

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Kyle Gibson**

**Case No.: FEC 20-144**

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**TO:** Kyle Gibson  
Post Office Box 590581  
Tamarac, FL 33559-0581

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

**NOTICE OF VIRTUAL HEARING (INFORMAL HEARING)**

A hearing will be held in this case before the Florida Elections Commission **on February 23, 2021 at 8:30 am, EST**, or as soon thereafter as the parties can be heard.

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 GoToWebinar, 9-Digit Webinar ID 627-359-707, or via teleconference by dialing (877) 309-2071 and entering the meeting access code 324-720-215, 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  
February 2, 2021

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

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

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

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

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



# Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-6596

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

[FEC@myfloridalegal.com](mailto:FEC@myfloridalegal.com) · [www.fec.state.fl.us](http://www.fec.state.fl.us)



## **Commission Meeting February 23, 2021 at 8:30AM via GoToWebinar and OpenVoice**

In order to participate in the public portion of the February 23, 2021, Florida Elections Commission meeting, please follow the instructions below:

- A. GoToWebinar – Remote Video Conferencing
  1. Open your web browser and search GoToWebinar or enter [www.gotowebinar.com](http://www.gotowebinar.com)
  2. Select Join A Webinar in the upper right corner of the website
  3. Enter the 9-digit Webinar ID: 627-359-707  
And your email address
  4. Register your name and email address
  5. You will automatically join to the meeting as an attendee. Attendees are muted and can choose to their webcam.
  
- B. OpenVoice - Teleconference
  1. Call 1-877-309-2071
  2. Enter Audio Access Code 324-720-215
  3. You will automatically join the meeting as an attendee. Attendees are muted.

While this is a public 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.

You can call or email our office of your intent to participate or of any questions you may have regarding this meeting. Please provide the case number(s) of interest, when contacting our office.

Thank you,

Commission Staff

STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION

Florida Elections Commission,  
Petitioner,

Case No.: FEC 20-144

v.

Kyle Gibson,  
Respondent.

\_\_\_\_\_ /

**ORDER OF PROBABLE CAUSE**

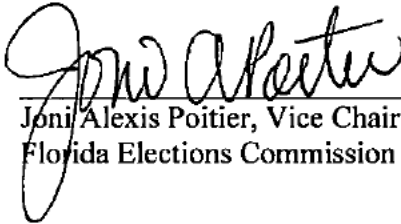
**THIS MATTER** was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on December 1, 2020, in Tallahassee, Florida.

On September 28, 2020, 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 May 7, 2020, Respondent violated Section 106.07(2)(b)1., Florida Statutes, when Respondent failed to file an addendum to his 2020 M2 Report within seven days of receiving notice from the filing officer that his 2020 M2 Report was incomplete.

**DONE AND ORDERED** by the Florida Elections Commission on December 1, 2020.

  
\_\_\_\_\_  
Joni Alexis Poitier, Vice Chair  
Florida Elections Commission

Copies furnished to:  
Eric M. Lipman, General Counsel  
Kyle 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 Gibson**

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**Case No.: FEC 20-144**

**TO:** Kyle 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, **December 1, 2020 at 10:00 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**

**In Re: Kyle C. Gibson**

**Case No.: FEC 20-144**

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**STAFF RECOMMENDATION FOLLOWING INVESTIGATION**

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned counsel files this written recommendation for disposition of the referral in this case recommending there is **probable cause** to charge Respondent with violating **Section 106.07(2)(b)1., Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on September 14, 2020, the following facts and law support this staff recommendation:

1. On June 29, 2020, 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 is a candidate for Governor in the 2022 election. Respondent's Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form was filed with the Division on October 16, 2018. Respondent appointed himself as his campaign treasurer. (ROI Exhibit 1)<sup>1</sup>

3. By letter dated August 5, 2020, the Executive Director notified Respondent that Commission staff would investigate the following alleged violations:

**Section 106.07(2)(b)1., Florida Statutes:** Respondent, a 2022 candidate for the office of Governor, acting as his own treasurer, failed to timely make necessary amendments to the 2020 M2 campaign treasurer report, as alleged in the complaint.

