

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Kristen Rosen Gonzalez**

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**Case No.: FEC 15-502**

**TO:** Kristen Rosen Gonzalez  
4618 Alton Road  
Miami Beach, FL 33140

Rafael E. Grenado, City Clerk  
City of Miami Beach  
1700 Convention Center Drive  
Miami Beach, FL 33139

**NOTICE OF HEARING (AUTOMATIC FINE)**

A hearing will be held in this case before the Florida Elections Commission on, **February 17, 2016 at 9:00 am, or as soon thereafter as the parties can be heard**, at the following location: **Florida State Conference Center, 555 West Pensacola Street, Room #108, Tallahassee, Florida 32306.**

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

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

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

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

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

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

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

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

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

*Amy McKeever Toman*  
Executive Director  
Florida Elections Commission  
February 2, 2016

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

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

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

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

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

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

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

**FLORIDA ELECTIONS COMMISSION**  
**CASE REPORT**  
Case Number: FEC-15-502

**NAME:** KRISTIN ROSEN GONZALEZ

**DATE APPEAL RECEIVED:** 11/25/15

**DATE REPORT DUE:** 10/30/15 (2015 G3)

**DATE OF POSTMARK RECEIPT:** 10/30/15

**DATE FILING OFFICER RECEIVED REPORT:** 11/02/15

**NUMBER OF DAYS LATE:** 1

**AMOUNT OF FINE:** \$500.00

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

**TOTAL RECEIPTS FOR REPORTING PERIOD:** \$5,100.00

**TOTAL EXPENDITURES FOR REPORTING PERIOD:** \$4,702.14

**DATE OF FIRST NOTIFICATION:** 11/03/15

CANDIDATE [X]	STATE [ ]
PC [ ]	DISTRICT [ ]
CCE [ ]	COUNTY [ ]
POLITICAL PARTY [ ]	CITY [X]

**SUMMARY:** Kristin Rosen Gonzalez was a candidate for Miami Beach Commissioner, Seat 2 in the 2015 elections. Ms. Rosen- Gonzalez was her own treasurer.

Kristen Rosen Gonzalez is appealing the fine claiming that she sent her G3 financial report via U S mail on the due date, October 30, 2015. According to Ms. Rosen Gonzalez, the postmark date on the letter sent to the city clerk lists October 31, 2015. She has provided a copy of the receipt from the post office

- The 2015 G3 Campaign Treasurer's report covers the time period from 10/17/15-10/29/15; it was due 10/30/15
- Ms. Rosen Gonzalez reported receiving 9 contributions, while making 2 expenditures.

**PRIOR CASES:** None.

Kristen Rosen Gonzalez  
4618 Alton Road  
Miami Beach, FL 33140  
305-965-4725

RECEIVED

FLORIDA  
COMMISSION ON ETHICS

2015 NOV 25 A 10:43

NOV 23 2015

FLORIDA  
COMMISSION ON ETHICS

RECEIVED

Attn: \$500 Fine, Kristen Rosen Gonzalez Campaign, Miami Beach Elections 2015

Florida Commission on Ethics,

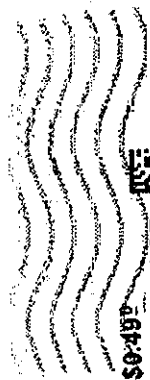
The receipt enclosed is the postage paid on October 30<sup>th</sup>, the due date for the 2015 - G3 financial report I turned in at the post office on October 30<sup>th</sup>. For some reason, the post mark said October 31<sup>st</sup>, but I went and paid and put it in the postage on October 30<sup>th</sup>.

Please review the receipt and know that this financial report was turned in on the correct due date, which was October 30<sup>th</sup>.

Kristen Rosen Gonzalez  
Commissioner-Elect, Miami Beach Florida



Gonzalez  
418 Atton Rd  
MVB, FL 33140



071500882697  
US POSTAGE  
FIRST-CLASS

MIAMI FL 331  
31 OCT 2015 PM 4 L

Office of City Clerk  
Rafael Eranado  
1700 Convention Center Dr.  
MVB, FL 33139

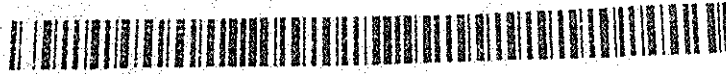
33139161900

The UPS Store - #1666  
1521 Alton Road  
Miami Beach, FL 33139  
(305) 538-5076

10/30/15 06:29 PM

We are the one stop for all your  
shipping, postal and business needs.

