin -- FEC 18-172**

<b>LIST OF EXHIBITS</b>	
<b>Exhibits #s</b>	<b>Description of Exhibits</b>
Exhibit 1	January 11, 2018 DS-DE 9 Form
Exhibit 2	August 27, 2018 Letter
Exhibit 3	Campaign Depository Response Letter
Exhibit 4	Filing Officer's Questionnaire-Affidavit
Exhibit 5	January 10, 2018 Statement of Candidate



APPOINTMENT OF CAMPAIGN TREASURER  
AND DESIGNATION OF CAMPAIGN  
DEPOSITORY FOR CANDIDATES

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

(PLEASE PRINT OR TYPE)

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

Exhibit "B"

RECEIVED

JAN 11 2018

CITY OF NORTH MIAMI  
CITY CLERKS OFFICE

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)

Mary Estimé-Irvin

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

155 NE 131 Street  
North Miami, FL 33161

4. Telephone

(305 ) 244-5954

5. E-mail address

info@maryestimeirvin.com

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

North Miami Council, District 3

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

Mary Estimé-Irvin

11. Mailing Address

155 NE 133 Street

12. Telephone

( 305 ) 244-5954

13. City

North Miami

14. County

Miami-Dade

15. State

FL

16. Zip Code

33161

17. E-mail address

info@maryestimeirvin.com

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

19. Name of Bank

TD Bank

20. Address

12620 Biscayne Blvd

21. City

North Miami

22. County

Miami-Dade

23. State

FL

24. Zip Code

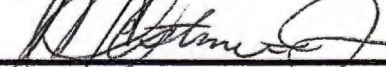
33181

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

01/10/18

26. Signature of Candidate



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

I, Mary Estimé-Irvin, do hereby accept the appointment

(Please Print or Type Name)

designated above as:  Campaign Treasurer     Deputy Treasurer.

01/10/18

Date

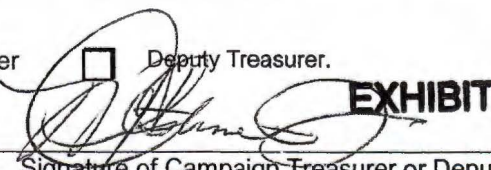
  
Signature of Campaign Treasurer or Deputy Treasurer

EXHIBIT 1

18-172

Re: Mary Estime-Irvin Candidate for North Miami City Council District 3  
 Genosier, Guerty  
 to:  
 fec@myfloridalegal.com  
 08/29/2018 12:22 PM  
 Cc:  
 "Scott, Cheryl"  
 Hide Details  
 From: "Genosier, Guerty" <ggenosier@northmiamifl.gov>  
 To: "fec@myfloridalegal.com" <fec@myfloridalegal.com>  
 Cc: "Scott, Cheryl" <cscott@northmiamifl.gov>

1 Attachment



Dear Sir or Madam,

The City of North Miami's Office of the City Clerk filed a complaint with the Florida Elections Commission (FEC form 1) on July 18, 2018 in connection to the above referenced candidate for failure to file her Campaign Treasurer's Reports for the following periods:

2018M4	April 01, 2018 – April 30, 2018	Due May 10, 2018
2018M5	May 01, 2018 – May 31, 2018	Due June 11, 2018
2018M6	June 01, 2018 – June 30, 2018	Due July 10, 2018

Please be advised that on August 24, 2018 the candidate in question filed all of the missing Waiver of Reports along with the current Waiver of Report number 2018M7 covering the period of July 01, 2018 – July 31, 2018 and which was due on August 10, 2018. Consequently, the candidate is now in compliance with s. 106.07(1), Fla. Stat. and s. 106.07 (7), Fla. Stat.

Please amend her file accordingly and feel free to contact the Office of the City Clerk at (305) 895-9817 should you need more information. Thank you in advance.