4. By letter dated October 18, 2018, Kristi Reid Willis, Division of Elections, Chief, Bureau of Election Records, notified Respondent his name had been placed on the 2022 active candidate list. The letter also advised Respondent that all candidates who file reports with the Division are required to use the electronic filing system (“EFS”) and provided Respondent with a user identification number and initial password to access the EFS. (ROI Exhibit 2, page 1)

5. Ms. Willis’s October 18, 2018 letter further advised Respondent it was his responsibility to read, understand, and follow the requirements of Florida’s election laws. Ms. Willis also informed Respondent all of the Division’s publications and reporting forms were

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

available on the Division's website and directed Respondent to print a copy of Chapters 104 and 106, Florida Statutes, the *Candidate and Campaign Treasurer Handbook*, and the *Calendar of Reporting Dates*. (ROI Exhibit 2, page 2)

### **2020 M2 Report**

6. Respondent's 2020 M2 Report covering the dates of February 1, 2020, through February 29, 2020, was due on March 10, 2020. Respondent timely filed his 2020 M2 Report; however, it was incomplete. (Attachments A, B, and C)

7. On March 11, 2020, the Division sent notification to Respondent that his 2020 M2 Report was incomplete and Respondent had seven days from receipt of the notice to correct the errors on the attached Error Report and file an amended report providing the correct information. The letter also stated if the information was reported accurately, Respondent should provide a written explanation to the Division addressing the issues noted in the Error Report. (ROI Exhibit 3, pages 1 and 2)<sup>2</sup>

8. On March 26, 2020, the Division sent notification to Respondent that his 2020 M2 Report was still incomplete and Respondent had seven days from receipt of the notice to correct the errors on the attached Error Report and file an amended 2020 M2 report providing the correct information. (ROI Exhibit 3, pages 3 and 4)

9. On April 27, 2020, the Division sent a "Final Notice" to Respondent notifying Respondent his 2020 M2 Report remained incomplete and Respondent had seven days from receipt of the notice to correct the errors on the attached Error Report and file amended 2020 M2 Report providing the correct information. The letter also stated that if the information was reported accurately, Respondent should provide a written explanation to the Division addressing the issues noted in the Error Report. (ROI Exhibit 4, pages 1 and 2) The Division's April 27, 2020 letter was confirmed delivered on April 30, 2020. (ROI Exhibit 4, page 4)

10. As of September 9, 2020, Respondent has failed to correct the errors identified by the Division on Respondent's 2020 M2 Report and file an amended 2020 M2 Report providing the correct information. (ROI Exhibit 5)

11. On August 20, 2020, September 8, 2020, and September 9, 2020, Investigator Oliver attempted to speak with Respondent by telephone. On each occasion, Investigator Oliver reached Respondent's voice mail. Investigator Oliver left a message requesting Respondent to return the call, which Respondent failed to do. (ROI Exhibit 6)

12. Based upon the information above, it appears Respondent failed to make the necessary corrections to his 2020 M2 Report and file an amended 2020 M2 Report providing the correct information within seven days of receiving notification from the filing officer that his 2020 M2 Report was incomplete.

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<sup>2</sup> Section 106.07(2)(b)1., Fla. Stat. does not require that a written explanation be provided to the Division addressing the issues noted in an Error Report if the information was reported accurately.

13. "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. 1<sup>st</sup> DCA 1995).

14. The above facts show Respondent is a candidate for Governor in the 2022 election. On March 11, 2020, March 26, 2020, and April 27, 2020, the Division notified Respondent his 2020 M2 Report was incomplete and Respondent had seven days from receipt of the notice to correct the errors on the attached Error Report and file an amended report providing the correct information. As of September 9, 2020, Respondent has failed to do so.

Based upon these facts and circumstances, staff recommends the Commission find probable cause to charge Respondent with the following violation:

**Count 1:**

On or about May 7, 2020, Respondent violated Section 106.07(2)(b)1., Florida Statutes, when Respondent failed to file an addendum to his 2020 M2 Report within seven days of receiving notice from the filing officer that his 2020 M2 Report was incomplete.

Respectfully submitted September 28, 2020.



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Eric M. Lipman  
General Counsel

I reviewed this Staff Recommendation this 28<sup>th</sup> day of September 2020.