Email: store1666@theupsstore.com



001 006237 (022)	TO \$	0.98
First Class Package		
Tracking# MMDPJNGHQ40V6		
002 006237 (022)	TO \$	0.98
First Class Package		
Tracking# MMDPJNG2ERVF2		
003 500144 (025)	T1 \$	0.20
Envelope#10 Unit	QTY 2	
Reg Unit Price	\$	0.10

SubTotal	\$	2.16
SalesTax (T1)	\$	0.01
Total	\$	2.17

Master Card \$ 2.17

ACCOUNT NUMBER \*  
Appr Code: (S) Sale

\*\*\*\*\*1895

A large, stylized handwritten signature in black ink, appearing to be 'W. M.' or similar, written across the bottom of the document.

# MIAMIBEACH

FLORIDA  
COMMISSION ON ETHICS

NOV 23 2015

RECEIVED

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov  
Office of the City Clerk  
Rafael E. Granado  
Tel: 305-673-7411 Fax: 786-394-4127

Email: CityClerk@miamibeachfl.gov

**Certified Mail No. 7013 3020 0001 7075 5319**

November 3, 2015

Kristen Rosen Gonzalez  
4618 Alton Road  
Miami Beach, FL 33140

**RE: Notice of Late and Incomplete 2015-G3 Campaign Treasurer's Report**

Dear Ms. Rosen Gonzalez:

Your 2015-G3 Campaign Treasurer's Report was due for filing on October 30, 2015, yet it was received in the Office of the City Clerk on November 2, 2015, postmarked as of October 31, 2015; therefore, the report is deemed to be one day late.

Pursuant to Florida Statutes §106.07(8)(b), upon determining that a report is late, the filing officer shall immediately notify the candidate or chair of the political committee as to the failure to file a report by the designated due date and that a fine is being assessed. For reports immediately preceding each general election, the fine is \$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.

**The fine according to this calculation is \$500.** Payment of this fine shall be made only from personal funds of the candidate, and payable to the City of Miami Beach, c/o Office of the City Clerk, 1700 Convention Center Drive, Miami Beach, Florida 33139, and made payable to the City of Miami Beach within 20 days after receipt of the notice of payment due, unless appeal is made to the Florida Elections Commission pursuant to §106.07(8)(c).

Additionally, your 2015-G3 Campaign Treasurer's Report, pursuant to Florida Statutes §106.07(2)(b)1 is deemed incomplete: "Any report that is deemed to be incomplete by the officer with whom the candidate qualifies shall be accepted on a conditional basis. The campaign treasurer shall be notified by certified mail or by another method using a common carrier that provides a proof of delivery of the notice as to why the report is incomplete and within 7 days after receipt of such notice must file an addendum to the report providing all information necessary to complete the report in compliance with this section. Failure to file a complete report after such notice constitutes a violation of this chapter."

The Campaign Treasurer's Report amendments needed are as follows:

- Item (5) Report Identifiers should cover the period of 10/17/15 to 10/29/15;
- Item (5) Report Identifiers should list the Report Type as 2015-G3
- Item (5) Report Identifiers should have the Original checkbox checked.
- Item (9) TOTAL Monetary Contributions to Date totals \$50,415.00. Calculations add up to \$54,565.00
- Item (10) TOTAL Monetary Expenditures to Date totals \$38,062.45. Calculations add up to \$46,503.36
- Item (3) of pages 1 and 2 of the Itemized Contributions should cover the period of 10/17/15 through 10/29/15;
- Item (3) of page 1 of the Itemized Expenditures should cover the period of 10/17/15 through 10/29/15;
- Sequence No. 2 of the Itemized Expenditures is missing an expenditure date.

Please submit an amended report by **November 10, 2015**. If you have any questions, or require additional information, please do not hesitate to call me at (305) 673-7411.

