#### STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re: Community 4 Change Case No.: FEC 22-270

TO: Darryl Holsendolph, Chair 1176 NW 163rd Drive Miami Gardens, FL 33169

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

#### **NOTICE OF HEARING (CONSENT ORDER (PUBLIC))**

A hearing will be held in this case before the Florida Elections Commission on, **August 15, 2023 at 8:30 a.m.,** or as soon thereafter as the parties can be heard, at the following location: **Virtual Meeting via GoTo Webinar:** 

WEB PARTICIPATION: <a href="https://attendee.gotowebinar.com/register/4391393799096818270">https://attendee.gotowebinar.com/register/4391393799096818270</a>
AUDIO PARTICIPATION: 1 877 309 2074 ATTENDEE ACCESS CODE: 424-284-031

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 August 1, 2023 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,

V.

Agency Case No.: FEC 22-270

F.O. No.: FOFEC <#>

Community 4 Change, Respondent.

#### CONSENT FINAL ORDER

Respondent, Community 4 Change, and the Florida Elections Commission (Commission) agree that this Consent Order resolves all of the issues between the parties in this case. The parties jointly stipulate to the following facts, conclusions of law, and order.

#### FINDINGS OF FACT

- 1. On August 29, 2022, a complaint was filed with the Commission alleging that Respondent violated Florida's election laws.
- 2. On June 5, 2023, the Commission entered an Order of Probable Cause finding there was probable cause to charge the Respondent with three counts of violating Section 106.07(7), Florida Statutes.
- 3. Respondent has expressed a desire to enter into negotiations directed toward reaching a consent agreement.
  - 4. Respondent and staff stipulate to the following facts:
    - a. Respondent was a political committee formerly registered with the Division of Elections.
      - b. Respondent failed to notify the filing officer in writing on the

Post PC CO FEC Case # 22-270

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prescribed reporting date that it would not be filing the committee's 2022 P2A, 2022 P3, and 2022 P5 reports.

#### CONCLUSIONS OF LAW

- 5. The Commission has jurisdiction over the parties to and subject matter of this cause, pursuant to Section 106.26, Florida Statutes.
- 6. The Commission staff and the Respondent stipulate that staff can prove the facts in paragraph four above by clear and convincing evidence and to the Commission's ability to impose a civil penalty in this case.

#### **ORDER**

- 7. The Respondent and the staff of the Commission have entered into this Consent Order freely and voluntarily.
- 8. The Respondent shall bear its own attorney's fees and costs that are in any way associated with this case.
  - 9. The Commission will consider this Consent Order at its next available meeting.
- 10. Respondent voluntarily waives the right to any further proceedings under Chapters 104, 106, and 120, Florida Statutes, and the right to appeal this Consent Order.
- 11. This Consent Order is enforceable under Sections 106.265 and 120.69, Florida Statutes. Respondent expressly waives any venue privileges and agrees that if enforcement of this Consent Order is necessary, venue shall be in Leon County, Florida, and Respondent shall pay all fees and costs associated with enforcement.
- 12. Payment of the civil penalty by cashier's check, or money order, good for at least 120 days, or attorney trust account check, is a condition precedent to the Commission's consideration of this Consent Order.

**PENALTY** 

WHEREFORE, based upon the foregoing facts and conclusions of law, the Commission

finds that the Respondent violated Section 106.07(7), Florida Statutes, on three occasions, and

imposes a civil penalty in the amount of \$150.

Therefore, it is

ORDERED that the Respondent shall remit to the Commission a civil penalty in the

amount of \$150, inclusive of fees and costs. The civil penalty shall be paid cashier's check or

money order, good for at least 120 days, or attorney trust account check. The civil penalty shall

be payable to the Florida Elections Commission and sent to 107 West Gaines Street, Collins

Building, Suite 224, Tallahassee, Florida, 32399-1050.

Respondent hereby agrees and consents to the terms of this Consent Order on

June 26, 2023

Darryl Holsendolph, Former Chair

Community 4 Change 1176 NW 163<sup>rd</sup> Drive

Miami Gardens, FL 33169

THIS SPACE INTENTIONALLY LEFT BLANK

Post PC CO FEC Case # 22-270

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Commission staff hereby agrees and consents to the terms of this Consent Order on July 21, 2023.

Stephanie J. Cunningham

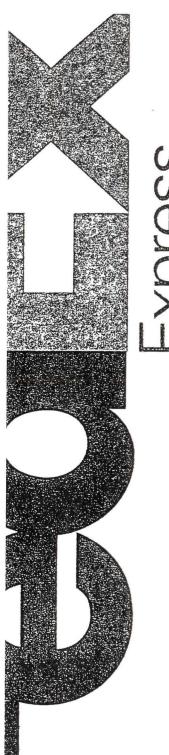
Stephanie J. Cunningham
General Counsel
Florida Elections Commission
107 West Gaines Street
The Collins Building, Suite 224
Tallahassee, FL 32399-1050

Approved by the Florida Elections Commission at its regularly scheduled meeting held

on \_\_\_\_\_, in Tallahassee, Florida.

Tim Vaccaro, J.D., Executive Director *For* Joni Alexis Poitier, Vice Chair Florida Elections Commission

Copies furnished to: Stephanie J. Cunningham, General Counsel Community 4 Change, Respondent Division of Elections, Complainant



RECEIVED HIN 29 2023

Sender-Holsen Inc Remiffer Stephanie Canningham purpos e Case # FEC-22-270

ORIGIN ID:TMBA (305) 769-2459 CUSTOMER SERVICE HOLSEN INC 1176 NORTHWEST 163RD DRIVE

SHIP DATE: 27JUN23 ACTWGT: 1.00 LB CAD: 2976785/INET4610

MIAMI, FL 33169 UNITED STATES US

BILL SENDER

TO STEPHANIE CUNNINGHAM FLORIDA ELECTIONS COMMISSION 107 WEST GAINES STREET #224 THE COLLINS BUILDING TALLAHASSEE FL 32399

REF PENALTY PAYMENT

Fedex.

WED - 28 JUN 4:30P STANDARD OVERNIGHT

7725 6992 5621

XH TLHA

32399 TLH



THIS DOCUMENT CONTAINS A TRUE WATERMARK - HOLD UP TO LIGHT TO VIEW WesternUnion WU

WESTERN UNION FINANCIAL SERVICES INC. - ISSUER - Denver, Colorado Payable at Wells Fargo Bank Grand Junction - Downtown, N.A., Grand Junction, Colorado

MONEY ORDER

324980 D 062623 L 000368

\$150.00

PAY EXACTLY, ONE HUNDRED FIFTY DOLLARS AND NO CENTS

PAY TO THE ORDER OF

HAS 1176 NOW F16310 Da Miruni 33169

NOTICE Do not cash this Money Order for any person from whom you are not able to recover your payment. Should this item bear any unauthorized signature, be stolen, improperly completed, or altered, issuer will either stop payment hereon or charge back against any endorsement. For customer service, call 1-800-999-9660. . Intended for domestic use only. Western Union Money Order and Design is a service mark of Western Union Holdings, Inc. C & LEHWINW TO WOILLAND

Warning - do not cash check without noting true watermark. Hold up to light to verify presence of watermark POSIT ONLY "

WELLS FARGO BANK, N.A.

STATE OF ENGREPH OF THE FINANCIAL SERVICES LOCATION #4100601 LEGAL AFFAIRS - FINANCE & ACCTG.

