

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Kyle C. Gibson

Case No.: FEC 18-465

TO: Kyle C. Gibson
Post Office Box 590581
Tamarac, FL 33359

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

NOTICE OF HEARING (INFORMAL HEARING)

A hearing will be held in this case before the Florida Elections Commission on, **December 1, 2020 at 8:30 AM, or as soon thereafter as the parties can be heard**, at the following location: **Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399**. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

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

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

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

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

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

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

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

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

See further instructions on the reverse side.

Tim Vaccaro

Executive Director
Florida Elections Commission
November 9, 2020

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

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

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

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

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

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

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

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

Florida Elections Commission,
Petitioner,

Case No.: FEC 18-465

v.

Kyle C. Gibson,
Respondent.

ORDER OF PROBABLE CAUSE

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

On June 2, 2020, Staff recommended to the Commission that there was probable cause to believe the Florida Election Code was violated. The facts articulated in Staff's Recommendation are adopted by reference and incorporated herein. Based on the Referral, Report of Investigation, Staff's Recommendation, and oral statements, if any, made at the probable cause hearing, the Commission finds there is **probable cause** to charge Respondent with the following violation:

Count 1:

On or about July 6, 2018, Respondent violated Section 106.19(1)(c), Florida Statutes, when Respondent deliberately failed to include information on his 2018 P1A Report required to be reported when Respondent did not file a 2018 P1A Report.

The Commission also finds there is no probable cause to charge Respondent with violating Section 106.07(7), Florida Statutes.

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



Joni Alexis Poitier, Vice Chair
Florida Elections Commission

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

NOTICE OF RIGHT TO A HEARING

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

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

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

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

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

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

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Kyle C. Gibson

Case No.: FEC 18-465

TO: Kyle C. Gibson
Post Office Box 590581
Tamarac, FL 33359

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

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

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

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

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

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

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

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

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

Please be advised that both confidential and public cases are scheduled to be heard by the Florida Elections Commission. 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
August 13, 2020

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

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

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



Florida Elections Commission

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

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

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



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

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

Join Zoom Meeting

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

<https://zoom.us/j/91062518383?pwd=VkJ4Mi9kUUZXM1llZW5YcDFObU1Sdz09>

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

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

For alternative audio participation:

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

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

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

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

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

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

Thank you,

Commission Staff

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Kyle C. Gibson

Case No.: FEC 18-465

TO: Kyle C. Gibson
Post Office Box 590581
Tamarac, FL 33359

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

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

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

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

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

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See further instructions on the reverse side.

Tim Vaccaro

Executive Director
Florida Elections Commission
July 28, 2020

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

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

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

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

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

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Kyle C. Gibson

Case No.: FEC 18-465

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 106.19(1)(c), Florida Statutes**, and **no probable cause** to charge Respondent with violating **Section 106.07(7), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on March 6, 2020, the following facts and law support this staff recommendation.

1. On December 12, 2018, the Florida Elections Commission (“Commission”) received a referral from the Division of Elections (“Division”) alleging Kyle C. Gibson (“Respondent”) violated Chapter 106, Florida Statutes.

2. Respondent was a candidate for Governor in the 2018 election. Respondent was not a first-time candidate. Respondent's initial Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form (“DS-DE 9”) was filed with the Division on September 25, 2014. Respondent filed a second DS-DE 9 on July 7, 2017. (ROI Exhibit 2)¹

3. By letter dated April 16, 2019, 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, a 2018 candidate for the office of Governor, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the following reporting period:

- 2018 P1A

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

Section 106.19(1)(c), Florida Statutes: As alleged in the complaint, Respondent, a 2018 candidate for the office of Governor, may have falsely reported or deliberately failed to include information required by Chapter 106, Florida Statutes, during the following reporting period:

- 2018 P1A

4. By letter dated September 26, 2014, Kristi Reid Bronson, Chief, Bureau of Election Records, Division of Elections, notified Respondent that his name had been placed on the 2018 active candidate list. The letter advised Respondent that all candidates who file reports with the Division are required to use the Division's Electronic Filing System ("EFS") and provided Respondent with a user identification number and initial password to access the EFS. (ROI Exhibit 3, page 1)²

5. Ms. Bronson's September 26, 2014 letter further advised Respondent that all the Division's publications and reporting forms were available on the Division's website and directed Respondent to print a copy of Chapters 104 and 106, Florida Statutes, the *2014 Candidate and Campaign Treasurer Handbook* and the *2014 Calendar of Reporting Dates* as well as other documents. (ROI Exhibit 3, page 3)

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

Notwithstanding any other provisions of this chapter, in any reporting period during which a candidate or political committee has not received funds, made any contributions, or expended any reportable funds, the filing of the required report for that period is waived. However, the next report filed must specify that the report covers the entire period between the last submitted report and the report being filed, and any candidate or political committee not reporting by virtue of this subsection on dates prescribed elsewhere in this chapter **shall notify the filing officer in writing on the prescribed reporting date that no report is being filed on that date.** (Emphasis added)

7. Respondent's 2018 P1A Report covering the dates of June 23, 2018, through June 29, 2018, was due on July 6, 2018. (ROI Exhibit 4, ROI Exhibit 8, page 1) However, Respondent failed to file a 2018 P1A Report or notice of no activity on the due date. (ROI Exhibit 4, ROI Exhibit 5, and ROI Exhibit 8, page 1)

8. By letters dated July 10, 2018, July 26, 2018, and September 21, 2018, the Division notified Respondent it had not yet received his 2018 P1A Report, or notice of no activity, whichever was applicable. (ROI Exhibits 5, 6, and 7, page 1) The Division's

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

September 21, 2018 letter was confirmed delivered on October 11, 2018. (ROI Exhibit 7, page 2)

9. Investigator Ayres subpoenaed copies of Respondent's campaign bank account records from Centennial Bank. Respondent's campaign account records show that Respondent had financial activity during the 2018 P1A reporting period. Therefore, Respondent was required to timely file a 2018 P1A Report for the 2018 P1A reporting period. (ROI Exhibit 11, pages 3 and 4)

10. On February 20, 2020, Investigator Ayres attempted to call Respondent two times. The first time Investigator Ayres attempted to reach Respondent the call went directly to an unidentified voice mailbox. Investigator Ayres left a message requesting Respondent to return the call. (ROI Exhibit 12, Phone Log Entry 1)³

11. The second time Investigator Ayres called Respondent the call went to a voice mailbox that had a generic greeting. Investigator Ayres left a message requesting Respondent to return the phone call, which Respondent failed to do. (ROI Exhibit 12, Phone Log Entry 2)

12. On February 26, 2020, Investigator Ayres attempted to call Respondent; however, no one answered the phone. Investigator Ayres left a voice message requesting Respondent to return the phone call at his earliest convenience, which Respondent failed to do. (ROI Exhibit 12, Phone Log Entry 3)

13. On February 26, 2019, Respondent filed his 2018 P1A Report, 235 days late. (ROI Exhibit 8, page 1)

14. Based on the information above, it appears Respondent may have failed to timely file a 2018 P1A Report, or notice of no activity, for the 2018 P1A reporting period.

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

16. The above facts show that Respondent was a candidate for Governor in the 2018 election. Respondent was not a first-time candidate. Respondent failed to timely file a 2018 P1A Report or notice of no activity. By letters dated July 10, 2018, July 26, 2018, and September 21, 2018, the Division notified Respondent he had not filed his 2018 P1A Report or notice of no activity, whichever was applicable. Because Respondent had reportable financial activity during the 2018 P1A reporting period, Respondent was required to file a 2018 P1A Report, which he failed to do until February 26, 2019.