**Guerty Genosier**  
 Deputy City Clerk  
 Office of the City Clerk  
 776 NE 125 Street  
 North Miami, FL 33161  
 Direct: 305-893-6511 Ext. 13004  
 Office: 305-895-9817  
 Fax: 305-899-0497

Please print only if necessary

EXHIBIT 2 page 1 of 3



**Celebrate with North Miami - Community Events**

**The City of North Miami is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure. All E-mail sent and received is captured by our servers and kept as a public record.**

EXHIBIT 2 page 2 of 3





City of North Miami Office of the City Clerk  
 776 NE 125 Street | North Miami | Florida | 33161  
 Office: 305.895.9817 Fax: 305.899.0497

August 27, 2018

**Re:** Mary Estime-Irvin Candidate for North Miami City Council District 3

Dear Sir or Madam,

The City of North Miami's Office of the City Clerk filed a complaint with the Florida Elections Commission (FEC form 1) on July 18, 2018 in connection to the above referenced candidate for failure to file her Campaign Treasurer's Reports for the following periods:

2018M4	April 01, 2018 – April 30, 2018	Due May 10, 2018
2018M5	May 01, 2018 – May 31, 2018	Due June 11, 2018
2018M6	June 01, 2018 – June 30, 2018	Due July 10, 2018

Please be advised that on August 24, 2018 the candidate in question filed all of the missing Waiver of Reports along with the current Waiver of Report number 2018M7 covering the period of July 01, 2018 – July 31, 2018 and which was due on August 10, 2018. Consequently, the candidate is now in compliance with s. 106.07(1), Fla. Stat. and s. 106.07 (7), Fla. Stat.

Please amend her file accordingly and feel free to contact the Office of the City Clerk at (305) 895-9817 should you need more information. Thank you in advance.

Sincerely,

City Clerk or  
 City Clerk liaison

City of North Miami Office of the City Clerk

EXHIBIT 2 page 3 of 3



**TD Bank**  
**America's Most Convenient Bank®**  
Operations Center  
P.O. Box 1377  
Lewiston, ME 04243-1377  
T 888 751 9000

tdbank.com

November 30, 2018

SAMANTHA SPORE, INVESTIGATION SPECIALIST  
107 W. GAINES STREET  
COLLINS BUILDING, SUITE 224  
TALLAHASSEE, FL 32399

**RE: CAMPAIGN ACCOUNT OF MARY ESTIME-IRVIN etc, REF # 158755**  
**Subpoena**

Dear Sir or Madam:

In response to the above-mentioned Subpoena and in lieu of appearing in accordance with the same, despite an extensive search, TD Bank, N.A. ("TD Bank") was unable to locate any records with the information provided in the request.

This completes the request at this time. TD Bank reserves its right to supplement its response to this request in the event that additional responsive documents are identified.

Please find a copy of the Subpoena enclosed for your reference. If you have any questions or concerns, please do not hesitate to contact Rose Dun in our Subpoena Department at 1-800-494-9466 choose option 5.

Very truly yours,

Samantha Boonto  
Research Clerk

Enclosure

Sent Via: UPS 2nd Day Air

EXHIBIT 3





**AFFIDAVIT OF FILING OFFICER**  
**Case Number: FEC 18-172**

REC'D: ELECTIONS  
 19 MAY 18 AM 11:05

**STATE OF FLORIDA**  
**County of Miami-Dade**

**Michael Etienne, Esq., being duly sworn, says:**

1. This affidavit is made upon my personal knowledge.
2. I am of legal age and competent to testify to the matters stated herein. I am currently employed by City of North Miami as Elected City Clerk.
3. Please provide copies of the listed items from the following candidate's campaign file: Mary Estimé-Irvin.

Check	ITEM
	The Statement of Candidate form for 2018.
	Appointments of Treasurers and Designation of Campaign Depository form for 2018.
	Campaign treasurer's reports, waivers, and amendments for the 2018 campaign.
	Addendum requests and proof of compliance for the 2018 campaign.
	Any and all checks issued by the candidate's campaign to your office (qualifying fee, etc.)