SERVICE CHARGE

If this Money Order is not used or cashed (presented for payment) within 1 year (3 years for CA) of the purchase date, there will be a non-refundable Service Charge applied (where permitted by law). The Service Charge will be deducted from the amount shown on the Money Order. Subject to applicable law, the Service Charge is \$1.50 per month (exceptions - CT & PR: \$0; CA \$0.25; MD \$0.40; MN \$12 annually; NJ \$2; & TX \$1) applied from the purchase date (from 13th month for NJ), not to exceed \$126 or the maximum permitted by law.

#### STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

**Case No.: FEC 22-270** 

Florida Elections Commission, Petitioner,

v.
Community 4 Change,
Respondent.

#### **ORDER OF PROBABLE CAUSE**

**THIS MATTER** was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on May 16, 2023, in Tallahassee, Florida.

On January 6, 2023, Staff recommended to the Commission that there was probable cause to believe that the Florida Election Code was violated. The facts articulated in Staff's Recommendation are adopted by reference and incorporated herein. Based on the Complaint, Report of Investigation, Staff's Recommendation, and oral statements (if any) made at the probable cause hearing, the Commission finds that there is **probable cause** to charge Respondent with the following violation(s):

#### Count 1:

On or about July 15, 2022, Community 4 Change violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P2A Report.

#### Count 2:

On or about July 22, 2022, Community 4 Change violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P3 Report.

#### Count 3:

On or about August 5, 2022, Community 4 Change violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P5 Report.

**DONE AND ORDERED** by the Florida Elections Commission on May 16, 2023.

Tim Vaccaro, J.D., Executive Director For Joni Alexis Poitier, Vice Chair Florida Elections Commission

Copies furnished to: Stephanie J. Cunningham, General Counsel Community 4 Change, 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 <u>consent order</u> 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 <u>informal hearing</u> held before the Commission, if you <u>do not</u> 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 <u>formal hearing</u> 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	Community 4 Change	Case No	: FEC 22-270	
		/		
TO:	Darryl Holsendolph, Chair	Division	of Elections	
	1176 NW 163rd Drive	500 Sour	th Bronough Street, Room 316	

Miami Gardens, FL 33169 Tallahassee, FL 32399

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

A hearing will be held in this case before the Florida Elections Commission on, May 16, 2023 at 8:30, or as soon thereafter as the parties can be heard, at the following location: Join Zoom Meeting:

https://us06web.zoom.us/meeting/register/tZMpdumuqTsqGt1MNuvpOBOl5XPapAI 9zfC

 Audio Participation:
 Meeting ID:
 Passcode:

 Dial: 1 301 715 8592
 874 1067 0009
 772737

After registering, you will receive a confirmation email containing information about joining the meeting.

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 May 2, 2023 Please refer to the information below for further instructions related to your particular hearing:

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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.

#### STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re: Community 4 Change		<b>Case No.: FEC 22-270</b>
	1	

#### STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the referral in this case recommending that there is **probable cause** to charge Respondent with violating **Section 106.07(7)**, **Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on December 8, 2022, the following facts and law support this staff recommendation:

- 1. On August 29, 2022, the Florida Elections Commission ("Commission") received a referral from the Department of State, Division of Elections ("Division"), alleging that Community 4 Change ("Respondent") violated Chapter 106, Florida Statutes.
- 2. Respondent was a political committee formerly registered with the Division. The Division received Respondent's request to disband the committee on September 16, 2022. (ROI Exhibits 1 & 4)<sup>1</sup>
- 3. By letter dated October 4, 2022, the Executive Director notified Respondent that Commission staff would investigate the following statutory provision:

**Section 106.07(7), Florida Statutes**: As alleged in the complaint, Respondent, a political committee registered with the Division of Elections, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the following reporting periods:

- 2022 P2A
- 2022 P3
- 2022 P5
- 4. By letter dated July 7, 2022, Donna S. Brown, Chief, Bureau of Election Records, sent Respondent a letter acknowledging that the Division had received its Statement of Organization and Appointment of Campaign Treasurer and Designation of Campaign Depository for Political Committees forms. (ROI Exhibit 5, page 1)
- 5. The acknowledgment letter advised Respondent that all of the Division's publications and reporting forms were available on its website and directed Respondent to print out the *Calendar of Reporting Dates* as well as other relevant documents. (ROI Exhibit 5, page 2)

<sup>&</sup>lt;sup>1</sup> The Report of Investigation is referred to herein as "ROI."

- 6. Pursuant to Section 106.07(7), Florida Statutes, in any reporting period during which a 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 political committee is required to notify the filing officer in writing on the prescribed reporting date that no report is being filed on that date.
- 7. The *Political Committee Handbook* references the statutory requirement regarding written notification and directs political committees to notify the Division by way of the Division's electronic filing system. (ROI Exhibit 6, page 2) The *Political Committee EFS User's Guide* shows the process through which to notify the Division. The user's guide instructs political committees to select the relevant reporting period and place a checkmark in a box titled "Waiver" to indicate the lack of reportable financial activity. (ROI Exhibit 7, pages 2-3)
- 8. Respondent failed to notify the filing officer on the prescribed reporting dates that no reports would be filed for the following reporting periods, as set forth in the table below. (ROI Exhibit 8)

Report	Report Cover Period	Date Notification Due	Date Notification Filed	No. of Days Late
2022 P2A	07/02/22 - 07/08/22	07/15/22	08/04/22	20
2022 P3	07/09/22 - 07/15/22	07/22/22	08/04/22	13
2022 P5	07/23/22 - 07/29/22	08/05/22	08/08/22	3

- 9. Darryl Holsendolph, chairperson for Respondent, stated that he registered the committee with the Division and the Miami-Dade County Supervisor of Elections simultaneously. Mr. Holsendolph stated that he was unaware that the Division had opened the committee, as there was confusion with the application, but that both committees were now closed. (ROI Exhibit 9, page 1)
- 10. The Miami-Dade County Supervisor of Elections' website shows that "Miami-Dade Community 4 Change" is registered as an active electioneering communications organization and includes the same members associated with the political committee. (Attachment A) The Division's website shows that despite filing its Statement of Organization and Appointment of Campaign Treasurer and Designation of Campaign Depository for Political Committees forms on June 6, 2022, the committee was not registered until July 7, 2022, once the Registered Agent Statement of Appointment form was received by the Division. (Attachment B)
- 11. On July 7, 2022, the Division notified Respondent that it was registered as an active political committee. (ROI Exhibit 5, page 1) Thereafter, Respondent was required to report contributions received and expenditures made and notify the Division of no activity in accordance with Section 106.07, Florida Statutes. See §§106.07(1), (7), Fla. Stat.

- 12. "Probable Cause" is defined as reasonable grounds of suspicion supported by circumstances sufficiently strong to warrant a cautious person in the belief that the person has committed the offense charged. *Schmitt v. State*, 590 So. 2d 404, 409 (Fla. 1991). Probable cause exists where the facts and circumstances, of which an [investigator] has reasonably trustworthy information, are sufficient in themselves for a reasonable man to reach the conclusion that an offense has been committed. *Department of Highway Safety and Motor Vehicles v. Favino*, 667 So. 2d 305, 309 (Fla. 1st DCA 1995).
- 13. The facts set forth above show that Respondent was a political committee formerly registered with the Division. Respondent failed to notify the filing officer on the prescribed reporting dates that no reports would be filed for the following reporting periods: 2022 P2A, 2022 P3, and 2022 P5.