³ Investigator Ayres called the phone number listed on Respondent's September 25, 2014, and July 7, 2017 DS-DE 9s. (ROI Exhibit 2)

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

Count 1:

On or about July 6, 2018, Respondent violated Section 106.19(1)(c), Florida Statutes, when Respondent deliberately failed to include information on his 2018 P1A Report required to be reported when Respondent did not file a 2018 P1A Report.

I further recommend the Commission find no probable cause to charge Respondent with violating Section 106.07(7), Florida Statutes.

Respectfully submitted on June 2, 2020.



Eric M. Lipman
General Counsel

I have reviewed this Staff Recommendation this 2nd day of June 2020.



Tim Vaccaro
Executive Director

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Case No.: FEC 18-465

Respondent: Kyle C. Gibson

Complainant: Division of Elections

On December 12, 2018, the Florida Elections Commission (“Commission”) received a referral from the Division of Elections (“Division”) alleging that Respondent violated Chapter 106, Florida Statutes. Commission staff investigated whether Respondent violated the following statute(s):

Section 106.07(7), Florida Statutes, failure to notify filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the 2018 P1A reporting period; and

Section 106.19(1)(c), Florida Statutes, may have falsely reported or deliberately failed to include information in his 2018 P1A reporting period, as required by Chapter 106, Florida Statutes.

I. Preliminary Information:

1. Respondent was a candidate for the Office of Governor in the 2018 election. Respondent has a history of running for office; he ran for Governor in the 2014 election, and State Representative, District 93, in the 1996 and 1998 elections. He was defeated in the general election on held on November 6, 2018.

2. Respondent’s filing officer was the Division.

3. Respondent filed a Statement of Candidate (“DS-DE 84”) and his Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates (“DS-DE 9”) on September 25, 2014 with the Division. Respondent signed the DS-DE 84 acknowledging he had been provided access to read and understand the requirements of Chapter 106, Florida Statutes. Respondent appointed himself as Campaign Treasurer on the DS-DE 9. On July 7, 2017 Respondent filed an updated DS-DE 9 with the Division. Refer to Exhibit 1 for the DS-DE 84 and refer to Exhibit 2 for the 2014 and 2017 DS-DE 9 forms.

4. The Division sent a letter of acknowledgement to Respondent on September 26, 2014 explaining where to find publications and materials concerning Chapter 106, Florida Statutes, and the *Candidate and Campaign Treasurer Handbook*. Furthermore, the letter of acknowledgement explained that Respondent was on the 2018 active candidate list. Respondent

was advised within the acknowledgement letter that, **“It is your responsibility to read, understand, and follow the requirements of Florida’s elections laws.”** Refer to Exhibit 3 for the acknowledgement letter from The Division and refer to Exhibit 4 for the Calendar of Reporting Dates for Statewide Candidates for the 2018 election.

II. Alleged Violation of Sections 106.07(7) and 106.19(1)(c), Florida Statutes:

5. I investigated whether Respondent violated one of these sections of the election laws by either failing to notify his filing officer no financial activity occurred during the 2018 P1A reporting period or by failing to file a Campaign Treasurer Report (“CTR”) for the 2018 P1A reporting period to report financial activity.

6. The referral alleged Respondent failed to file a CTR or a notice of no activity, whichever was applicable, for the 2018 P1A reporting period.

7. Respondent was notified by the Division three times to file his 2018 P1A report or notice of no activity, whichever was applicable. The 2018 P1A report was due July 6, 2018. On July 10, 2018 and July 26, 2018, the Division mailed Respondent the first and second notification letter, respectively, stating that the 2018 P1A report, or notice of no activity, had not been filed. On September 21, 2018, the Division mailed Respondent a final letter notifying Respondent that the 2018 P1A report, or notice of no activity, was not filed. The final letter was confirmed delivered on October 11, 2018. Refer to Exhibit 5 for the first notice to file letter, Exhibit 6 for the second notice to file letter and Exhibit 7 for the final notice to file letter with the confirmation delivery.

8. Respondent filed his 2018 P1A CTR disclosing some of his campaign finance activity on February 26, 2019, 235 days late. The 2018 P1A reporting period covered from June 23, 2018 to June 29, 2018. I subpoenaed records from Respondent’s designated campaign depository. The records show that Respondent did have financial activity during the 2018 P1A reporting period, some of which was not included on the 2018 P1A filed by Respondent. Therefore, Respondent failed to report the campaign’s financial activity for the 2018 P1A reporting period in a timely manner. Refer to Exhibit 8 for Respondent’s filing history and Exhibit 9 for the 2018 P1A CTR. Refer to Exhibit 10 for the *Candidate and Campaign Treasurer Handbook*, 2016, Chapter 16: Filing Campaign Reports. Refer to Exhibit 11 for relevant bank records.

9. Respondent was sent an affidavit, but Respondent did not return the affidavit. All attempts to contact Respondent via phone were unsuccessful. Refer to Exhibit 12 for the investigation phone log.

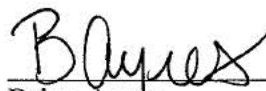
[THIS SPACE LEFT INTENTIONALLY BLANK]

III. FEC History:

10. Respondent has 20 prior cases filed with the Commission, refer to table 1 for Respondent history with the Commission:

Table 1: Respondent Commission History					
Case #	Type of Case	Section(s) Cited	Outcome	Fine	Fine Paid Y/N
FEC 18-194	Willful	106.07(2)(b)1	FOV	\$1,000.00	No
FEC 18-072	Willful	106.07(2)(b)1	FOV	\$5,000.00	No
FEC 17-436	Willful	106.07(2)(b)1	FOV	\$1,000.00	No
FEC 17-276	Willful	106.07(2)(b)1 106.07(5) 106.19(1)(b) 106.19(1)(c) 106.19(1)(d)	FOV FOV FOV NPC FOV	\$5,000.00	No
FEC 17-244	Willful	106.07(2)(b)1	NPC	-	-
FEC 16-544	Willful	106.07(2)(b)1	FOV	\$100.00	No
FEC 16-520	Willful	106.07(2)(b)1	FOV	\$1,000.00	No
FEC 16-174	AF	106.07(8)(b)	ADF	\$50.00	No
FEC 16-173	AF	106.07(8)(b)	ADF	\$50.00	No
FEC 16-157	Willful	106.07(2)(b)1	FOV	\$2,000.00	No
FEC 16-028	Willful	106.07(2)(b)1	FOV	\$1,000.00	No
FEC 15-510	AF	106.07(8)(b)	ADF	\$37.50	No
FEC 15-397	Willful	106.07(7)	CO	\$400.00	Yes
FEC 15-329	Willful	106.07(2)(b)1	FOV	\$500.00	No
FEC 15-261	Willful	106.07(2)(b)1 106.141(1) 106.19(1)(c)	FOV NPC FOV	\$750.00	No
FEC 14-497	Willful	106.07(7)	NPC	-	-
FEC 14-299	Willful	106.07(2)(b)1	CO	\$400.00	Yes
FEC 13-251	AF	106.07(8)(b)	ADF	\$100.00	No
FEC 96-370	AF	106.07(8)(b)	ADF	\$350.00	No
FEC 96-367	AF	106.07(8)(b)	ADF	\$250.00	No

Respectfully submitted on March 6, 2020.