4. Please check each item provided to the candidate or her staff, and list the date that the item was provided.

Check	ITEM	DATE
	Chapter 106, Florida Statutes	
	Candidate and Campaign Treasurer Handbook <u>Please indicate Year.</u>	
	Other: <sup>1</sup>	

5. Relative to Chapter 106, *Florida Statutes* and the *Candidate and Campaign Treasurer Handbook*, how are these publications provided to the candidate and/or her staff?

<sup>1</sup> Any local publications relative to the Election laws that may have been provided in lieu of the Candidate and Campaign Treasurer Handbook published by the Division of Elections. If your office published the item(s), please send a copy of the item(s) with the affidavit. You do not need to send copies of Chapter 106, Florida Statutes, or the Candidate and Campaign Treasurer Handbook.

- Publications are given directly to the candidate and/or her staff.
- Publications are available in the office, candidate and/or her staff are advised to pick-up the publications for themselves.
- Candidate and/or her staff are advised to download copies of the publications from our website or the Division of Elections' website.
- Other, please explain. \_\_\_\_\_

6. Did your office offer any candidate workshops or training seminars prior to the 2018 election?  Yes or  No. If yes, please list all workshops/training seminars that were attended by the candidate and/or her staff, along with the date of attendance. If a staff member attended for the candidate, list his/her name and position. If available, please attach a copy of any attendance sheets from the workshops/training seminars and if available, please provide a copy of the syllabus and outline for the workshops/seminars.

\_\_\_\_\_

\_\_\_\_\_

7. Does your office have any record of Mary Estimé-Irvin having sought elective office within your jurisdiction prior to the 2018 election?  Yes or  No. If yes, please list the previous office(s) she ran for, the date(s) of the election(s), and the result(s) of the election(s).

\_\_\_\_\_

\_\_\_\_\_

8. Does your office have any record of Mary Estimé-Irvin having been named as a chairperson or campaign treasurer of a political committee or electioneering communication organization within your jurisdiction?  Yes or  No. If yes, please list the name(s) of the committees.

\_\_\_\_\_

\_\_\_\_\_

9. Did you or any member from your staff have any conversations with Mary Estimé-Irvin concerning a provision of Chapter 106, Florida Statutes, at any time during her 2018 campaign?  Yes or  No. If yes, please indicate whether the conversation was in person, in writing, or by telephone and the subject matter of the conversation. If applicable, please provide copies documenting the discussion.


*Yes, in writing. Please find attached all written correspondence sent to her. Documents are attached as exhibit D.*

\_\_\_\_\_

\_\_\_\_\_


I SWEAR OR AFFIRM THAT THE INFORMATION CONTAINED IN THIS DOCUMENT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

REG: FL ELECTIONS COM  
13 NOV 18 AM 11:55

  
\_\_\_\_\_  
**Signature of Affiant**

Sworn to (or affirmed) and subscribed before me this 13<sup>th</sup> day of  
NOVEMBER, 2018



  
\_\_\_\_\_  
**Signature of Notary Public - State of Florida**

**Print, Type, or Stamp Commissioned Name of Notary Public**

Personally Known  or Produced Identification \_\_\_\_\_  
Type of Identification Produced: \_\_\_\_\_

Case Investigator: S. Spore

EXHIBIT 4 page 3 of 3



**STATEMENT OF  
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

**RECEIVED**

JAN 10 2018

**CITY OF NORTH MIAMI  
CITY CLERKS OFFICE**

I, Mary Estimé-Irvin,

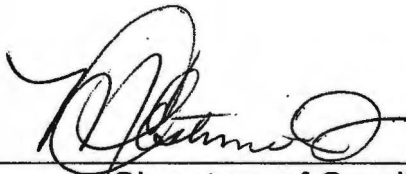
candidate for the office of North Miami Council, District 3;

have been provided access to read and understand the requirements of

Chapter 106, Florida Statutes.