Based upon these facts and circumstances, I recommend that the Commission find probable cause to charge Respondent with violating the following:

#### Count 1:

On or about July 15, 2022, Community 4 Change violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P2A Report.

#### Count 2:

On or about July 22, 2022, Community 4 Change violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P3 Report.

#### Count 3:

On or about August 5, 2022, Community 4 Change violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P5 Report.

Respectfully submitted on January 6, 2023.

Stephanle J. Cunningham

General Counsel

I reviewed this Staff Recommendation this \_\_\_\_\_\_ day of January 2023.

Tim Vaccaro

**Executive Director** 



### Reporting Group (Election/Committees)

### All Committees (1/1/2006)

#### **Current reporting group (Election/Committees):**

All Committees (1/1/2006) Go

(You can select another available reporting group from the above list.)

This web site lists candidates for county and local offices and committees/PACs.

Candidates for federal, state and multi-county offices are reported on the Division of Elections of the Department of State Website.

## Information contained within the reports has been generated by and is the sole responsibility of the reporting entity

NOTE: Each financial reporter row below can be "clicked" to see more details.

#### Committees

#### **Electioneering Comm Org**

Citizens for Justice (ECO)	(Active)	Contributions In-Kind Expenditures	\$108,050.00 \$0.00 \$97,733.70
Improve Miami	(Active)	Contributions In-Kind Expenditures	\$827,700.00 \$0.00 \$823,954.06
Integrity in Government ECO	(Active)	Contributions In-Kind Expenditures	\$36,200.00 \$0.00 \$36,036.96
Miami First	(Active)	Contributions In-Kind Expenditures	\$1,882,800.00 \$1,450.00 \$502,505.34
Miami-Dade Community 4 Change	(Active)	Contributions In-Kind Expenditures	\$16,500.00 \$0.00 \$16,500.00
People For Truth & Integrity	(Active)	Contributions In-Kind Expenditures	\$353,877.04 \$0.00 \$350,511.17

Independent Expenditure Organization

# ELECTIONEERING COMMUNICATIONS ORGANIZATION

# 2022 JUN 23 PM 1:57 PMAGE BADE COUNTY ELECTIONS DE PERTMERT

RECEIVED

#### STATEMENT OF ORGANIZATION

(PLEASE TYPE)

						OFFICE USE ONLY
1. Full Name of Organization MIAMI-DADE COMMUNITY 4 CHANGE					Telephone 954-441-6000	
Mailing Address (include city, s	Mailing Address (include city, state and zip code) 1176 NW 163rd Drive, Miami Gardens, FL 33169					
Street Address (include city, state	and zip o		63rc	l Drive, Mi	ami G	ardens, FL 33169
2. Affiliated or Connected Org	anizati	ons				
Name of Affiliated or Connected Organization		Mailing	Addre	ss		Relationship
NONE						
3. Area, Scope and Jurisdiction		_	nulti d	listrict, coun	tywide	and municipal elections
4. Identify by Name, Address	& Posit	tion, the Custodian	of Bo	oks & Accou	nts for	the Organization
Full Name	M	ailing Address		Street Addres	s	Title or Position
Willanda Holsendolph	Miam	NW 163rd Drive i Gardens, a 33169	Mian	NW 163rd ni Gardens, da 33169	Drive	Treasurer
5. This Organization was formed (check applicable box): (Calendar quarters end the last day of March, June, September, and December.)  As a newly created organization during the current calendar quarter.  From an organization existing prior to the current calendar quarter.						

6. List By Name, Mailing and Street Address, & Position, Other Principal Officers, including the treasurer and deputy treasurer, if any. Include the top-ranking officer's (e.g., chairperson) name and information.						
Full Name	Mailing Address		et Address	itle or Position		
Darryl Holsendolph	1176 NW 163rd Drive Miami Gardens, Florida	33169	1176 NW 163 Miami Garder Florida 33169	ıs,	Chairman	
Willanda Holsendolph	1176 NW 163rd Drive Miami Gardens, FL 331	169	1176 NW 163 Miami Garder 33169		2022 JUN I	
7. In the Event of Dissolution	n, What Disposition will be	Made of ti	ne Residual Fun	ds?	17777	-
Return to contributors pro-rata or donate to an IRC 527 or 501(c) organization.						
8. List All Banks, Safety Dep Communications	osit Boxes, or Other Depos	sitories Us	sed by this Orga	nization f	or Electioneering	
Name of Bank	or Depository	Mailing Address				
Wells Fargo Bank		18499 Miramar Parkway Miramar, Florida 33029				
9. List All Reports Required & Positions of Such Office		ation with	Federal Official	s, & the N	lames, Addresses	3,
Report Title	Dates Required to be Filed	Name 8	Reposition of Officia	ı	Mailing Address	
Form SS-4	Upon formation	Internal Service	Revenue	Cinc	innati, OH	
Form 8871	Upon formation	Internal Service	Revenue	Ogd	en, UT	
<sub>STATE OF</sub> Florida			Miami-Da	ide	COUNTY	
, Darryl Holsendo	olph	, (	certify that the info	ormation i	n this Statement of	
Organization is complete, true	e, and correct.					
x All			06/23/2	22		_
Signature of Top-ranking Principal Officer of Organization Date						

## REGISTERED AGENT STATEMENT OF APPOINTMENT

(Section 106.022, F.S.)

OFFICE USE ONLY

2022 JUN 23 PM 1:57

(		LOLL C	on Lo III 1. 01
		FI SOT	A-DAGE COUNTY CNS DEPARTMENT
✓ Original Appointment		ELEGI	CAS B. JEKI LICKI
Change of Mailing Address Change of Physic	al Address		
Registered Ag	ent and C	Office Information	n
Name Darryl Holsendolph			Telephone 954-441-6000
Street Address 1176 NW 163rd Drive			
<sup>City</sup> Miami Gardens	State Florida		Zip Code 33169
Mailing Address 1176 NW 163rd Drive			
City Miami Gardens	State Florida		Zip Code 33169
I accept this appointment and confirm that I am forth in Section 106.022, F.S. I also understan statement of resignation and filing it with the application.	d that I may	y resign this appoin officer.	tment by executing a written
1/4/		6/2	3/22
Signature of Registered Agent		Date	
Former Registered Agent a	ınd Office	Information (fo	
Name N/A			Telephone
Street Address			
City	State		Zip Code
Committee or	Organiza	ation Informatio	n
Name of Committee or Organization			
Miami-Dade Community 4 Change			
Street Address 1176 NW 163rd Drive			Telephone 954-441-6000
City Miami Gardens	State Florida		Zip Code 33169
And the			
Signature of Chairperson			
Darryl Holsendolph		06/23/2	22
Printed Name of Chairperson		Date	



# Access to Handbook and the Election Laws of the State of Florida

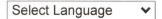
0			
Candidate/Chairperson:		Halcondolph	
Darryl		Holsendolph	
First Name	Middle Name	Last Name	
Miami - Dade Comm	nunity 4 Change		
	Office Sought / Organization		
I acknowledge that it is m requirements described in t County Elections Department	the following resources	-	
Contains information on St Florida, County Laws and	ov/global/elections/candidate tate Laws and Handbooks, the	e Election Laws of the State of nation, Electronic Reporting Dates	5
Contains information on St Florida, County Laws and	ov/global/elections/political-co	e Election Laws of the State of ting Dates and Procedures,	
Acknowledged by:	Candidate / Chairpersor	n Signature	
Date: 06/23/22	,	2022 LEC	
Primary Telephone Number	786-402-1288	JUN 23	
Alternate Telephone Numbe	305-769-2459	PH 1: 57	
E-mail address: darryl@	holseninc.com	7	

### **Campaign Treasurer's Report** Miami-Dade County Electronic Filing Requirement COUNTY



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	mi-Dad mi	mi-Dade Counties were recent of the Code of the Code of the Code of the Circuit Counties for Political and/or 5016 of the Candidate of the Can

This form must be filed with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository form is filed.