Respectfully,

  
Lillian Hatfield  
Assistant City Clerk

REG/lh



PM 10.31.15

### CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Kristen Rose Gonzalez  
 Name  
 (2) 9618 Alton Rd  
 Address (number and street)  
MB, FL 33140  
 City, State, Zip Code

**OFFICE USE ONLY**

Check here if address has changed (3) ID Number: \_\_\_\_\_

(4) Check appropriate box(es):  
 Candidate Office Sought: MB Commissioner, III  
 Political Committee (PC)  
 Electioneering Communications Org. (ECO)  
 Party Executive Committee (PTY)  
 Independent Expenditure (IE) (also covers an individual making electioneering communications)  
 Check here if PC or ECO has disbanded  
 Check here if PTY has disbanded  
 Check here if no other IE or EC reports will be filed  
Yes

#### (5) Report Identifiers

Cover Period: From 10/17/15 To 10/29/15 Report Type: G3  
 Original  Amendment  Special Election Report

(6) Contributions This Report

Cash & Checks \$ 5100.00  
 Loans \$ \_\_\_\_\_  
 Total Monetary \$ 5100.00  
 In-Kind \$ \_\_\_\_\_

(7) Expenditures This Report

Monetary Expenditures \$ 4702.14  
 Transfers to Office Account \$ \_\_\_\_\_  
 Total Monetary \$ 4702.14

(8) Other Distributions  
 \$ \_\_\_\_\_

(9) TOTAL Monetary Contributions To Date  
 \$ 54,565.00

(10) TOTAL Monetary Expenditures To Date  
 \$ 46,503.36

#### (11) Certification

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

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

(Type name) \_\_\_\_\_  
 Individual (only for IE or electioneering comm.)  Treasurer  Deputy Treasurer  
X  
 Signature

(Type name) \_\_\_\_\_  
 Candidate  Chairperson (only for PC and PTY)  
X  
 Signature

NOV 03 2015  
 scanned  
 R.B

Page 1 of 4

**CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS**

(1) Name Kristen Rosem Gonzalez (2) I.D. Number \_\_\_\_\_

(3) Cover Period 10 / 17 / 15 through 10 / 29 / 15 (4) Page 1 of 2

(5) Date	(7) Full Name (Last, Suffix, First, Middle)	(8) Contributor Type	(9) Occupation	(10) Contribution Type	(11) In-kind Description	(12) Amount
10, 26, 15 1	Harold Lewis 10343 SW 126 <sup>th</sup> Miami, FL 33176	I	Real Estate	CHE		500
10, 27, 15 2	Natalie Carlton 2401 Collins #102 MB, FL 33140	I	Retired	CHE		500
10, 27, 15 3	Leslie Rothman 1155 W 27 <sup>th</sup> St. MB, FL 33140	I	Homemaker	CHE		500
10, 27, 15 4	UFMDC 11420 N Kendall Dr Miami, FL 33176	US	Education	CHE		1000
10, 27, 15 5	James Pulaski 2900 Goral way Miami, FL 33145	I	Finance	CHE		500
10, 27, 15 6	Antonio Van Ekken 3640 N. Fed. Hwy Ste #711 Lighthouse Pt, FL 33064	I	Finance	CHE		500
10, 28, 15 7	Imagine Miami PAC 145 SE 25 Rd #1102 Miami, FL 33129	F	Political	CHE		500

**CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS**

(1) Name Kristen Roxan Gonzalez (2) I.D. Number \_\_\_\_\_

(3) Cover Period 10/17/15 through 10/29/15 (4) Page 2 of 2

(5) Date	(7) Full Name (Last, Suffix, First, Middle)	(8) Contributor Type Occupation		(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
(6) Sequence Number	Street Address & City, State, Zip Code	Type	Occupation	Type	Description		Amount
10, 29, 15 8	PMC, LLC 6200 NW 16th St. Miami Lakes, FL 33014	BUS	Auto mobiles	CME			1000
10, 30, 15 9	Glenn Romero Ross 2331 Old Shandon San Ranches, FL 33330	IV	Generator	CME			100

**CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES**

(1) Name Justin Rom Gonzalez

(2) I.D. Number \_\_\_\_\_

(3) Cover Period 10/17/15 through 10/29/15

(4) Page 1 of 1

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Purpose (add office sought if contribution to a candidate)	(9) Expenditure Type	(10) Amendment	(11) Amount
10/24/15 1	LGBT Task Force 801 Arthur Godfrey Rd MB, FL 33140	Fundraiser	MON		470
10/26/15 2	DCG Consulting PO Box 454351 Miami, FL 33245	Consulting Services	MON		432.14
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