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Tim Vaccaro  
Executive Director

**Calendar of Reporting Dates**  
**for 2020 Candidates**  
**registered with the Division of Elections**

<u>Report Code</u>	<u>Cover Period</u>	<u>Due Date</u>
2019 M12	12/1/19 - 12/31/19	1/10/2020
2020 M1	1/1/20 - 1/31/20	2/10/2020
2020 M2	2/1/20 - 2/29/20	3/10/2020
2020 M3	3/1/20 - 3/31/20	4/10/2020
2020 M4	4/1/20 - 4/30/20	5/11/2020
2020 M5	5/1/20 - 5/31/20	6/10/2020

2020 P1	6/1/20 - 6/12/20	6/19/2020
2020 P2	6/13/20 - 6/26/20	7/3/2020
2020 P3	6/27/20 - 7/10/20	7/17/2020
2020 P4	7/11/20 - 7/17/20	7/24/2020
2020 P5	7/18/20 - 7/24/20	7/31/2020
2020 P6	7/25/20 - 7/31/20	8/7/2020
2020 P7	8/1/20 - 8/13/20	8/14/2020

2020 G1	8/14/20 - 8/21/20	8/28/2020
2020 G2	8/22/20 - 9/4/20	9/11/2020
2020 G3	9/5/20 - 9/18/20	9/25/2020
2020 G4	9/19/20 - 10/2/20	10/9/2020
2020 G5	10/3/20 - 10/16/20	10/23/2020
2020 G6	10/17/20 - 10/29/20	10/30/2020

**Termination Reports**

<u>Report Code</u>	<u>Cover Period</u>	<u>Due Date</u>
TR	After April Qualifying	7/23/2020
TR	After June Qualifying	9/10/2020
TR	Primary Election	11/16/2020
TR	General Election	2/1/2021



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Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Candidate Name: Kyle Gibson

Name:

Account: [73870](#)

Election:

Acct: 73870

Type: Candidate

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
9/10/2020	M8		SNT	0	\$0.00		\$0.00	\$0.00
8/10/2020	M7		SNT	0	\$0.00		\$0.00	\$0.00
7/10/2020	M6	7/10/2020						
6/10/2020	M5	6/10/2020						
5/11/2020	M4	5/12/2020	FEC	1	\$50.00		\$50.00	\$0.00
4/10/2020	M3	4/10/2020						
3/10/2020	M2	3/10/2020						
2/10/2020	M1	2/10/2020						
1/10/2020	M12	1/10/2020						
12/10/2019	M11	12/10/2019						
11/12/2019	M10	11/12/2019						
10/10/2019	M9	10/10/2019						
9/10/2019	M8	9/10/2019						
8/12/2019	M7	8/12/2019						
7/10/2019	M6	7/10/2019						
6/10/2019	M5	6/10/2019						
5/10/2019	M4		FEC	0	\$0.00		\$0.00	\$0.00
4/10/2019	M3	4/11/2019	DFS	1	\$50.00		\$50.00	\$0.00
3/11/2019	M2	3/28/2019	CLO	17	\$0.00		\$0.00	\$0.00
2/11/2019	M1	3/28/2019	CLO	45	\$0.00		\$0.00	\$0.00
1/10/2019	M12	3/28/2019	CLO	77	\$0.00		\$0.00	\$0.00
12/10/2018	M11	3/28/2019	CLO	108	\$0.00		\$0.00	\$0.00
11/13/2018	M10	3/28/2019						

ATTACHMENT B

**DIVISION OF ELECTIONS  
FEC NOTICE FORM**

To FEC from Division of Elections

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**Candidate:** Kyle Gibson  
**Account Number:** 73870  
**Treasurer:** Kyle Gibson

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The Division of Elections hereby provides this notice to the Florida Elections Commission pursuant to sections 106.22(7) and 106.25, Florida Statutes. An apparent violation of Chapter 106, Florida Statutes, has occurred based upon a failure to file addendums after notice as required by section 106.07(2)(b)1., Florida Statutes, for the following report(s):

2020 M2

- Kyle Gibson (73870) is a 2022 candidate for the office of Governor.
- On October 16, 2018, Kyle Gibson filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division appointing himself as treasurer.
- On March 11, 2020, the Division mailed Mr. Gibson notification that one or more campaign treasurer's reports were incomplete.
- On March 26, 2020, the Division mailed Mr. Gibson notification that one or more campaign treasurer's reports were incomplete.
- On April 27, 2020, the Division mailed Mr. Gibson final notification with delivery confirmation that one or more campaign treasurer's reports were incomplete. (See attached letter and delivery confirmation.)
- As of June 23, 2020, one or more campaign treasurer's reports remain incomplete.