Exhibit "A"

X



Signature of Candidate

1/10/2018

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**

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

August 28, 2018

Mary Estime-Irvin  
155 NE 131<sup>st</sup> Street  
North Miami, FL 33161

**RE: Case No.: FEC 18-172; Respondent: Mary Estime-Irvin**

Dear Ms. Estime-Irvin:

On July 24, 2018, 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 violations:

**Section 106.07(7), Florida Statutes:** As alleged in the complaint, Respondent failed to notify the filing officer on the prescribed reporting dates that no report would be filed on those dates because she had not received funds, made contributions, or expended reportable funds during the following reporting periods:

- 2018 M4
- 2018 M5
- 2018 M6

**Section 106.19(1)(c), Florida Statutes:** As alleged in the complaint, Respondent falsely reported or deliberately failed to include information required by Chapter 106, Florida Statutes, when she failed to file a report on the prescribed reporting date for the following reporting periods:

- 2018 M4
- 2018 M5
- 2018 M6

Mary Estime-Irvin  
August 28, 2018  
Page 2  
FEC 18-172

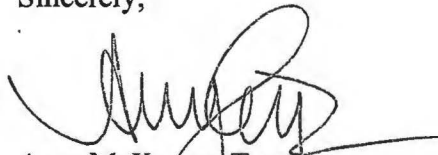
When we conclude the investigation, a copy of the Report of Investigation (ROI) will be mailed to you at the above address. Based on the results of the investigation, a staff attorney will make a written recommendation (Staff Recommendation or SR) to the Commission as to whether there is probable cause to charge respondent with violating Chapters 104 or 106, Florida Statutes. You will have an opportunity to respond to both the ROI and the SR. The Commission will then hold one or more hearings to determine whether the alleged violations occurred and, if so, the amount of the fine to be imposed. You and the complainant will receive notice at least 14 days before any hearing at which your case is to be considered.

Please note that all documents related to this matter will be mailed to the above address unless you **notify us of a new address**. Also, please remember that complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 or 106, Florida Statutes, are **confidential** until the Commission finds probable cause or no probable cause.

For additional information, please refer to the "Frequently Asked Questions" section of the Commission's website ([www.fec.state.fl.us](http://www.fec.state.fl.us)).

If you have additional questions, please contact **Samantha Spore**, the investigator assigned to this case at extension 110.

Sincerely,



Amy McKeever Toman  
Executive Director

AMT/enr



## COMPLAINT

The Commission's records and proceedings in a case are confidential until the Commission rules on probable cause. A copy of the complaint will be provided to the person against whom it is brought.

### 1. PERSON BRINGING COMPLAINT:

Name: Michael Etienne, Esq. Elected City Clerk Work Phone: (305) 895-9817  
Address: 776 NE 125th Street, Ste. 101 Home Phone: ( )  
City: North Miami County: Miami-Dade State: FL Zip Code: 33161

### 2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

If you intend to name more than one individual or entity, please file multiple complaints. A person can be an individual, political committee, political party, electioneering communication organization, club, corporation, partnership, company, association, or other type of organization.

Name of individual or entity: Mary Estime-Irvin  
Address: 155 NE 131st Street Phone: (305) 244-5954  
City: North Miami County: Miami-Dade State: FL Zip Code: 33161

If individual is a candidate, list the office or position sought: North Miami City Council District 3

Have you filed this complaint with the State Attorney's Office? (check one)  Yes  No

Are you alleging a violation of Section 104.271(2), F.S.? (check one)  Yes  No

Are you alleging a violation of Section 104.2715, F.S.? (check one)  Yes  No

### 3. ALLEGED VIOLATION(S):

Please attach a **concise** narrative statement in which you list the provisions of the Florida Election Code that you believe the person named above may have violated. The Commission has jurisdiction only to investigate provisions of Chapter 104 and Chapter 106, Florida Statutes. Please include the following items as part of your attached statement:

- The facts and actions that you believe support the violations you allege;
- The names/telephone numbers of persons whom you believe may be witnesses to the facts;
- A copy or picture of any political advertisement(s) you mention in your statement;
- A copy of each document you mention in your statement;
- An explanation of why you believe information you reference from websites is relevant; and
- Any other evidence supporting your allegations.