Brian Ayres
Investigation Specialist

Current address of Respondent

Kyle C. Gibson
P.O. Box 590581
Tamarac, FL 33359-0581

Current address of Complainant

Division of Elections
500 South Bronough Street
Tallahassee, FL 32399

Name and Address of Filing Officer:

Kristi Reid Willis
Chief, Bureau of Election Records
Division of Elections
500 South Bronough Street
Tallahassee, FL 32399

Copy furnished to:

Cole Kekelis, Chief Regulatory Counsel

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Kyle C. Gibson -- FEC 18-465

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	Statement of Candidate ("DS-DE 84")
Exhibit 2	2014 & 2017 Appointment of Campaign Treasurer and Campaign Depository form ("DS-DE 9")
Exhibit 3	Division Acknowledgement Letter
Exhibit 4	Calendar of Reporting Dates for 2018 Statewide Candidates
Exhibit 5	2018 P1A Division Notice to File Letter (July 10, 2018 – First Notice)
Exhibit 6	2018 P1A Division Notice to File Letter (July 26, 2018 – Second Notice)
Exhibit 7	2018 P1A Division Notice to File Letter (September 21, 2018 – Final Notice) & Confirmation Delivery
Exhibit 8	Respondent Filing History
Exhibit 9	2018 P1A Campaign Treasurer Report
Exhibit 10	Candidate and Campaign Treasurer Handbook, 2016 (Chapter 16: Filing Campaign Reports)
Exhibit 11	Depository Bank Records
Exhibit 12	Investigation Phone Log

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

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

I, Kyle KC Gibson,

candidate for the office of Governor of Florida;

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

X *Kyle C. Gibson*
Signature of Candidate

Sept 20, 2014
Date

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

**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.

RECEIVED
DEPARTMENT OF STATE

2014 SEP 25 AM 9:59

DIVISION OF ELECTIONS
TALLAHASSEE, FL

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

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

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

Kyle Chaderwick Gibson

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

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

4. Telephone

(850) 322-8815

5. E-mail address

KCIN2018@gmail.com

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

Governor of Florida

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

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

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

Write-In No Party Affiliation _____ Party candidate.

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

10. Name of Treasurer or Deputy Treasurer

Kyle C. Gibson

11. Mailing Address

P.O. Box 590581

12. Telephone

()

13. City

Tamarac

14. County

Broward

15. State

Florida

16. Zip Code

33359-0581

17. E-mail address

KCIN2018@gmail.com

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

19. Name of Bank

Wells Fargo

20. Address

1700 West Commercial Blvd

21. City

Ft. Lauderdale

22. County

Broward

23. State

Florida

24. Zip Code

33309

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

25. Date

September 20, 2014

26. Signature of Candidate

X *Kyle C. Gibson*

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

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

designated above as: Campaign Treasurer Deputy Treasurer.

Sept 20, 2014

Date

X *Kyle C. Gibson*

Signature of Campaign Treasurer or Deputy Treasurer

HAND DELIVERED

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

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

(PLEASE PRINT OR TYPE)

RECEIVED
DEPARTMENT OF STATE

2017 JUL -7 PM 3:28

DEPARTMENT OF STATE
DIVISION OF ELECTIONS

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

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

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

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

Kyle Chaderwick Gibson

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

1418 NE 57th Court Ft. Lauderdale, FL 33334

4. Telephone

(850) 322-8815

5. E-mail address

KCIN2018@gmail.com

PO Box 590581 Tamarac, Florida 33359-0581

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

Governor of Florida

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

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

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

Write-In No Party Affiliation _____ Party candidate.

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

10. Name of Treasurer or Deputy Treasurer

Kyle C. Gibson

11. Mailing Address

P.O Box 590581 Tamarac, Florida 33359-0581

12. Telephone

(850) 322-8815

13. City

Tamarac

14. County

Broward

15. State

Florida

16. Zip Code

33359-0581

17. E-mail address

KCIN2018@gmail.com

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

19. Name of Bank
Centennial Bank

20. Address
2600 E. Commercial Blvd

21. City *Ft. Lauderdale*
Ft Lauderdale

22. County
Broward

23. State
Florida

24. Zip Code
33308

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

25. Date

June 28, 2017

26. Signature of Candidate

X Kyle C. Gibson

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

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

designated above as: Campaign Treasurer Deputy Treasurer.

June 28, 2017

Date

X Kyle C. Gibson

Signature of Campaign Treasurer or Deputy Treasurer



FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

September 26, 2014

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

Dear Mr. Gibson:

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

Campaign Treasurer's Reports

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

Credentials and Sign-ons

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

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

Identification Number: 64360



Division of Elections
R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6200 • 850.245.6217 (Fax) election.dos.state.fl.us
Promoting Florida's History and Culture VivaFlorida.org

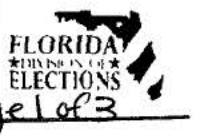


EXHIBIT 3 page 1 of 3

Kyle Chaderwick Gibson
September 26, 2014
Page Two

Pin Numbers

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

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

Timely Filing

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

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

Electronic Receipts

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

Kyle Chaderwick Gibson
September 26, 2014
Page Three

Instructions and Assistance

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

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

Please let me know if you need additional information.

Sincerely,



Kristi Reid Bronson, Chief
Bureau of Election Records

KRB/ljr

Enclosures

Calendar of Reporting Dates for 2018 Statewide Candidates registered with the Division of Elections

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

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

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

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

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

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

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

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



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

July 10, 2018

Kyle "KC" Gibson
Candidate for Governor
1418 Northeast 57th Court
Fort Lauderdale, FL 33359-0581

CAN 64360

Dear Mr. Gibson:

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 6, 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 per day for the first 3 days late
 - \$500 per day for each day after the 3rd 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 help desk at (850) 245-6280.

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

Second Notice

July 26, 2018

Kyle "KC" Gibson
Candidate for Governor
1418 Northeast 57th Court
Fort Lauderdale, FL 33359-0581

CAN 64360

Dear Mr. Gibson:

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 6, 2018.

We mailed, via regular mail, the first notice of the failure to file the above-mentioned report or notification to the address on file with our office on July 10, 2018.

The first notice which we provided to you specifically explained the automatic fine provisions in the law (s. 106.07(8)(b), Fla. Stat.) for failure to file a required report. Such fines are continuing to accrue for a late-filed report. Also, that notice explained that if no reportable activity occurred for the report date(s), you are still required to provide notification in writing that no reportable activity occurred. Our initial notice further indicated that, 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 help desk at (850) 245-6280.

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

Final Notice

Delivery Confirmation:

USPS TRACKING # & CUSTOMER RECEIPT 9114 9999 4431 4600 8193 73
For Tracking or inquiries go to USPS.com or call 1-800-222-1811.

September 21, 2018

Kyle "KC" Gibson
Candidate for Governor
1418 Northeast 57th Court
Fort Lauderdale, FL 33359-0581

CAN 64360

Dear Mr. Gibson:

A recent review of the Division's records show that the Division has not yet received the below-referenced campaign treasurer's report or the required notification that no reportable activity occurred, whichever is applicable, during the following cover period:

<u>Year</u>	<u>Report</u>	<u>Cover Period</u>
2018	PIA	6/23/18 - 6/29/18

The Division has previously notified you of the unfiled report or notification. Please file your report or notification. If the report is not filed within 7 days of receipt of this letter, the Division will refer this matter to the Florida Elections Commission, which may impose civil penalties of up to \$1000 per violation, apart from that automatic fine provisions of s. 106.07(8)(b), Fla. Stat.) that are applicable only to campaign finance reports.