Powered by Google Translate

# Committee: Miami-Dade Community 4 Change

☐ Show	w only financ	cial reports (Hides bio)	
<u>Availab</u>	le reports		
22P2	7/8/2022		
22P3	7/22/2022		
22P4	7/29/2022		
22P5	8/5/2022		
22P6	8/12/2022		
22P7	8/19/2022		
22G1	9/9/2022		
22G2	9/23/2022		

The f	ollowing	financial	reports	are	available:
-------	----------	-----------	---------	-----	------------

Report View Transactions	Monetary Contributions	In-Kind Contributions	Expenditures and Distributions	
22P2 (6/18/2022 - 7/1/2022)	\$0.00	\$0.00	\$0.00	
22P3 (7/2/2022 - 7/15/2022)	\$0.00	\$0.00	\$0.00	
22P4 (7/16/2022 - 7/22/2022)	\$15,000.00	\$0.00	\$0.00	
22P5 (7/23/2022 - 7/29/2022)	\$0.00	\$0.00	\$10,000.00	
22P6 (7/30/2022 - 8/5/2022)	\$0.00	\$0.00	\$0.00	
22P7 (8/6/2022 - 8/18/2022)	\$1,500.00	\$0.00	\$3,000.00	
22G1 (8/19/2022 - 9/2/2022)	\$0.00	\$0.00	\$2,973.50	
22G2 (9/3/2022 - 9/16/2022)	\$0.00	\$0.00	\$526.50	
A 11	I ( A			

Attachment A

Candidate qualifying forms and miscellaneous documents Filing\_Documents\_-\_06-23-2022

### Campaign Documents Search

Forms are available in Adobe's Acrobat PDF format for viewing or printing at your site. Accessing documents in PDF format requires use of <u>Adobe's Acrobat Reader</u>, which may be installed free of charge.

Account Num					
Account Name					
Account Type	all 🗸				
Form Desc			~		
Election Id	all		~		
Office Desc			~		
Submit	Clear				
Name	Туре	Received	Description	Select	
Community 4 Change	PAC	10/28/22	Response to Audit Letter	PDF	
Community 4 Change	PAC	10/24/22	Late Report Letter	PDF	
Community 4 Change	PAC	10/24/22	Late Report Letter	PDF	
Community 4 Change	PAC	10/24/22	Fail to File Final Notice	PDF	
Community 4 Change	PAC	10/11/22	Audit Letter	PDF	
Community 4 Change	PAC	10/11/22	Audit Final Notice	PDF	
Community 4 Change	PAC	10/05/22	Fine Letter	PDF	
Community 4 Change	PAC	09/28/22	Audit Letter	PDF	
Community 4 Change	PAC	09/27/22	Audit Letter	PDF	
Community 4 Change	PAC	09/26/22	Fail to File Letter	PDF	
Community 4 Change	PAC	09/19/22	Fail to File Letter	PDF	
Community 4 Change	PAC	09/19/22	Response to Disbandment Letter	PDF	
Community 4 Change	PAC	09/16/22	Disbandment Letter	PDF	
Community 4 Change	PAC	09/16/22	Fine Appeal Letter	PDF	
Community 4 Change	PAC	09/12/22	Fail to File Letter	PDF	
Community 4 Change	PAC	09/08/22	Fail to File Letter	PDF	
Community 4 Change	PAC	09/08/22	Fine Letter	PDF	
Community 4 Change	PAC	09/08/22	Fine Letter	PDF	
Community 4 Change	PAC	08/29/22	Fail to File Letter	PDF	
Community 4 Change	PAC	08/26/22	Late Report Letter	PDF	
Community 4 Change	PAC	08/26/22	Late Report Letter	PDF	
Community 4 Change	PAC	08/22/22	Audit Letter	PDF	
Community 4 Change	PAC	08/15/22	Fail to File Letter	PDF	
Community 4 Change	PAC	08/09/22	Late Report Letter	PDF	
Community 4 Change	PAC	08/09/22	Late Report Letter	PDF	
Community 4 Change	PAC	08/01/22	Fail to File Letter	PDF	
Community 4 Change	PAC	07/26/22	Fail to File Letter	PDF	
Community 4 Change	PAC	07/19/22	Fail to File Letter	PDF	
Community 4 Change	PAC	07/19/22	Fail to File Letter	PDF	
Community 4 Change	PAC	07/07/22	Acknowledgment Letter	PDF	
Community 4 Change	PAC	07/01/22	Registered Agent Appointment Attachment B	PDF	

Community 4 Change	PAC	06/06/22	PAC Statement of Organization	PDF
Community 4 Change	PAC	06/06/22	PAC Appt of Campaign Treasurer	PDF

	,		77	21710	2022	70
REGISTERED AGENT STATEMENT OF APPOINTMENT (Section 106.022, F.S.)		OFFICE USE ONLY AHASSEE, F				
Original Appointment Change of Appoin	ntment		1-	SNOI	5	
Change of Mailing Address Change of Physic	al Address					
Registered Ag	ent and C	Office Information	on			
Name Darryl Holsendolph Street Address			Telephone 954-441-6000			
1176 NW 163rd Drive			,			
City Miami Gardens	State Florida		Zip Code 33169			
Mailing Address 1176 NW 163rd Drive						
City Miami Gardens	State Florida		Zip Code 33169			
forth in Section 106.022, F.S. I also understand statement of resignation and filing it with the apple Signature of Registered Agent		officer.	ntment by executing	a w	ritten	
Former Registered Agent a	nd Office	Information (fo	r changes only)			
Name N/A			Telephone			Ì
Street Address						
City	State		Zip Code			
Committee or Organization Information						
Name of Committee or Organization						
Community 4 Change			r			
Street Address 1176 NW 163rd Drive			Telephone 954-441-6000			
City Miami Gardens	State Florida		Zip Code 33169			
Signature of Chairperson  Darryl Holsendolph		June 3	0, 2022			
Printed Name of Chairperson		Date				

Form DS-DE 41 (revised 6/11)

#### FLORIDA ELECTIONS COMMISSION

#### Report of Investigation for Failure to Notify Filing Officer

Case Number: FEC 22-270

Section 106.07(7), Florida Statutes, failure of a candidate or political committee that did not receive any contributions or make any expenditures during a reporting period to timely notify the filing officer, in writing, that no report is being filed.