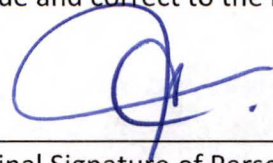
SEE REVERSE SIDE OF DOCUMENT FOR ADDITIONAL INFORMATION

*Any person who files a complaint while **knowing** that the allegations are false or without merit commits a misdemeanor of the first degree, punishable as provided in Sections 775.082 and 775.083, Florida Statutes.*

4. **OATH:**

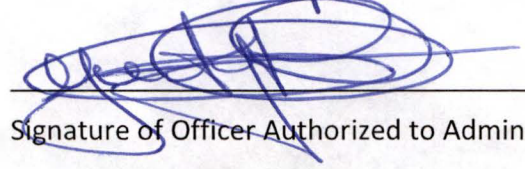
STATE OF FLORIDA  
COUNTY OF Miami - Dade

I swear or affirm that the above information is true and correct to the best of my knowledge.

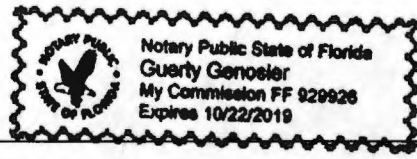


Original Signature of Person Bringing Complaint

Sworn to and subscribed before me this 18<sup>th</sup> day of  
July, 20 18



Signature of Officer Authorized to Administer Oaths or Notary Public



(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known  Or Produced Identification

Type of Identification Produced Driver License [REDACTED]

5. **IMPROPERLY COMPLETED COMPLAINT FORMS MAY BE RETURNED:**

- You **MUST** submit this completed complaint form in order to file a complaint.
- You **MUST** complete **ALL FOUR** of the above sections of this form. **DO NOT** leave any blanks.
- You **MUST** submit the **ORIGINAL** complaint form. Copied/faxed/emailed forms are returned.
- Each complaint can only be filed against **ONE PERSON** or **ENTITY**. If you wish to file against multiple parties, you **MUST** submit a complaint form for each party you wish to file against.
- **DO NOT** submit multiple complaint forms with one set of attachments applying to multiple complaints. You **MUST** attach copies of attachments to each complaint to which they apply.
- **MAKE SURE** the alleged violation(s) of Chapters 104 or 106 occurred within the last 2 years.
- **MAKE SURE** your complaint is sworn and there is no defect to the notarization in Section 4.





City of North Miami Office of the City Clerk  
 776 NE 125 Street | North Miami | Florida | 33161  
 Office: 305.895.9817 Fax: 305.899.0497

REC'D: FL ELECTIONS COM  
 24 JUL '18 AM 10:39

July 18, 2018

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

Re: Mary Estime-Irvin Candidate for North Miami City Council District 3

Dear Sir or Madam,

The City of North Miami's Office of the City Clerk is filing the attached complaint against the above referenced candidate for violation of s. 106.07(1), Fla. Stat. and s. 106.07(7), Fla. Stat.

As it stands today, the Office of the City Clerk has not received the Campaign Treasure Reports or the Waiver Reports (whichever is applicable) for the following reporting periods:

2018M4	April 01, 2018 – April 30, 2018	Due May 10, 2018
2018M5	May 01, 2018 – May 31, 2018	Due June 11, 2018
2018M6	June 01, 2018 - -June 30, 2018	Due July 10, 2018

The candidate was notified in writing by first class mail and by certified mail for each of the reporting periods, however she has failed to comply and has not communicated with our office. Consequently, we ask that you undertake the prescribed sanctions under s.106.265(1), Fla. Stat. Please feel free to contact the Office of the City Clerk at (305)895-9817 should you need more information. Thank you.

Sincerely,

Michael Etienne, Esq.  
 City Clerk

City of North Miami Office of the City Clerk





City of North Miami Office of the City Clerk  
776 NE 125 Street | North Miami | Florida | 33161  
Office: 305.895.9817 Fax: 305.899.0497

July 13, 2018

Mary Estime-Irvin  
155 NE 131<sup>st</sup> Street  
North Miami, FL 33161

Dear Mary Estime-Irvin:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was July 10, 2018.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as follows until you file your report:

- \$50 for the first 3 days late
- \$500 per day for each day after the 3<sup>rd</sup> day late
- If the required report immediately precedes a primary and general election, the automatic fine is \$500 for each late day.