As we stated in the prior notices, even if you now file the report or notification, the 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 help desk at (850) 245-6280.

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

USPS Tracking® FAQs > (<https://www.usps.com/faqs/uspstracking-faqs.htm>)

Track Another Package +

Tracking Number: 9114999944314600819373

Remove X

Your item was delivered in or at the mailbox at 2:16 pm on October 11, 2018 in FORT LAUDERDALE, FL 33311.

Delivered

October 11, 2018 at 2:16 pm
Delivered, In/At Mailbox
FORT LAUDERDALE, FL 33311

Feedback

Tracking History



Product Information



See Less ^

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs (<https://www.usps.com/faqs/uspstracking-faqs.htm>)

EXHIBIT 7 page 2 of 2

Candidate Name: Kyle "KC" Gibson

Account: 64360

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



Florida Department of State
Division of Elections

2018 General Election
Kyle 'KC' Gibson (NPA)
Governor

Campaign Finance Activity

Note: The information presented below was obtained from the Committee's/Candidate's Campaign Treasurer's Report filed with the Division of Elections. About the Campaign Finance Data Base.

Contributions							
	Filing Period	Monetary	Loans	InKind	Expend	Other	Transfers
W	09/25/2014 - 09/30/2014	0.00	0.00	0.00	0.00	0.00	0.00
○	10/01/2014 - 10/31/2014	200.00	400.00	0.00	486.70	0.00	0.00
W	11/01/2014 - 11/30/2014	0.00	0.00	0.00	0.00	0.00	0.00
W	12/01/2014 - 12/31/2014	0.00	0.00	0.00	0.00	0.00	0.00
○	01/01/2015 - 01/31/2015	20.00	0.00	0.00	0.00	0.00	0.00
○	02/01/2015 - 02/28/2015	20.00	0.00	0.00	22.84	0.00	0.00
W	03/01/2015 - 03/31/2015	0.00	0.00	0.00	0.00	0.00	0.00
W	04/01/2015 - 04/30/2015	0.00	0.00	0.00	0.00	0.00	0.00
W	05/01/2015 - 05/31/2015	0.00	0.00	0.00	0.00	0.00	0.00
W	06/01/2015 - 06/30/2015	0.00	0.00	0.00	0.00	0.00	0.00
○	07/01/2015 - 07/31/2015	0.00	150.00	0.00	50.00	0.00	0.00
○	08/01/2015 - 08/31/2015	0.00	0.00	0.00	51.54	0.00	0.00
○	09/01/2015 - 09/30/2015	34.00	160.00	0.00	180.96	0.00	0.00
○	10/01/2015 - 10/31/2015	70.18	76.00	0.00	190.80	0.00	0.00
○	11/01/2015 - 11/30/2015	500.00	450.00	0.00	895.47	0.00	0.00
○		0.00	625.00	0.00	196.83	0.00	0.00

	12/01/2015 - 12/31/2015						
○	01/01/2016 - 01/31/2016	216.80	190.00	0.00	612.72	0.00	0.00
○	02/01/2016 - 02/29/2016	75.36	0.00	0.00	339.12	0.00	0.00
○	03/01/2016 - 03/31/2016	150.00	0.00	0.00	62.43	0.00	0.00
○	04/01/2016 - 04/30/2016	413.60	0.00	0.00	489.41	0.00	0.00
○	05/01/2016 - 05/31/2016	20.18	383.00	0.00	588.44	0.00	0.00
○	06/01/2016 - 06/30/2016	0.00	0.00	0.00	0.00	0.00	0.00
W	07/01/2016 - 07/31/2016	0.00	0.00	0.00	0.00	0.00	0.00
○	08/01/2016 - 08/31/2016	0.00	100.00	0.00	0.00	0.00	0.00
W	09/01/2016 - 09/30/2016	0.00	0.00	0.00	0.00	0.00	0.00
W	10/01/2016 - 10/31/2016	0.00	0.00	0.00	0.00	0.00	0.00
W	11/01/2016 - 11/30/2016	0.00	0.00	0.00	0.00	0.00	0.00
W	12/01/2016 - 12/31/2016	0.00	0.00	0.00	0.00	0.00	0.00
W	01/01/2017 - 01/31/2017	0.00	0.00	0.00	0.00	0.00	0.00
W	02/01/2017 - 02/28/2017	0.00	0.00	0.00	0.00	0.00	0.00
○	03/01/2017 - 03/31/2017	0.00	0.00	0.00	0.00	0.00	0.00
○	04/01/2017 - 04/30/2017	0.00	0.00	0.00	0.00	0.00	0.00
W	05/01/2017 - 05/31/2017	0.00	0.00	0.00	0.00	0.00	0.00
○	06/01/2017 - 06/30/2017	0.00	250.00	0.00	0.00	0.00	0.00
○	07/01/2017 - 07/31/2017	242.16	802.00	0.00	736.19	0.00	0.00
○	08/01/2017 - 08/31/2017	1,104.18	0.00	0.00	1,342.70	0.00	0.00
○	09/01/2017 - 09/30/2017	1,009.20	0.00	0.00	783.63	0.00	0.00
○	10/01/2017 - 10/31/2017	391.26	0.00	0.00	523.31	0.00	0.00
○	11/01/2017 - 11/30/2017	500.00	145.18	0.00	261.15	0.00	0.00
○	12/01/2017 - 12/31/2017	794.86	250.00	0.00	1,240.12	0.00	0.00

○	01/01/2018 - 01/31/2018	1,228.06	0.00	300.00	714.20	0.00	0.00
○	02/01/2018 - 02/28/2018	100.00	0.00	0.00	485.20	0.00	0.00
○	03/01/2018 - 03/31/2018	110.00	0.00	0.00	138.75	0.00	0.00
○	04/01/2018 - 04/30/2018	818.42	0.00	0.00	552.81	0.00	0.00
○	05/01/2018 - 05/31/2018	3,898.09	200.00	0.00	1,133.37	0.00	0.00
○	06/01/2018 - 06/22/2018	3,932.47	0.00	0.00	7,015.24	0.00	0.00
○	06/23/2018 - 06/29/2018	438.95	0.00	0.00	1.89	0.00	0.00
○	06/30/2018 - 07/06/2018	725.00	0.00	0.00	999.26	0.00	0.00
W	07/07/2018 - 07/13/2018	0.00	0.00	0.00	0.00	0.00	0.00
○	07/14/2018 - 07/20/2018	475.18	125.00	0.00	197.68	0.00	0.00
W	07/21/2018 - 07/27/2018	0.00	0.00	0.00	0.00	0.00	0.00
○	07/28/2018 - 08/03/2018	0.00	800.00	0.00	942.39	0.00	0.00
W	08/04/2018 - 08/10/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	08/11/2018 - 08/23/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	08/24/2018 - 08/24/2018	0.00	0.00	0.00	0.00	0.00	0.00
○	08/25/2018 - 08/31/2018	0.00	75.00	0.00	0.00	0.00	0.00
○	09/01/2018 - 09/07/2018	0.00	0.00	150.00	0.00	0.00	0.00
○	09/08/2018 - 09/14/2018	25.00	0.00	0.00	0.00	0.00	0.00
○	09/15/2018 - 09/21/2018	0.00	0.00	50.00	0.00	0.00	0.00
○	09/22/2018 - 09/28/2018	0.00	0.00	45.00	0.00	0.00	0.00
○	09/29/2018 - 10/05/2018	20.18	0.00	0.00	50.00	0.00	0.00
W	10/06/2018 - 10/12/2018	0.00	0.00	0.00	0.00	0.00	0.00
○	10/13/2018 - 10/19/2018	0.00	0.00	250.00	0.00	0.00	0.00
○	10/20/2018 - 10/26/2018	0.00	80.00	0.00	0.00	0.00	0.00
W		0.00	0.00	0.00	0.00	0.00	0.00