**Respondent:** Community 4 Change

Respondent's Atty: None

**Division of Elections (Division) Referral Filed:** August 29, 2022

**Respondent Type:** Political Committee

#### I. Preliminary Information:

- 1. Respondent was a political committee formerly registered with the Division. To review the disbandment letter and the Division's acknowledgement letter for the disbandment, refer to Exhibits 1 and 2, respectively.
- 2. An Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 6) was filed on June 6, 2022. Willanda Holsendolph was appointed as campaign treasurer. To review the DS-DE 6, refer to Exhibit 3.
- 3. A Statement of Organization (DS-DE 5) for the political committee was filed with the Division on June 6, 2022. To review the Statement of Organization, refer to Exhibit 4.
- 4. An acknowledgement letter was mailed to the address provided on the DS-DE 6 on July 7, 2022 advising Respondent that all political committees filing reports with the Division are required to file by means of the Division's electronic filing system (EFS). Respondent was provided with a user identification number and initial password allowing access to the EFS.
- 5. The acknowledgement letter also advised Respondent that all the Division's publications and reporting forms are available on their website, including Chapter 106, Florida Statutes, the *Political Committee Handbook*, and the *Calendar of Reporting Dates*. The letter further advised that it was Respondent's responsibility to read, understand, and follow the requirements of Florida's election laws. To review the acknowledgement letter, refer to Exhibit 5.
- 6. The *Political Committee Handbook* discusses filing a waiver when there is no activity to disclose. To review the relevant page of the *Handbook*, refer to Exhibit 6.
- 7. The *Political Committee EFS User's Guide* discusses how to notify the Division on the prescribed reporting date that no report will be filed using the EFS. Specifically, the *Handbook* instructs the user to click the box next to "waiver" if there is no activity to disclose. To review the relevant pages from the *Political Committee EFS User's Guide*, refer to Exhibit 7.

#### THIS SPACE INTENTIONALLY LEFT BLANK

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

8. I investigated whether Respondent violated this section of the election laws by not timely notifying the filing officer, in writing, that no report(s) would be filed due to not receiving any contributions or making expenditures during the following reporting period(s). To review Respondent's filing history reflecting the untimely filed notifications summarized below, refer to Exhibit 8.

Report	Report Cover Period	Date Notification Due	Date Notification Filed	No. of Days Late
2022 P2A	07/02/22 - 07/08/22	07/15/22	08/04/22	20
2022 P3	07/09/22 - 07/15/22	07/22/22	08/04/22	13
2022 P5	07/23/22 - 07/29/22	08/05/22	08/08/22	3

9. Respondent did not respond to the referral.

10. On December 6, 2022, I called Respondent's Chairman, Darryl Holsendolph, for the purpose of providing an opportunity to discuss the allegations made in the referral. Mr. Holsendolph stated that he submitted applications with Miami-Dade Elections and the Division of Elections at the same time to register the Respondent as a political committee. He added there was so much confusion with the applications, and he asserted that he was unaware the Division had opened Respondent as a political committee. When asked if he had reviewed Chapter 106, Florida Statutes, and the *Political Committee Handbook*, Mr. Holsendolph stated that he reviewed requirements and documents for the Miami-Dade Elections Department rather than the Division since they were more responsive than the Division.<sup>1</sup> To review the phone log, refer to Exhibit 9.

SIGNATURE OF INVESTIGATOR: Helen Hinson Date: December 8, 2022.

<sup>&</sup>lt;sup>1</sup> The Miami-Dade Elections Department's website does not list Respondent as an active or inactive political committee. Additionally, Respondent's filing history indicates that campaign treasurer reports and waivers of reports were filed with the Division on and after August 4, 2022. To review the filing history, refer to Exhibit 8.

### FLORIDA ELECTIONS COMMISSION

### REPORT OF INVESTIGATION

Community 4 Change -- FEC 22-270

LIST OF EXHIBITS			
Exhibits #s	hibits #s Description of Exhibits		
Exhibit 1	Disbandment Letter		
Exhibit 2	Divisions Acknowledgement of Disbandment		
Exhibit 3	DS-DE 6		
Exhibit 4	DS-DE 5		
Exhibit 5	Divisions Acknowledgement Letter		
Exhibit 6	Relevant page of the Political Committee Handbook		
Exhibit 7	Relevant pages of the EFS User's Guide		
Exhibit 8	Filing History		
Exhibit 9	Phone Log		

09/13/2022

RECEIVED
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2022 SEP 16 AM 10: 35

DIVISION OF ELECTIONS
TALLAHASSEE. FL

Florida Dept of State
The R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Fl 32399-0250

RE: PAC 83426

We are writing to request the closure of the PAC. According to the system I thought it was like the Miami Dade site where you check the button to do the final report. I call in an was informed that I need to send a letter to officially close the account. Please let me know if I need to do anything else.

Thanks

Darryl Holsendolph



RON DESANTIS

Governor

CORD BYRD Secretary of State

September 19, 2022

Darryl Holsendolph, Chairperson Community 4 Change (83426) 1176 NW 163rd Drive Miami, Florida 33169

Dear Mr. Holsendolph:

This will acknowledge receipt of your committee's letter informing us of the disbandment of Community 4 Change as a political committee. This information has been placed on file in our office. Your final report (2022 G2A) may be filed at any time but is due no later than September 23, 2022. This report must be filed via the Division's Electronic Filing System (EFS). If you have no activity to report, you are still required to file a waiver. Should you need to file amendments after the final report has been filed, please contact our office to have your account activated.

If you have any questions, or if we may be of further assistance to you at any time, please do not hesitate to call (850) 245-6280.

Sincerely,

Donna S. Brown, Chief Bureau of Election Records

DSB/kaf

pc: Willanda Holsendolph, Treasurer

# APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY FOR

POLITICAL COMMITTEES

(Sections 106.011(2) and 106.021(1), F.S.)

#### RECEIVED DEPARTMENT OF STATE

2022 JUN -6 AM 10: 20

DIVISION OF ELECTIONS TALLAHASSEE. FL

CHECK AFFROFRIATE BOX.	- 1					
Initial Filing for: Primary Treasurer Deputy Treasurer				OFFICE USE ONLY		
Re-filing to Change: Primary Treasurer Deputy Treasurer	Primary/	/Seconda	ry Depository			
1. Committee COMMUNITY 4 CHANGE			2. Telephone (954 ) 441-6000			
Name of Treasurer or Deputy Treasurer     4. Email (optional WILLANDA HOLSENDOLPH	)		5. Telephone (optional)			
6. Mailing Address 1176 NW 163rd Drive, Miami Gardens, FL 33169						
7. Street Address SAME						
8. The following bank has been designated as the Prin	mary Depos	itory	Seconda	ry Depository		
9. Name of Bank TRUIST		10. Street Address 14425 MIRAMAR PKWY				
11. City MIRAMAR		12. Stat	-	13. Zip Code 33027		
14. Signature of Chairman	Signature of Chairman  15. Name of Chairman (Print or Type)  DARRYL HOLSENDOLPH					
Campaign Treasurer's Acceptance of Appointment						
I, WILLANDA HOLSENDOLPH , do hereby accept the appointment as						
(Please Print or Type) treasurer or deputy treasurer for COMMUNITY 4 CHANGE						
(Committee)						
UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING CAMPAIGN TREASURER'S ACCEPTANCE OF APPOINTMENT AND THAT THE FACTS STATED ARE TRUE.						
May 19, 2022 X Willand But - Holandolph  Signature of Campaign Treasurer or Deputy Treasurer						

# STATEMENT OF ORGANIZATION OF POLITICAL COMMITTEE

(PLEASE TYPE)