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**Sent By:** Kristi Reid Willis  
**Date:** June 23, 2020

*KRW*

ejr

**ATTACHMENT C**

## FLORIDA ELECTIONS COMMISSION

### Report of Investigation for Failure to Timely Amend

**Case Number:** FEC 20-144

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

**Respondent:** Kyle Gibson

**Respondent's Atty:** N/A

**Division of Elections (Division)**

**Referral Filed:** June 29, 2020

**Respondent Type:** Treasurer for Candidate

#### **I. Preliminary Information:**

1. I investigated whether Respondent violated this section of the election laws by failing to file an amended report for the following campaign treasurer's report after receiving notice from the filing officer: 2020 M2.

2. An Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9) was filed on October 16, 2018. Respondent was named as the treasurer for Kyle Gibson, a 2022 candidate for Governor. To review the DS-DE 9, refer to Exhibit 1.

3. On October 18, 2018, the Division sent Respondent a letter acknowledging his appointment as the campaign treasurer for Kyle Gibson's campaign. The letter advised Respondent that all of the Division's publications and reporting forms are available on their website, including Chapter 106, Florida Statutes, the *Candidate and Campaign Treasurer Handbook*, and the *Calendar of Reporting Dates*. The letter further advised Respondent that it was his responsibility to read, understand, and follow the requirements of Florida's election laws. To review a copy of the acknowledgement letter, refer to Exhibit 2.

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

4. On March 11, 2020 and March 26, 2020, the Division sent correspondence to Respondent informing him that one or more campaign reports were incomplete. The correspondence was sent to Respondent's address provided on the DS-DE 9 and included an error report referencing the following report: 2020 M2. To review the correspondence and error reports, refer to Exhibit 3.

5. On April 27, 2020, the Division sent Respondent a letter marked "Final Notice" with delivery confirmation informing him that one or more campaign reports were incomplete. The letter was sent to Respondent's address provided on the DS-DE 9 and included an error report referencing the following report: 2020 M2. It was confirmed delivered on April 30, 2020. To review the Final Notice letter, error report and delivery confirmation, refer to Exhibit 4.

6. In an email dated September 9, 2020, Division staff confirmed that Respondent has not correctly amended the report at issue. To review the email from Division staff, refer to Exhibit 5.

7. Respondent did not respond to the referral.

8. Respondent did not respond to a questionnaire-affidavit. Because the affidavit has not been returned, I am unable to ascertain whether he has read Chapter 106, Florida Statutes and/or the *Candidate and Campaign Treasurer Handbook*.

9. I attempted to contact Respondent on three occasions to give him an opportunity to discuss the allegations made in the referral. As of the date of this report, Respondent has not returned my telephone calls. To review a copy of the phone log, refer to Exhibit 6.

**SIGNATURE OF INVESTIGATOR:**



**Date:** September 14, 2020



**FLORIDA ELECTIONS COMMISSION**  
**REPORT OF INVESTIGATION**  
Kyle Gibson -- FEC 20-144

<b>LIST OF EXHIBITS</b>	
<b>Exhibits #s</b>	<b>Description of Exhibits</b>
Exhibit 1	Respondent's DS-DE 9 form
Exhibit 2	Acknowledgement Letter
Exhibit 3	1 <sup>st</sup> and 2 <sup>nd</sup> Failure-to-Amend Letters
Exhibit 4	Final Notice with delivery confirmation receipt
Exhibit 5	Email from the Division staff
Exhibit 6	Phone Log

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

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

(PLEASE PRINT OR TYPE)