The total fine for the untimely report cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the cover period. Even if you end up filing your report late, we cannot waive the statutory fines. We will notify you of the specific amount of fines owed once you file your report. You have 20 days from the day you receive the notice to pay the fine or to appeal the fine to the Florida Elections Commission.

- If no reportable activity occurred for the report date (s), you are still required to notify us in writing, via the Division's Electronic Filing System, that no reportable activity occurred. No automatic fines are statutorily assessed.

However, in all cases, failure to file and /or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

If you have any questions, please contact the office of the City Clerk at (305)895-9817.

Sincerely,

City Clerk or  
City Clerk liaison

City of North Miami Office of the City Clerk



City of North Miami Office of the  
 776 NE 125 Street | North Miami | Fl  
 Office: 305.895.9817 Fax: 305

7018 0680 0001 8523 6193

U.S. Postal Service  
**CERTIFIED MAIL® RECEIPT**  
 Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Certified Mail Fee \$	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Sent To Mary Estime Irvin	
Street and Apt. No., or PO Box No. 155 NE 131st Street	
City, State, ZIP+4® North Miami FL 33161	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

July 2, 2018

**Final Notice**

Mary Estime-Irvin  
 155 NE 131st Street  
 North Miami, FL 33161

Dear Mary Estime-Irvin:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was June 11, 2018.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as follows until you file your report:

- \$50 for the first 3 days late
- \$500 per day for each day after the 3<sup>rd</sup> day late
- If the required report immediately precedes a primary and general election, the automatic fine is \$500 for each late day.


The total fine for the untimely report cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the cover period. Even if you end up filing your report late, we cannot waive the statutory fines. We will notify you of the specific amount of fines owed once you file your report. You have 20 days from the day you receive the notice to pay the fine or to appeal the fine to the Florida Elections Commission.

- If no reportable activity occurred for the report date (s), you are still required to notify us in writing, via the Division's Electronic Filing System, that no reportable activity occurred. No automatic fines are statutorily assessed.

However, in all cases, failure to file and /or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under capter 106.265(1), Fla. Stat.

If you have any questions, please contact the office of the City Clerk at (305)895-9817.

Sincerely,

  
 City Clerk or  
 City Clerk liaison

City of North Miami Office of the City Clerk





City of North Miami Office of the City Clerk  
 776 NE 125 Street | North Miami | Florida | 33161  
 Office: 305.895.9817 Fax: 305.899.0497

June 22, 2018

Second Notice

Mary Estime-Irvin  
 155 NE 131<sup>st</sup> Street  
 North Miami, FL 33161

Dear Mary Estime-Irvin:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was June 11, 2018.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as follows until you file your report:

- \$50 for the first 3 days late
- \$500 per day for each day after the 3<sup>rd</sup> day late
- If the required report immediately precedes a primary and general election, the automatic fine is \$500 for each late day.

The total fine for the untimely report cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the cover period. Even if you end up filing your report late, we cannot waive the statutory fines. We will notify you of the specific amount of fines owed once you file your report. You have 20 days from the day you receive the notice to pay the fine or to appeal the fine to the Florida Elections Commission.

- If no reportable activity occurred for the report date (s), you are still required to notify us in writing, via the Division's Electronic Filing System, that no reportable activity occurred. No automatic fines are statutorily assessed.

However, in all cases, failure to file and/or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under capter 106.265(1), Fla. Stat.

If you have any questions, please contact the office of the City Clerk at (305)895-9817.