	10/27/2018 - 10/27/2018						
<input type="radio"/>	10/28/2018 - 10/28/2018	0.00	0.00	0.00	13.30	0.00	0.00
W	10/29/2018 - 10/29/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/30/2018 - 10/30/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/31/2018 - 10/31/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/20/2018 - 11/01/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	11/02/2018 - 02/04/2019	0.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	All Dates (Totals)	17,533.13	5,261.18	795.00	21,298.45	0.00	0.00

Note: (E) indicates that report was filed electronically

X Indicates that detail has not been released

W Indicates that a waiver was filed and **L** Indicates that a loan report was filed

Select Detail Type

Contributions

Select Sort Order

Date(Ascending)

Select Output Type

Display On Screen

[Query the Campaign Finance Data Base](#)

[\[Department of State\]](#) [\[Division of Elections\]](#) [\[Candidates and Races\]](#) [\[Campaign Finance Information\]](#)

**FLORIDA DEPARTMENT OF STATE, DIVISION OF ELECTIONS
CAMPAIGN TREASURER'S REPORT SUMMARY**

(1) Kyle "KC" Gibson (2) 64360
Candidate, Committee or Party Name I.D. Number

(3) Post Office Box 590581 Tamarac FL 33359-0581
Address (number and street) City State Zip Code
 Check box if address has changed since last report

(4) Check appropriate box(es):
 Candidate (office sought):
 Political Committee Check If PC has DISBANDED
 Committee of Continuous Existence Check If CCE has DISBANDED
 Party Executive Committee

(5) REPORT IDENTIFIERS

Cover Period: From 06/23/2018 To 06/29/2018 Report Type: P1A
 Original Amendment Special Election Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks	\$438.95
Loans	\$0.00
<i>Total Monetary</i>	\$438.95
In-Kind	\$0.00

(7) EXPENDITURES THIS REPORT

Monetary Expenditures	\$1.89
Transfers to Office Account	\$0.00
<i>Total Monetary</i>	\$1.89

(8) Other Distributions

Certification

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

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

Name of Treasurer Deputy Treasurer

X
Signature

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

Name of Candidate Chairman (PC/PTY Only)

X
Signature

Name: Kyle "KC" Gibson

Report: 2018 P1A

Period: 06/23/2018 to 06/29/2018

** Records in Filed Report **

Seq #	Full Name (Last, Suffix, First, Middle)	Contributor	Occupation	Amount
Date	Street Address & City, State, Zip	Type	In-Kind Description	Amend
1	MONTANA, CHARLES 1576 NURSEY RD CLEARWATER, FL 33756	I CHE		\$20.18
06/26/2018				
2	BATTLE, LATEER 111028 SW 162ND TERRACE MIAMI, FL 33151	I CAS		\$20.18
06/26/2018				
3	MACLIN, DEMARTIFER 377 HONEYSUCKLE DRIVE HAVANA, FL 32333	I CAS		\$20.18
06/26/2018				
4	MACLIN, STEPHINNIE 377 HONEYSUCKLE DR HAVANA, FL 32333	I CAS		\$20.18
06/26/2018				
5	BYRD, CHAMBRE 377 HONEYSUCKLE DR HAVANA, FL 32333	I CAS		\$20.18
06/26/2018				
6	HILLARD, THELMA 1464 N MYRTLE AVE JACKSONVILLE, FL	I CAS		\$20.18
06/26/2018				
7	BYRD, CHANBRE 377 HONEYSUCKLE DR HAVANA, FL 32333	I CAS		\$25.00
06/27/2018				
8	MACLIN, DEMARTIFER 377 HONEYSUCKLE DR HAVANA, FL 32333	I CAS		\$20.18
06/27/2018				
9	MACLIN, STEPHANNIE 377 HONEYSUCKLE DR HAVANA, FL 32333	I CAS		\$20.18
06/27/2018				
10	GIBSON, JOAN 1418 NE 57TH COURT FT. LAUDERDALE, FL	I CHE	RETIRED EDUCATOR	\$252.51
06/29/2018				

Name: Kyle "KC" Gibson

Report: 2018 P1A

Period: 06/23/2018 to 06/29/2018

**** Records in Filed Report ****

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Type	Purpose	Amount Amend
1 06/26/2018	AC/RALLY 580 HOWARD ST #402 SAN FRANCISCO, CA	MON	ON LINE CONTRIBUTION FEE	\$1.89

ID:

CAMPAIGN TREASURER'S REPORT – ITEMIZED FUND TRANSFERS

Page 1 of 1

Name: Kyle "KC" Gibson

Report: 2018 P1A

Period: 06/23/2018 to 06/29/2018

**** Records in Filed Report ****

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Type	Nature of Account	Amount Amend

ID:

CAMPAIGN TREASURER'S REPORT – ITEMIZED DISTRIBUTIONS

Name: Kyle "KC" Gibson

Report: 2018 P1A

Period: 06/23/2018 to 06/29/2018

**** Records in Filed Report ****

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Recipient	Purpose	Amount
		Type	Related Expenditure	Amend

2016 Candidate & Campaign Treasurer Handbook

FLORIDA
★ DIVISION OF ★
ELECTIONS



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)

Chapter 16: Filing Campaign Reports

Each campaign treasurer designated by a candidate shall file regular reports of all contributions received and all expenditures made by or on behalf of such candidate.

The candidate and his or her campaign treasurer shall certify as to the correctness of each report. Each person so certifying shall bear the responsibility for the accuracy and veracity of each report. Any campaign treasurer or candidate who willfully certifies the correctness of any report while knowing that such report is incorrect, false or incomplete commits a misdemeanor of the first degree.

(Section 106.07, F.S.)

Where to File

A campaign treasurer is required to file campaign treasurer's reports with the officer with whom the candidate registers.

Candidates filing reports with the Division are required to file by means of the Electronic Filing System. If the candidate's filing officer is other than the Division, contact the appropriate filing officer to find out the requirements.

The web address for filing online with the Division is: <https://efs.dos.state.fl.us/>

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

When to File

Reports must be filed on the 10th day following the end of each calendar month from the time the candidate registers, except that if the 10th day occurs on a Saturday, Sunday or legal holiday, the report shall be filed on the next business day that is not a Saturday, Sunday or legal holiday.

A statewide candidate must file reports:

1. On the 60th day immediately preceding the primary election, and each week thereafter, with the last weekly report being filed on the 4th day immediately preceding the general election.
2. On the 10th day immediately preceding the general election, and each day thereafter, with the last daily report being filed the 5th day immediately preceding the general election.

All other candidates must file reports on the 60th day immediately preceding the primary election and bi-weekly on each Friday thereafter through and including the 4th day immediately preceding the general election, with additional reports due on the 25th and 11th days before the primary election and the general election.

For candidates that file with the Division, see the "Reporting Dates Calendar" at:

<http://dos.myflorida.com/elections/forms-publications/publications/>

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

treasurer must file an addendum to the incomplete report within seven days of notification. The addendum must include all necessary information to complete the report.