RECEIVED  
DEPARTMENT OF STATE  
2018 OCT 16 AM 8:44  
DIVISION OF ELECTIONS  
TALLAHASSEE FL

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

OFFICE USE ONLY

**1. CHECK APPROPRIATE BOX(ES):**

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

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

Kyle KC Gibson

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

PO Box 590581  
Tamarac, Florida 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**

PO Box 590581

**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

**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**

October 5, 2018

**26. Signature of Candidate**



**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.

October 5, 2018

Date



Signature of Campaign Treasurer or Deputy Treasurer



## FLORIDA DEPARTMENT of STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

October 18, 2018

Kyle 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 October 16, 2018. Your name has been placed on the 2022 active candidate list.

### Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **November 13, 2018**. The report will cover the period of October 1-31, 2018 (2018 M10). All candidates who 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 your user identification number. The enclosed sealed envelope contains your filing credentials.

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

**Identification Number:** 73870

### 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

Division of Elections  
R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399  
850.245.6240 • 850.245.6260 (Fax) [dos.myflorida.com/elections/](https://dos.myflorida.com/elections/)



Kyle Gibson  
October 18, 2018  
Page Two

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.


### **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://dos.myflorida.com/elections/>. 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, *Candidate and Campaign Treasurer Handbook*, *Calendar of Reporting Dates*, and Rule 1S-2.017, Florida Administrative Code.**

Please let me know if you need additional information.

Sincerely,



Kristi Reid Willis, Chief  
Bureau of Election Records

KRW/jcs

Enclosures



FLORIDA DEPARTMENT OF STATE

**Laurel M. Lee**  
Secretary of State

DIVISION OF ELECTIONS

March 11, 2020

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

Re: CAN 73870

Dear Mr. Gibson:

The Division of Elections has determined that one or more campaign reports are incomplete for the reasons noted in the attached error report.

Pursuant to Section 106.07(2), Florida Statutes, you have 7 days from receipt of this notice to file an amended report to correct errors or provide missing information. If the information has been reported accurately, provide a written explanation to the Division addressing the issue noted in the error report. Please be advised that failure to supply this information within the time allowed may constitute a violation of Chapter 106, Florida Statutes.

If you need assistance in filing an amendment, please contact the Division's help line at (850) 245-6280.

Sincerely,

Kristi Reid Willis, Chief  
Bureau of Election Records

Attachment

**Error Report**

Candidate: Kyle Gibson

Office: GOV

Report: 2020 M2 (17) Covering Period: 2/1/20 - 2/29/20

Account: 73870

**Contributions**

**Expenditures**

Seg	Date	Name	Address	City/State/Zip	Type	Expenditure Purpose	Amount	Amend
12	02/10/20			JACKSONVILLE, FL	MON		\$34.44	

\*No Value Provided For Last Name Field

\*No Address Was Provided

\*Missing Expenditure Purpose

15	02/18/20	HOTELCOM	HOTELCOM		MON	POLK COUNTY HOTEL TRIP	\$130.00	
----	----------	----------	----------	--	-----	------------------------	----------	--

\*No City Was Provided In The Address

\*No State Was Provided In The Address

**Fund Transfers**

**Other Distributions**



FLORIDA DEPARTMENT OF STATE

**Laurel M. Lee**  
Secretary of State

DIVISION OF ELECTIONS

**Second Notice**

March 26, 2020

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

Re: CAN 73870

Dear Mr. Gibson:

On March 11, 2020, you were advised that one or more of your campaign treasurer's reports were incomplete and that you had 7 days to provide the requested information.

The Division's electronic filing system indicates that the required information has not been provided. Pursuant to Section 106.22, Florida Statutes, the Division is required to notify the Florida Elections Commission of the failure to provide information required by Chapter 106. Accordingly, if the information requested in our prior notice is not received within 7 days of receipt of this letter, we will refer this matter to the Commission. A second copy of the error report is attached for your convenience.