OFFICE USE ONLY
RECEIVED
UEPARTMENT OF STATE

2022 JUN -6 AM 10: 20

DIVISION OF ELECTIONS TALLAHASSEE, FL

1. Full Name of Committee COMMUNITY 4 CHANGE	Telephone 954-441-6000					
Mailing Address (include city, state and zip code) 1176 NW 163rd Drive Miami Gardens, Florida 33169						
Street Address (include city, state and zip code) 1176 NW 163rd Drive Miami Gardens, Florida 33169						
2. Affiliated or Connected Org committees)	anizations (includes other committees of con	itinuous ex	istence and political			
Name of Affiliated or Connected Organization						
NONE	ONE					
3. Area, Scope and Jurisdiction of the Committee Candidates, ballot issues, statewide, legislative,multi district, countywide and municipal elections						
4. Nature of Organization or Organization's Special Interest (e.g., medical, legal, education, etc.) Economic empowerment, social action						
5. Identify by Name, Address and Position, the Custodian of Books and Accounts (include treasurer's name)						
Full Name	Mailing Address	Comr	nmittee Title or Position			
	1176 NW 163rd Drive, Miami Gardens, FL 33169	Treasure				

	and Position, Other Principal Any (include chairman's name		Officers a	nd Member	s of the		
Full Name	Mailing Add	Committee Title or Position					
Darryl Holsendolph	1176 NW 163rd Drive Miami Gardens, FL 331	69	Chairman				
	, Office Sought and Party Affili ng (if none, please indicate)	ation Each Candida	te or Oth	er Individua	I that this		
Full Name	Mailing Address	Office	Office Sought		Party		
TBD				:			
8. List Any Issues this Co	ommittee is Supporting: TBD						
List Any Issues this Co	mmittee is Opposing: TBD						
9. If this Committee is Su N/A	pporting the Entire Ticket of a	Party, Give Name of	Party				
	ution, What Disposition will be or donate to an IRC 527 or						
11. List all Banks, Safety	Deposit Boxes, or Other Depos	sitories Used for Co	mmittee	Funds			
Name of Bank or Dep	ository & Account Number		Mailing	Address			
TRUIST	1445 MIRAMAR PKWY MIRAMAR, FL 33027						
12. List all Reports Requi and Positions of Sucl	red to be Filed by this Commit n Officials, If Any	tee with Federal Off	icials and	the Names	s, Addresses		
Report Title	Report Title Dates Required to be Filed		Name & Position of Official		Mailing Address		
FORM 8871			Ogden, U				
FORM 1120 POL	Annual	IRS		Ogden, U	1		
STATE OF FLORIDA MIAMI-DADE COUNTY							
STATE OF FLORI	STATE OF FLORIDA MIAMI-DADE COUNTY						
, DARRYL HO	LSENDOLPH	, certify that the ir	nformation	in this State	ement of		
Organization is complete, trae and correct.							
//	() 1/1						
X	Ke W_		5-	19-22			
Signature of	Chairman of Political Committee	<u>5-19-22</u> Date					



RON DESANTIS Governor

CORD BYRD Secretary of State

July 7, 2022

Darryl Holsendolph, Chairperson Community 4 Change 1176 Northwest 163rd Drive Miami Gardens, Florida 33169

Dear Mr. Holsendolph:

This will acknowledge receipt of the Statement of Organization and Appointment of Campaign Treasurer and Designation of Campaign Depository for Community 4 Change, which were placed on file in our office on July 1, 2022. This information appears to comply with the requirements of Section 106.03, Florida Statutes, and the name of this organization has been placed on our active committee list as a political committee.

#### Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on July 8, 2022. The report will cover the period of June 25 through July 1, 2022 (2022 P2). All political committees that file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

#### EFS Access

Below is the web address to access the EFS and the committee's user identification number. Enclosed are the committee's confidential, filing credentials.

EFS Website Address:

https://efs.dos.state.fl.us

Identification Number: 83426

#### Timely Filing

All reports 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



Darryl Holsendolph, Chairperson July 7, 2022 Page Two

due date, the report will be accepted as timely filed if filed no later than midnight, Eastern Standard Time, of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

Any political committee failing to file a report on the designated due date is 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% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the 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 chairperson and campaign treasurer, and such persons are subject to the provisions of Section 106.07(5), Florida Statutes.

#### 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 <a href="https://dos.myflorida.com/elections">https://dos.myflorida.com/elections</a>. 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: Chapter 106, Florida Statutes, *Political Committee Handbook*, Calendar of Reporting Dates, and Rule 1S-2.017, Florida Administrative Code.

Please let me know if you need additional information.

Sincerely,

Donna S. Brown, Chief Bureau of Election Records

DSB/kaf

Enclosures

pc: Willanda Holsendolph, Treasurer

# Political Committee Handbook

Florida Department of State Division of Elections R. A. Gray Building, Room 316 500 South Bronough Street Tallahassee, FL 32399-0250 850.245.6280



(Rev. 9/27/2019)

Any political committee required to file reports with a filing officer other than the Division must file reports on the 60<sup>th</sup> day immediately preceding the primary election and bi-weekly on each Friday thereafter through and including the 4<sup>th</sup> day immediately preceding the general election, with additional reports due on the 25<sup>th</sup> and 11<sup>th</sup> days before the primary election and the general election.

Unless the electronic filing requirements of Section <u>106.0705</u>, 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 five 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 <u>Electronic Filing System</u> (<u>EFS</u>) are due no later than midnight, Eastern Time, of the due date.

(Sections <u>106.07</u>, <u>106.0705</u>, and <u>106.141</u>, Fla. Stat.; Chapter 11: Electronic Filing of Campaign Reports)

#### Penalty for Late Filing

Any political committee 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 due immediately prior to the primary and general elections, 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.

(Section <u>106.07(8)</u>, Fla. Stat.)

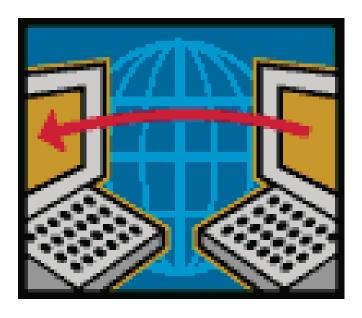
#### **Notice of No Activity**

When there has been no reportable activity in the campaign account during a reporting period (no funds expended or received) the filing of the report is waived. However, the political committee 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 <u>EFS</u>.) The next report filed must specify that the report covers the entire period between the last submitted report and the report being filed.

(Sections 106.07(7) and 106.0705, Fla. Stat.)

# **Department of State Division of Elections**

# Political Committee EFS User's Guide



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

**EFS HELP LINE: 850-245-6280** 

January 2011

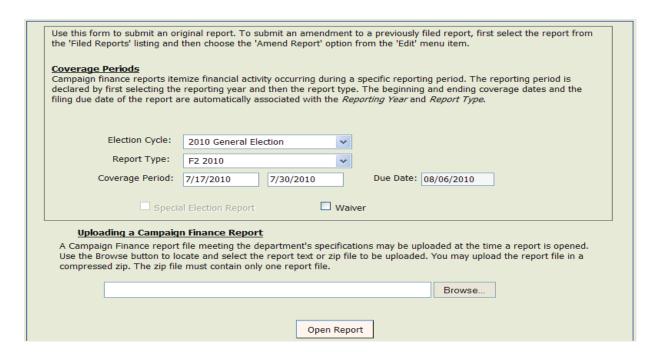
Rule 1S-2.017, F.A.C.

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

## **Create a New Report by Data Entry**

From the Welcome screen, click and then Open New Report





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

Click arrow next to **Report Type** select report type corresponding to the correct cover period and due date.