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

Reporting Total Sums

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

(Section 106.07, F.S.)

Reporting Contributions

Each report must contain:

- Full name, address, specific occupation, amount, and date of each person making a contribution. Reports must provide as clear a description as practicable of the principal type of business conducted for corporations contributing. **The principal type of business or the occupations are not required if the contribution is \$100 or less, or from a relative provided the relationship is reported.**
- Name, address, amount, and date of each political committee making any transfer of funds.
- Full name, address, specific occupation, principal place of business of the lender

and endorser, date and amount of each loan.

- Statement of each contribution, rebate, refund, or other receipts not listed in 1. through 3. above.

(Sections 106.07(4) and 112.312(21), F.S.)

Returning Contributions

Contributions **must be returned** to the contributor **if**:

- A candidate receives a contribution in excess of the limitations provided by law.
- A candidate with opposition in an election receives a contribution on the day of that election or less than five days prior to the date of that election.
- A candidate receives a contribution once he or she is elected, defeated, becomes unopposed, or withdraws his or her candidacy.

If the contribution to be returned has not been deposited into the campaign account, report the contribution as a contribution returned using form DS-DE 02.

If the contribution has been deposited into the campaign account:

- Report the contribution; and
- Write a check from the campaign account to the contributor for the amount of the contribution and report this on the itemized contribution report using the contribution type "Refund."

This amount is reported as a negative. The candidate may also wish to submit a written explanation to the filing officer.

(Section 106.08, F.S.)

Reporting Expenditures

Each report must contain:

- Full name and address of each person to whom expenditures have been made along with the amount, date, and clear purpose of the expenditure. Name, address, and office sought by each candidate on whose behalf such expenditure was made.
- Full name and address of each person to whom an expenditure for personal services, salary or reimbursed authorized expenses was made along with the amount, date, and clear purpose of the expenditure.
- Total amount withdrawn and the total amount spent from the petty cash fund. Each expenditure from the petty cash fund need not be individually reported but complete records of petty cash expenditures must be kept.
- Transaction information for each credit card purchase. Credit cards may be used by statewide (Governor, Cabinet and Supreme Court Justice) candidates only. (See *Division of Elections Opinion 05-07*.)
- Amount and nature of debts and obligations owed by or to the candidate, which relate to the conduct of any political campaign.

- The amount and nature of any separate interest-bearing accounts or certificates of deposit. Identification of the financial institution in which such accounts or certificates of deposit are located must be identified.

- The primary purposes of an expenditure made indirectly through a campaign treasurer for goods and services such as communications media placement or procurement services, campaign signs, insurance, and other expenditures that include multiple components as part of the expenditure. The primary purpose of an expenditure shall be that purpose, including integral and directly related components, that comprises 80 percent of such expenditure.

- Total sum of expenditures during the reporting period.

(Section 106.07, F.S.)

Special Requirements for Judicial Retention Candidates

A candidate for retention as a Justice of the Supreme Court or a Judge of a District Court of Appeal who has not received any contributions or made any expenditures, may file a sworn statement on Form DS-DE 96, Affidavit of Intention, at the time of qualifying that he or she does not anticipate receiving contributions or making expenditures in connection with his or her candidacy for retention to office.

Such candidate must file a final report within 90 days following the general election for which the candidate's name appeared on the ballot for retention. The candidate may

use Form DS-DE 97, Affidavit of Compliance, for this purpose.

A candidate for retention to judicial office who, after filing Form DS-DE 96 receives any contributions or makes any expenditures in connection with his or her candidacy for retention must immediately file a statement to that effect with the qualifying officer and must begin filing reports as an opposed candidate pursuant to Section 106.07, F.S.

(Sections 105.08(2) and 106.141, F.S.)



KYLE C GIBSON
 CAMPAIGN ACCOUNT
 PO BOX 590581
 FORT LAUDERDALE FL 33359

06/27/18

IMAGES 25
 CYCLE-029

*** CHECKING *** 0220 OPPORTUNITY 100
 ACCOUNT NUMBER [REDACTED]
 PREVIOUS STATEMENT BALANCE AS OF 05/30/18 2,598.41
 PLUS 27 DEPOSITS AND OTHER CREDITS 5,107.88
 LESS 45 CHECKS AND OTHER DEBITS 7,241.17
 CURRENT STATEMENT BALANCE AS OF 06/27/18 465.12
 NUMBER OF DAYS IN THIS STATEMENT PERIOD 28

CHECK TRANSACTIONS

SERIAL	DATE	AMOUNT	SERIAL	DATE	AMOUNT	SERIAL	DATE	AMOUNT
226	06/21	100.00	860*	06/18	5,210.92	1135*	06/21	400.00

CHECKING ACCOUNT TRANSACTIONS

DATE	DESCRIPTION	DEBITS	CREDITS
05/31	AC-RALLY.ORG SV9T -8886482220		283.22
05/31	DEPOSIT		125.90
06/01	DEPOSIT		110.54
06/04	AC-RALLY.ORG SV9T -8886482220		296.55
06/04	DEPOSIT		100.00
06/04	DEPOSIT		741.96
06/04	POS DEBIT 3064 06/02 19:59 OFFICE DEPOT POMPANO BEACH FL	9.80	
06/05	DEPOSIT		70.18
06/06	AC-RALLY.ORG SV9T -8886482220		100.62
06/06	DEPOSIT		40.36
06/06	DEPOSIT		50.00
06/06	SERVICE CHARGE	5.00	
06/06	RETURNED DEPOSIT	50.00	
06/06	POS DEBIT 3064 06/06 16:05 EAST COMMERCIA OAKLAND PARK FL	10.00	
06/06	CKCD DEBIT 3064 06/05 00:00 BUFFALO WILD WI SOUTH MIAMI FL	49.70	
06/07	DEPOSIT		80.72
06/07	CKCD DEBIT 3064 06/06 00:00 EAST COMMERCIA OAKLAND PARK FL	26.00	
06/07	CKCD DEBIT 3064 06/05 00:00 SOUTHWES 800 435 9792 TX	56.20	
06/07	CKCD DEBIT 3064 06/05 00:00 SOUTHWES 800 435 9792 TX	237.59	
06/08	DEPOSIT		40.36
06/08	DEPOSIT		58.00
06/11	AC-RALLY.ORG SV9T -8886482220		430.29
06/11	DEPOSIT		1,265.98
06/11	FORCE PAY DEBIT	1.00	
06/11	POS DEBIT 3064 06/11 12:52	10.74	