Sincerely,

City Clerk or

City Clerk liaison

City of North Miami Office of the City Clerk

**CERTIFIED MAIL® RECEIPT**  
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 For del very information, visit our website at www.usps.com

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**Certified Mail Fee**

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Return Receipt (hardcopy) \$ \_\_\_\_\_

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Certified Mail Restricted Delivery \$ \_\_\_\_\_

Adult Signature Required \$ \_\_\_\_\_

Adult Signature Restricted Delivery \$ \_\_\_\_\_

**Postage**

**Total Postage and Fees** \$ \_\_\_\_\_

**Postmark Here**

Sent To: Mary Estime-Irvin  
 Street and Apt. No., or PO Box No. 155 NE 131<sup>st</sup> Street  
 City, State, ZIP+4® North Miami, FL 33161  
 PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions





# NORTH MIAMI FLORIDA

City of North Miami Office of the City Clerk  
776 NE 125 Street | North Miami | Florida | 33161  
Office: 305.895.9817 Fax: 305.899.0497

June 12, 2018

Mary Estime-Irvin  
155 NE 131<sup>st</sup> Street  
North Miami, FL 33161

Dear Candidate:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was June 11, 2018.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as follows until you file your report:

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If you have any questions, please contact the office of the City Clerk at (305)895-9817.

Sincerely,

City Clerk or  
City Clerk liaison

City of North Miami Office of the City Clerk



# NORTH MIAMI FLORIDA

City of North Miami Office of the C  
776 NE 125 Street | North Miami | Flor  
Office: 305.895.9817 Fax: 305.8

July 2, 2018

## Final Notice

Mary Estime-Irvin  
155 NE 131<sup>st</sup> Street  
North Miami, FL 33161

Dear Mary Estime-Irvin:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was May 10, 2018.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as follows until you file your report:

- \$50 for the first 3 days late
- \$500 per day for each day after the 3<sup>rd</sup> day late
- If the required report immediately precedes a primary and general election, the automatic fine is \$500 for each late day.

The total fine for the untimely report cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the cover period. Even if you end up filing your report late, we cannot waive the statutory fines. We will notify you of the specific amount of fines owed once you file your report. You have 20 days from the day you receive the notice to pay the fine or to appeal the fine to the Florida Elections Commission.

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If you have any questions, please contact the office of the City Clerk at (305)895-9817.

Sincerely,

City Clerk or

City Clerk liaison

City of North Miami Office of the City Clerk

U.S. Postal Service  
**CERTIFIED MAIL® RECEIPT**  
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<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Sent To Mary Estime Irvin Street and Apt. No., or PO Box No. 155 NE 131 <sup>st</sup> Street City, State, ZIP+4® North Miami, FL 33161	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

9879 8259 1000 8523 6186  
7018 0680 0001 0990 8170





# NORTH MIAMI FLORIDA

City of North Miami Office of the City Clerk  
776 NE 125 Street | North Miami | Florida | 33161  
Office: 305.895.9817 Fax: 305.899.0497

## 2<sup>nd</sup> Notice

May 29, 2018

Mary Estime-Irvin  
155 ne 131<sup>st</sup> Street  
North Miami, FL 33161

Dear Mary Estime-Irvin:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was May 10, 2018.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as follows until you file your report:

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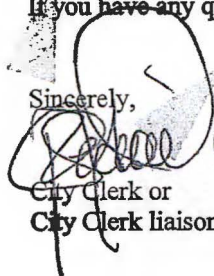
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If you have any questions, please contact the office of the City Clerk at (305)895-9817.

Sincerely,

  
City Clerk or  
City Clerk liaison

for Michael Elienne.

City of North Miami Office of the City Clerk





# NORTH MIAMI FLORIDA

City of North Miami Office of the City Clerk  
776 NE 125 Street | North Miami | Florida | 33161  
Office: 305.895.9817 Fax: 305.899.0497

May 14, 2018

Mary Estime-Irvin  
155 NE 131<sup>st</sup> Street  
North Miami, FL 33161

Dear Mary Estime-Irvin:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was May 10, 2018.

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If you have any questions, please contact the office of the City Clerk at (305)895-9817.

Sincerely,

City Clerk or  
City Clerk liaison

City of North Miami Office of the City Clerk