The Cover Period dates will automatically fill in based on the Calendar of Election and Reporting Dates.

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

If this report is for a special election, click the box next to **Special Election Report**. (If no special elections are scheduled this option will not be available.)

#### \*\*\*\*\*NOTE\*\*\*\*

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

Election Cycle:	2010 General Election		-		
Report Type:	F2 2010		×		
Coverage Period:	7/17/2010 7/30/2010			Due Date:	08/06/2010
☐ Spies	sl Election Repor		Waive	er 👍	

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

Report:	2010 - G4 - 27 201	0 General Election		Covers: 10/16	5/2010-10/28/2010	Due: 10/29/2010
Amendment Waiver Complete Status: Incomplete Detail Records						
File Da	ate:	R	eview Status: Not	Reviewed		
Status	s: Data Entry		Last Review:			
# of Tr	ransactions: 0	Review	Recalculate	Go To File Report	Append File Dele	ete Report Save
	Contributions	Total Amount	1	Expenditures	Total Amount	
	Cash and Checks:	0.00		Monetary:	0.00	
	Loans:	0.00		Transfers to Off Acct:	0.00	
	Total Monetary:	0.00		Total Monetary:	0.00	
	In-Kind:	0.00		Other Distributions:	0.00	
Review Messages						
	Created: 10/	26/2010 11:41:25 AN	By: 50552	Revised:	10/26/2010 11:41:25 A	м Ву: 50552

### File the Report

If the **Review Status** is <u>Updated Detail – Needs Review</u> the report has not been reviewed since the last update. (See page 39 for instructions on how to submit the report to the system for review.)

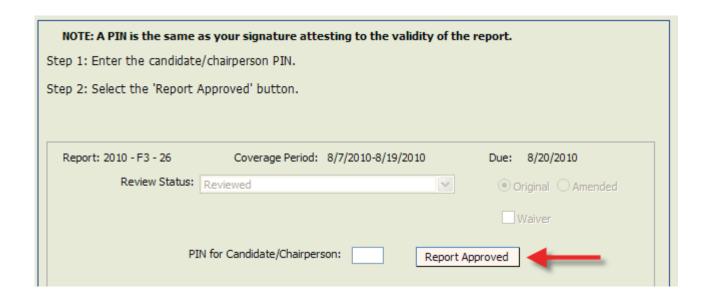
If the status of the report is <u>Complete</u> <u>Detail Records</u>, you are ready to file the report.



Click on Go To File Report

The chairperson enters his or her PIN, and then selects

Report Approved

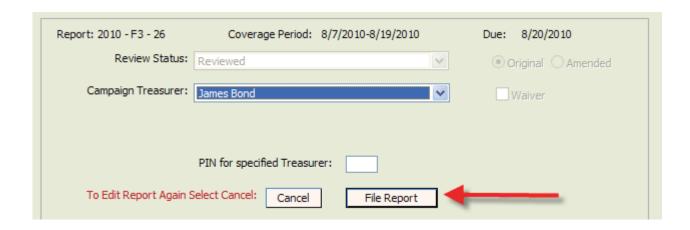


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If there is more than one treasurer, click on the drop down and select the treasurer that is filing the report.



The treasurer enters his **PIN** and then clicks File Report



<u>IMPORTANT NOTE</u>: If changes need to be made <u>after</u> a chairperson PIN is entered, the treasurer must <u>undo</u> the chairperson PIN validation before the system will allow changes. See page 49 for instructions.



#### Florida Department of State - Division of Elections

#### Florida Election System Reports

Candidate/Committee Lookup
Name: community 4 change

Election:

Acct: 83426

Type: Committee

Search Reset

## Committee Name: Community 4 Change Account: 83426

Date Due	Туре	Date Filed	Status	Days Late	Fine Appealed	Amount Fined	Amount Paid
9/23/2022	G2A	9/26/2022	SNT	3	\$131.63	\$131.63	\$0.00
9/16/2022	G2	9/26/2022	CLO	10	\$0.00	\$0.00	\$0.00
9/9/2022	G1A	9/26/2022	CLO	17	\$0.00	\$0.00	\$0.00
9/2/2022	G1		SNT	0	\$0.00	\$0.00	\$0.00
8/26/2022	P7A	8/30/2022	SNT	4	\$743.38	\$743.38	\$0.00
8/19/2022	P7	8/18/2022					
8/12/2022	P6	8/18/2022	CLO	6	\$0.00	\$0.00	\$0.00
8/5/2022	P5	8/8/2022	CLO	3	\$0.00	\$0.00	\$0.00
7/29/2022	P4	8/4/2022	SNT	6	\$1,650.00	\$1,650.00	\$0.00
7/22/2022	P3	8/4/2022	CLO	13	\$0.00	\$0.00	\$0.00
7/15/2022	P2A	8/4/2022	CLO	20	\$0.00	\$0.00	\$0.00
7/8/2022	P2	8/4/2022	SNT	27	\$2,425.00	\$2,425.00	\$0.00

## FLORIDA ELECTIONS COMMISSION PHONE LOG

**Case No.: FEC 22-270** 

**Respondent: Community 4 Change Complainant: Division of Elections** 

1. **Date and time:** Tuesday, December 6, 2022; 5:46 pm

Name: Darryl Holsendolph, Chairman

**Phone** #: 786-402-1288

**Summary:** I called, asked to speak with Respondent's Chairman; he confirmed I had reached him. I identified myself, and the reason for my call including the case number, relevant issues regarding 3 late notices-of-no-activity or "waivers" and reporting periods for the 2022 P2A, P3 and P5. I explained that the EFS directs one to check the box identified as "Waiver" when there is no campaign finance activity and there is no automatic fine for late filed waivers. A female-sounding voice confirmed. Respondent's chair said his treasurer was in communication with the Division regarding late filed CTRs and appealing the automatic fine(s). Again, a female-sounding voice confirmed the same. I explained that I am not investigating Respondent's appeal, it's being handled by other staff in our office, but they/R's chair & treasurer will receive the results of their appeal in writing once the Commission makes its decision. I added that the appeal may be heard by the Commission at its meeting next week but I'm uncertain if it will be on the agenda and if not, the exact date it will be heard by the Commission.

Respondent's Chairman said he was informed by someone that his PC may register with Miami-Dade Elections and/or the Division. He submitted applications with Miami-Dade Elections and the Division of Elections at the same time to register the PC. He added there was so much confusion with the applications; he was unaware the Division had opened the PC. (CTRs or waivers for the first 4 reporting periods were all filed on August 4, 2022, including the 2022 P2, P2A, P3, and P4.) I asked if he reviewed Chapter 106, F.S., the PC Handbook, etc.; he said he reviewed requirements, documents for Miami-Dade Elections office rather than the state since Miami-Dade was more responsive than the state. He said he'd never "do" another PC and both PCs are closed. I informed him this is the best phone number to reach me, I requested, and he provided his email address: <a href="mailto:darryl@holseninc.com">darryl@holseninc.com</a>.