EXHIBIT 11 page 1 of 4

Centennial Bank

KYLE C GIBSON
CAMPAIGN ACCOUNT
PO BOX 590581
FORT LAUDERDALE FL 33359

06/27/18
IMAGES 25
CYCLE-029
Page 2 of 7

CHECKING ACCOUNT TRANSACTIONS

DATE	DESCRIPTION	DEBITS	CREDITS
06/11	WALGREENS STORE TALLAHASSEE FL CKCD DEBIT 3064 06/08 00:00	8.59	
06/11	CHICK FIL A 0346 PALM COAST FL CKCD DEBIT 3064 06/08 00:00	50.15	
06/12	EAST COMMERCIA OAKLAND PARK FL CKCD DEBIT 3064 06/12 00:00	10.73	
06/12	TONI S SOUTHERN TALLAHASSEE FL CKCD DEBIT 3064 06/11 00:00	22.47	
06/12	FLORIDAS HISTOR TALLAHASSEE FL CKCD DEBIT 3064 06/11 00:00	23.64	
06/13	FLORIDAS HISTOR TALLAHASSEE FL AC-RALLY.ORG SV9T -8886482220		214.22
06/13	DEPOSIT		20.18
06/13	DEPOSIT		121.08
06/13	POS DEBIT 3064 06/13 16:54 SHELL SERVICE S TALLAHASSEE FL	10.38	
06/13	POS DEBIT 3064 06/13 17:01 SHELL SERVICE S TALLAHASSEE FL	16.10	
06/13	POS DEBIT 3064 06/13 16:47 SHELL SERVICE S TALLAHASSEE FL	35.00	
06/13	CKCD DEBIT 3064 06/13 00:00 TONI S SOUTHERN TALLAHASSEE FL	10.73	
06/14	POS DEBIT 3064 06/14 17:23 USPS PO 113048 OAKLAND PARK FL	4.99	
06/14	POS DEBIT 3064 06/14 2:19 SHELL SERVICE PORT SAINT LU FL	39.25	
06/14	POS DEBIT 3064 06/14 15:08 PAYPAL ADVERB INC SAN JOSE CA	50.00	
06/14	CKCD DEBIT 3064 06/12 00:00 CHICK FIL A 025 TALLAHASSEE FL	9.13	
06/14	CKCD DEBIT 3064 06/13 00:00 FUSION GRILL BU TALLAHASSEE FL	10.75	
06/15	DEPOSIT		20.18
06/18	DEPOSIT		175.90
06/18	CKCD DEBIT 3064 06/16 00:00 MIAMI SUBS 6 FORT LAUDERD FL	12.70	
06/18	CKCD DEBIT 3064 06/17 00:00 BOOST MOBILE 888 266 7848 KS	50.00	
06/18	CKCD DEBIT 3064 06/14 00:00 TIFFANY PHOTOG FORT LAUDERD FL	63.60	
06/19	DEPOSIT		100.90
06/19	POS DEBIT 3064 06/19 12:04 EAST COMMERCIA OAKLAND PARK FL	23.02	
06/19	POS DEBIT 3064 06/19 12:33 USPS PO 11305 FORT LAUDERDA FL	41.00	

EXHIBIT 11 page 2 of 4

Centennial Bank

KYLE C GIBSON
 CAMPAIGN ACCOUNT
 PO BOX 590581
 FORT LAUDERDALE FL 33359

06/27/18

IMAGES 25
 CYCLE-029

Page 3 of 7

CHECKING ACCOUNT TRANSACTIONS

DATE	DESCRIPTION	DEBITS	CREDITS
06/20	Oppportunity 100 S/C	9.95	
06/20	POS DEBIT 3064 06/20 16:28 RACETRAC208 VENICE FL	32.77	
06/20	POS DEBIT 3064 06/20 14:27 NWS REAL BIKES VENI7 VENICE FL	62.58	
06/20	CKCD DEBIT 3064 06/19 00:00 FEDEXOFFICE 00 FORT LAUDERD FL	17.29	
06/21	DEPOSIT		201.80
06/22	AC-RALLY.ORG SV9T -8886482220		90.88
06/22	DEPOSIT		201.80
06/22	CKCD DEBIT 3064 06/21 00:00 MIAMI SUBS 6 FORT LAUDERD FL	10.58	
06/22	CKCD DEBIT 3064 06/22 00:00 MARRIOTT HRBR FORT LAUDERD FL	15.00	
06/22	CKCD DEBIT 3064 06/21 00:00 PK GRAPHICS 3055342184 FL	180.93	
06/25	POS DEBIT 3064 06/24 14:00 CIRCLE K 07568 LAKE ALFRED FL	26.02	
06/25	POS DEBIT 3064 06/23 6:56 SANSBURY MARA WEST PALM BEA FL	47.00	
06/25	CKCD DEBIT 3064 06/22 00:00 MIAMI SUBS 6 FORT LAUDERD FL	10.58	
06/25	CKCD DEBIT 3064 06/22 00:00 KFC G952012 ROYAL PALM B FL	13.78	
06/25	CKCD DEBIT 3064 06/22 00:00 POLLO TROPICAL FORT LAUDERD FL	22.23	
06/26	DEPOSIT		100.90
06/26	CKCD DEBIT 3064 06/24 00:00 HAMPTON INN BARTOW BARTOW FL	133.28	
06/27	DEPOSIT		25.00
06/27	DEPOSIT		40.36

BALANCE BY DATE

DATE	BALANCE	DATE	BALANCE	DATE	BALANCE	DATE	BALANCE
05/30	2,598.41	05/31	3,007.53	06/01	3,118.07	06/04	4,246.78
06/05	4,316.96	06/06	4,393.24	06/07	4,154.17	06/08	4,252.53
06/11	5,878.32	06/12	5,821.48	06/13	6,104.75	06/14	5,990.63
06/15	6,010.81	06/18	849.49	06/19	886.37	06/20	763.78
06/21	465.58	06/22	551.75	06/25	432.14	06/26	399.76
06/27	465.12						

 : : TOTAL FOR : TOTAL :
 : : THIS PERIOD : YEAR-TO-DATE :

EXHIBIT 11 page 3 of 4



KYLE C GIBSON
 CAMPAIGN ACCOUNT
 PO BOX 590581
 FORT LAUDERDALE FL 33359



*** CHECKING *** 0220 OPPORTUNITY 100
 ACCOUNT NUMBER [REDACTED]
 [REDACTED] OF 06/27/18 465.12
 PLUS 14 DEPOSITS AND OTHER CREDITS 1,687.25
 LESS 31 CHECKS AND OTHER DEBITS 2,152.37
 CURRENT STATEMENT BALANCE AS OF 07/30/1800
 NUMBER OF DAYS IN THIS STATEMENT PERIOD 33

CHECK TRANSACTIONS

SERIAL	DATE	AMOUNT	SERIAL	DATE	AMOUNT	SERIAL	DATE	AMOUNT
1134	06/28	325.00						

CHECKING ACCOUNT TRANSACTIONS

DATE	DESCRIPTION	DEBITS	CREDITS
06/28	AC-RALLY.ORG SV9T -8886482220		22.72
06/28	CKCD DEBIT 3064 06/27 00:00	13.07	
	MIAMI SUBS 6 FORT LAUDERD FL		
06/28	CKCD DEBIT 3064 06/27 00:00	13.60	
	MIAMI SUBS 6 FORT LAUDERD FL		
07/02	DEPOSIT		150.00
07/02	DEPOSIT		702.51
07/02	POS DEBIT 0577 07/02 16:58	19.08	
	NNT MINUTEMAN FORT LAUDERDA FL		
07/02	POS DEBIT 3064 07/01 15:53	40.00	
	PAYPAL EVERGLADESB SAN JOSE CA		
07/02	POS DEBIT 3064 07/02 16:21	60.00	
	KWICK DESIGN P OAKLAND PARK FL		
07/02	POS DEBIT 3064 07/02 16:21	95.00	
	KWICK DESIGN P OAKLAND PARK FL		
07/02	POS DEBIT 3064 07/02 11:54	155.00	
	KWICK DESIGN P OAKLAND PARK FL		
07/03	AC-RALLY.ORG SV9T -8886482220		18.29
07/03	DEPOSIT		100.00
07/03	POS DEBIT 0577 07/03 16:17	36.00	
	SHELL SERVICE PORT SAINT LU FL		
07/03	POS DEBIT 0577 07/03 13:43	145.00	
	KWICK DESIGN P OAKLAND PARK FL		
07/03	CKCD DEBIT 0577 07/02 00:00	9.85	
	MIAMI SUBS 6 FORT LAUDERD FL		
07/03	CKCD DEBIT 0577 07/03 00:00	125.00	
	SQ SQ COLLEGIATE C GOSQ COM FL		
07/05	POS DEBIT 0577 07/05 16:21	10.73	
	NNT TONIS SOUTH TALLAHASSEE FL		
07/05	CKCD DEBIT 0577 07/04 00:00	89.32	
	HILTON GARDEN I GAINESVILLE FL		