Sincerely,

Kristi Reid Willis, Chief  
Bureau of Election Records

Attachment

Error Report

Candidate: Kyle Gibson

Office: GOV

Report: 2020 M2 (17) Covering Period: 2/1/20 - 2/29/20

Account: 73870

**Contributions**

**Expenditures**

<u>Seq</u>	<u>Date</u>	<u>Name</u>	<u>Address</u>	<u>City/State/Zip</u>	<u>Type</u>	<u>Expenditure Purpose</u>	<u>Amount</u>	<u>Amend</u>
12	02/10/20			JACKSONVILLE, FL	MON		\$34.44	
15	02/18/20		HOTEL.COM		MON	POLK COUNTY HOTEL TRIP	\$130.00	

\*No Value Provided For Last Name Field

\*No Address Was Provided

\*Missing Expenditure Purpose

HOTEL.COM

HOTEL.COM

\*No City Was Provided In The Address

\*No State Was Provided In The Address

**Fund Transfers**

**Other Distributions**



**Compliance Report**

Candidate: Kyle Gibson

Office: GOV

Report: 2018 M10 (4) Covering Period: 10/16/18 - 10/31/18

Account: 73870

**Overall**

Statute	FAC	Description
106.07, FS		Pending report must be filed or deleted

**Contributions**

**Expenditures**

**Fund Transfers**

**Other Distributions**

Report: 2018 M12 (2) Covering Period: 12/1/18 - 12/31/18

Account: 73870

**Overall**

Statute	FAC	Description
106.07, FS		Pending report must be filed or deleted

**Contributions**

**Expenditures**

**Fund Transfers**

**Other Distributions**



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee  
Secretary of State

DIVISION OF ELECTIONS

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RECEIPT

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For Tracking or Inquiries go to USPS.com  
or call 1-800-222-1811.

April 27, 2020

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

Re: CAN 73870

Dear Mr. Gibson:

You have previously been advised that one or more campaign treasurer's reports are incomplete for the reasons noted in the attached error report.

Pursuant to Section 106.07(2), Florida Statutes, you have 7 days from receipt of this letter to correct errors or provide missing information. If the information has been reported accurately, you must provide a written explanation to the Division addressing the issue noted in the error report. Please be advised that if you fail to comply with this request, the Division will forward this matter to the Florida Elections Commission for further action. Section 106.265(1), Florida Statutes, authorizes the Florida Elections Commission to impose civil penalties of up to \$1,000 per violation.

If you need assistance in filing an amendment, please contact the Division's help line at (850) 245-6280.

Sincerely,

Kristi Reid Willis, Chief  
Bureau of Election Records

Attachment

Error Report

Candidate: Kyle Gibson

Office: GOV

Report: 2020 M2 (17) Covering Period: 2/1/20 - 2/29/20

Account: 73870

**Contributions**

**Expenditures**

<u>Seq</u>	<u>Date</u>	<u>Name</u>	<u>Address</u>	<u>City/State/Zip</u>	<u>Type</u>	<u>Expenditure Purpose</u>	<u>Amount</u>	<u>Amend</u>
12	02/10/20			JACKSONVILLE, FL	MON		\$34.44	
		*No Value Provided For Last Name Field						
		*No Address Was Provided						
		*Missing Expenditure Purpose						
15	02/18/20	HOTELCOM	HOTEL COM		MON	POLK COUNTY HOTEL TRIP	\$130.00	
		*No City Was Provided In The Address						
		*No State Was Provided In The Address						

**Fund Transfers**

**Other Distributions**

Florida Department of State - Division of Elections  
Compliance Report

Candidate: Kyle Gibson

Office: GOV

Report: 2018 M10 (4)    Covering Period: 10/16/18 - 10/31/18

Account: 73870

Overall

Statute	FAC	Description
106.07, FS		Pending report must be filed or deleted

Contributions

Expenditures

Fund Transfers

Other Distributions

Report: 2018 M12 (2)    Covering Period: 12/1/18 - 12/31/18

Account: 73870

Overall

Statute	FAC	Description
106.07, FS		Pending report must be filed or deleted

Contributions

Expenditures

Fund Transfers

Other Distributions

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Your item has been delivered and is available at a PO Box at 10:43 am on April 30, 2020 in FORT LAUDERDALE, FL 33319.