**Entered by:** HH

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<i>!</i>	Date	ana	time:

Name:
Phone #:

Summary: Entered by:

3. **Date and time:** 

Name:

Phone #:

Summary: Entered by:

4. **Date and time:** 

Name: Phone #: Summary: Entered by:

5. **Date and time:** 

Name: Phone #: Summary: Entered by:

#### RESPONDENT INTERVIEW MEMO – Call details at #[LOG NUMBER]

- [S. 106.07(7), F.S., for 2022 P2A, P3 and P5.]
- [09/16/22—R disbanded]
- Have you ever run for public office? If so, please name each office you ran for and state what year each election occurred.
- Have you ever been appointed to act as a campaign treasurer for a candidate? If so, please name each such candidate, the office each ran for, and state what year each election occurred.
- Have you ever held the office of chairperson, treasurer, or other similar position for a political committee or electioneering communications organization? If so, please name each committee, state the office you held for each, and state when you held each office.
- Have you ever prepared or signed a campaign treasurer's report? If so, please state the name of the candidate or committee whose report you prepared or signed.
- What action have you taken to determine your responsibilities under Florida's election laws?
- Do you possess a copy of Chapter 106, Florida Statutes? If so, when did you first obtain it? Have you read it?
- Do you possess a copy of the *Political Committee Handbook*? If so, when did you first obtain it? Have you read it?
- Did you receive any other materials from your filing officer? If so, please describe them.
- Do you have anything else to add for the Commission's consideration regarding the charges specified in the letter of legal sufficiency in this case?



#### Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-6596 Telephone: (850) 922-4539 · Facsimile: (850) 921-0783 FEC@myfloridalegal.com · www.fec.state.fl.us



October 4, 2022

Darryl Holsendolph, Chair Community 4 Change 1176 Northwest 163<sup>rd</sup> Drive Miami Gardens, FL 33169

RE: Case No.: FEC 22-270; Respondent: Community 4 Change

Dear Mr. Holsendolph:

On August 29, 2022, the Florida Elections Commission received a complaint alleging your committee violated Florida's election laws. I have reviewed the complaint and find that it contains one or more **legally sufficient allegations**. The Commission staff will investigate the following alleged violation(s):

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent, a political committee registered with the Division of Elections, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the following reporting periods:

- 2022 P2A
- 2022 P3
- 2022 P5

However, prior to an investigation, you have the option to <u>resolve your case now by</u> signing a minor violation consent order and <u>paying a fine of \$150</u>, per Rule 2B-1.003, Florida Administrative Code, <u>rather than the potential \$1,000 per violation</u> provided for in Section 106.265, Florida Statutes.

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

The signed consent order would then be considered by the Commission at its next available meeting and would constitute final action by the Commission once it is accepted and approved by the Commission. You and the Complainant will receive notice at least 14 days before any hearing at which your case is to be considered.

Darryl Holsendolph October 4, 2022 Page 2 FEC 22-270

<u>Please contact Stephanie Cunningham by phone at (850) 922-4539, by email at Stephanie.Cunningham@myfloridalegal.com</u>, or at the address listed above, to accept this minor violation consent order.

If you choose not to resolve this case by consent order, an investigation will be conducted, the Commission will hold one or more hearings to determine whether the alleged violation(s) occurred and, if so, the amount of fine to be imposed upon your committee.

Please note that all documents related to this matter will be mailed to the above address unless you notify us of a new address.

For additional information, please refer to the "Frequently Asked Questions" section on the Commission's website.

Sincerely, Tascaro

Tim Vaccaro
Executive Director

TV/jd

# DIVISION OF ELECTIONS FEC NOTICE FORM

To FEC from Division of Elections

Name: Community 4 Change

Account Number: 83426

Chairperson: Darryl Holsendolph

Treasurer: Willanda Holsendolph

Registered Agent: Darryl Holsendolph

The Division of Elections hereby provides this notice to the Florida Elections Commission pursuant to sections 106.07(8)(d), 106.22(7), and 106.25(2), Florida Statutes. An apparent violation of Chapter 106, Florida Statutes, has occurred based upon repeated late filings or failure to notify the filing officer in writing that no report was being filed on the prescribed reporting date as required by section 106.07(7), Florida Statutes, for the following reports:

2022 P2A

2022 P3

2022 P5

- Community 4 Change (83426) is a political committee registered with the Division of Elections. On July 1, 2022, the committee filed the DSDE 5 and DSDE 6 with the Division appointing Darryl Holsendolph as the chairperson and Willanda Holsendolph as treasurer for the committee.
- The 2022 P2A campaign treasurer's report was due on July 15, 2022.
   Community 4 Change failed to notify the Division that no report was being filed on the prescribed reporting date. On August 4, 2022, the committee filed a notification of no activity. (See attached file receipt.)
- The 2022 P3 campaign treasurer's report was due on July 22, 2022.
   Community 4 Change failed to notify the Division that no report was being filed on the prescribed reporting date. On August 4, 2022, the committee filed a notification of no activity. (See attached file receipt.)

#### Community 4 Change (83426) Page Two

• The 2022 P5 campaign treasurer's report was due on August 5, 2022. Community 4 Change failed to notify the Division that no report was being filed on the prescribed reporting date. On August 8, 2022, the committee filed a notification of no activity. (See attached file receipt and letter.)

Donna S. Brown DS Sent By:

August 26, 2022 Date:

jmn

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#### Treasurer Report Status

ID: 83426 Name: Community 4 Change

Report: 2022 - P2A - 2 Print Date: **8/18/2022 8:26:26 AM** 

Election: 2022 General Election

Covers: 7/2/2022-7/8/2022

Due: 7/15/2022

Amended Waiver

Filed: 8/4/2022 2:43:57 PM File Status: Filed Report

Reviewed: 8/4/2022 Review Status: Reviewed

Detail Complete: No Detail Records Found

File Method: Web Filed Number of Detail Records

Entry Method: Web Data Entry Contributions: 0

Expenditures: 0

Pending Queued Items: 0 Fund Transfers: 0

Distributions: 0

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



#### **Treasurer Report Status**

ID: 83426 Name: Community 4 Change

Report: 2022 - P3 - 3

Election: 2022 General Election

Covers: 7/9/2022-7/15/2022

Due: 7/22/2022

Print Date: 8/18/2022 8:26:43 AM

Amended Waiver

Filed: 8/4/2022 2:46:13 PM File Status: Filed Report

Reviewed: 8/4/2022 Review Status: Reviewed

Detail Complete: No Detail Records Found

File Method: Web Filed Number of Detail Records

Entry Method: Web Data Entry

Expenditures: 0

Pending Queued Items: 0 Fund Transfers: 0

Distributions: 0

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



#### **Treasurer Report Status**

Name: Community 4 Change ID: 83426

Report: 2022 - P5 - 5

Election: 2022 General Election

Covers: 7/23/2022-7/29/2022

Due: 8/5/2022

Print Date: 8/18/2022 8:26:08 AM

Amended Waiver

Filed: 8/8/2022 1:51:20 PM

File Status: Filed Report

Reviewed: 8/8/2022

Review Status: Reviewed

Detail Complete: No Detail Records Found

File Method: Web Filed

**Number of Detail Records** Contributions:

Entry Method: Web Data Entry

Expenditures: Fund Transfers: 0

Pending Queued Items: 0

Distributions: 0

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



# FLORIDA DEPARTMENT OF STATE Cord Byrd Secretary of State

**DIVISION OF ELECTIONS** 

August 9, 2022

Willanda Holsendolph, Treasurer Community 4 Change 1176 Northwest 163rd Drive Miami Gardens, FL 33169-3169

PAC 83426

Dear Ms. Holsendolph:

The notification that you had no reportable activity for the report deadline of August 5, 2022, was not filed until August 8, 2022. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

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

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

Sincerely.

Donna S. Brown, Chief Bureau of Election Records

cc: Darryl Holsendolph, Chairperson