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 18-465**

Respondent: Kyle C. Gibson

Complainant: Division of Elections

1. **Date and time:** February 20, 2020 @ 8:40 a.m.
Name: Kyle C. Gibson
Phone #: (850) 322-8815
Summary: I called Respondent to review and explain investigation and Legal Sufficiency letter as well as to notify Respondent an affidavit was mailed to him on February 6, 2020. The phone number did not ring, and appears to have gone straight to voicemail without notifying who's voicemail it was. I was unable to confirm if my message to call me back was received.
Memo to File? No
Entered by: Brian Ayres
2. **Date and time:** February 20, 2020 @ 8:47 a.m.
Name: Kyle C. Gibson
Phone #: (850) 322-8815
Summary: I called Respondent a second time. The phone did ring, and a generic voicemail greeting was received. I left a general voicemail explaining my contact information and who I was attempting to reach.
Memo to File? No
Entered by: Brian Ayres
3. **Date and time:** February 26, 2020 @ 12:10 p.m.
Name: Kyle Gibson
Phone #: (850) 322-8815
Summary: I called Mr. Gibson to explain the progress on his cases. He did not answer. I left a voicemail with my contact information and requested him to call me at his earliest convenience.
Memo to File? No
Entered by: Brian Ayres
4. **Date and time:**
Name:
Phone #:
Summary:
Memo to File? No
Entered by:
5. **Date and time:**
Name:
Phone #:
Summary:



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; fec@myfloridalegal.com

April 16, 2019

Kyle C. Gibson
837 NW 1st Ave
Fort Lauderdale, FL 33311

RE: Case No.: FEC 18-465; Respondent: Kyle C. Gibson

Dear Mr. Gibson:

On December 12, 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, a 2018 candidate for the office of Governor, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the following reporting period:

- 2018 P1A

Section 106.19(1)(c), Florida Statutes: As alleged in the complaint, Respondent, a 2018 candidate for the office of Governor, may have falsely reported or deliberately failed to include information required by Chapter 106, Florida Statutes, during the following reporting period:

- 2018 P1A

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

Kyle C. Gibson
April 16, 2019
Page 2
FEC 18-465

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).

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

Sincerely,

Tim Vaccaro
Executive Director

TV/med

REC'D: FL ELECTIONS COM
12 DEC 18 PM 2:50

**DIVISION OF ELECTIONS
FEC NOTICE FORM**

To FEC from Division of Elections

Name: Kyle Gibson
Account Number: 64360
Treasurer: Kyle C. Gibson

The Division of Elections hereby provides this notice to the Florida Elections Commission pursuant to Sections 106.07(8)(d), 106.22(7) and 106.25, Florida Statutes. An apparent violation of Chapter 106, F.S., has occurred based upon the candidate's alleged failure to file a report after notice as required by section 106.07(8)(d), Florida Statutes, or failure to notify the filing officer on the prescribed reporting date that no report was to be filed as required by Section 106.07(7), Florida Statutes.

The following report or notice is outstanding after notification:

2018 P1A

Sent By: Kristi Reid Willis
Date: December 11, 2018

zjs

AFFIDAVIT

STATE OF FLORIDA

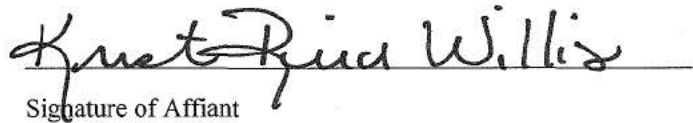
County of Leon

Kristi Reid Willis, being duly sworn, says:

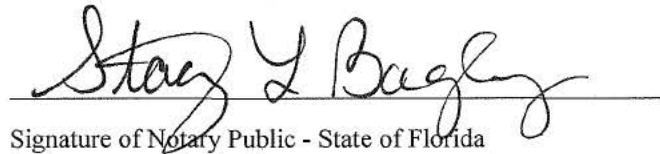
1. I am the Chief of the Bureau of Election Records of the Division of Elections (Division). In that capacity, I oversee the Division's duties related to the filing of campaign finance reports.
2. This affidavit is made upon my personal knowledge, including information obtained from review of the attached records, of which I am the custodian.
3. I am of legal age and competent to testify to the matters stated herein.
4. Kyle Gibson (64360) was a 2018 candidate for the office of Governor.
5. On September 25, 2014, Mr. Gibson filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division.
6. The 2018 P1A campaign treasurer's report was due on July 6, 2018. On July 10, 2018, the Division mailed Mr. Gibson notification that the 2018 P1A treasurer's report had not been filed.
7. On July 26, 2018, the Division mailed Mr. Gibson notification that the 2018 P1A treasurer's report had not been filed.
8. On September 21, 2018, the Division mailed Mr. Gibson final notification with delivery confirmation that the 2018 P1A treasurer's report had not been filed. (See attached letter and delivery confirmation.)
9. Mr. Gibson did not notify the Division of Elections prior to or on the prescribed reporting date for the 2018 P1A report that no report was to be filed.

10. As of December 11, 2018, Mr. Gibson has not filed the 2018 P1A report.

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


Signature of Affiant

Sworn to (or affirmed) and subscribed before me this **11th** day
of **December, 2018**.


Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known





FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

Final Notice
Delivery Confirmation:

USPS TRACKING # 9114 9999 4431 4600 8193 73
& CUSTOMER RECEIPT For Tracking or Inquiries go to USPS.com
or call 1-800-222-1811.

September 21, 2018

Kyle "KC" Gibson
Candidate for Governor
1418 Northeast 57th Court
Fort Lauderdale, FL 33359-0581

CAN 64360

Dear Mr. Gibson:

A recent review of the Division's records show that the Division has not yet received the below-referenced campaign treasurer's report or the required notification that no reportable activity occurred, whichever is applicable, during the following cover period:

<u>Year</u>	<u>Report</u>	<u>Cover Period</u>
2018	PIA	6/23/18 - 6/29/18

The Division has previously notified you of the unfiled report or notification. Please file your report or notification. If the report is not filed within 7 days of receipt of this letter, the Division will refer this matter to the Florida Elections Commission, which may impose civil penalties of up to \$1000 per violation, apart from that automatic fine provisions of s. 106.07(8)(b), Fla. Stat.) that are applicable only to campaign finance reports.

As we stated in the prior notices, even if you now file the report or notification, the 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 help desk at (850) 245-6280.

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

USPS Tracking® FAQs > (<https://www.usps.com/faqs/uspstracking-faqs.htm>)

Track Another Package +

Tracking Number: 9114999944314600819373

Remove X

Your item was delivered in or at the mailbox at 2:16 pm on October 11, 2018 in FORT LAUDERDALE, FL 33311.

Delivered

October 11, 2018 at 2:16 pm
Delivered, In/At Mailbox
FORT LAUDERDALE, FL 33311

Feedback

Tracking History



Product Information



See Less ^

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs (<https://www.usps.com/faqs/uspstracking-faqs.htm>)