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April 30, 2020 at 10:43 am  
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## Cedric Oliver

---

**From:** Willis, Kristi R. (Bronson) <Kristi.Willis@DOS.MyFlorida.com>  
**Sent:** Wednesday, September 9, 2020 10:46 AM  
**To:** Cedric Oliver  
**Subject:** RE: Acct #73870

The 2020 M2 errors still remain.  
This report has not been amended.

---

**From:** Cedric Oliver <Cedric.Oliver@myfloridalegal.com>  
**Sent:** Friday, September 04, 2020 4:44 PM  
**To:** Willis, Kristi R. (Bronson) <Kristi.Willis@DOS.MyFlorida.com>  
**Subject:** Acct #73870

### EMAIL RECEIVED FROM EXTERNAL SOURCE

Hey Kristi! Has the 2020 M2 Report been properly amended at this time? If so, when?

**FLORIDA ELECTIONS COMMISSION  
PHONE LOG  
Case No.: FEC 20-144**

**Respondent:** Kyle Gibson

**Complainant:** Division of Elections

1. **Date and time:** August 20, 2020 @ 2:10 pm  
**Name:** Respondent  
**Phone #:** (850) 322-8815  
**Summary:** I attempted telephone contact to make initial contact. I left a message to return my call.  
**Memo to File?** No  
**Entered by:** CKO
  
2. **Date and time:** September 8, 2020 @ 4:00 pm  
**Name:** Respondent  
**Phone #:** (850) 322-8815  
**Summary:** I attempted telephone contact to complete final interview. I left a message to return my call.  
**Memo to File?** No  
**Entered by:** CKO
  
3. **Date and time:** September 9, 2020 @ 12:20 pm  
**Name:** Respondent  
**Phone #:** (850) 322-8815  
**Summary:** I attempted telephone contact to complete final interview. I left a message to return my call.  
**Memo to File?** No  
**Entered by:** CKO

**FLORIDA ELECTIONS COMMISSION  
PHONE LOG  
Case No.: FEC 20-144**

**Respondent:** Kyle Gibson

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1. **Date and time:** August 20, 2020 @ 2:10 pm  
**Name:** Respondent  
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**Summary:** I attempted telephone contact to make initial contact. I left a message to return my call.  
**Memo to File?** No  
**Entered by:** CKO
  
2. **Date and time:** September 8, 2020 @ 4:00 pm  
**Name:** Respondent  
**Phone #:** (850) 322-8815  
**Summary:** I attempted telephone contact to complete final interview. I left a message to return my call.  
**Memo to File?** No  
**Entered by:** CKO
  
3. **Date and time:** September 9, 2020 @ 12:20 pm  
**Name:** Respondent  
**Phone #:** (850) 322-8815  
**Summary:** I attempted telephone contact to complete final interview. I left a message to return my call.  
**Memo to File?** No  
**Entered by:** CKO





# Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-1050  
Telephone: (850) 922-4539 · Facsimile: (850) 921-0783  
[FEC@myfloridalegal.com](mailto:FEC@myfloridalegal.com) · [www.fec.state.fl.us](http://www.fec.state.fl.us)



August 5, 2020

Kyle Gibson  
Post Office Box 590581  
Tamarac, FL 33359

**RE: Case No.: FEC 20-144; Respondent: Kyle Gibson**

Dear Mr. Gibson:

On June 29, 2020, the Florida Elections Commission received a complaint alleging that you violated Florida's election laws. I have reviewed the complaint and find that it contains one or more **legally sufficient allegations**. The Commission staff will investigate the following alleged violation:

**Section 106.07(2)(b)1., Florida Statutes:** Respondent, a 2022 candidate for the office of Governor, acting as his own treasurer, failed to timely make necessary amendments to the 2020 M2 campaign treasurer report, as alleged in the complaint.

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 prepare and present a written Staff Recommendation (SR) to the Commission as to whether there is probable cause to charge you, the 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 violation occurred and, if so, the amount of the fine to be imposed upon you. Notice will be mailed to you and the Complainant at least 14 days before any hearing at which your case is to be considered.

Pursuant to Section 106.25(4)(i)3., Florida Statutes, the Commission may enter into a consent agreement with a Respondent to settle a complaint prior to a finding of probable cause. If you are interested in entering negotiations directed towards reaching a consent agreement to resolve this matter, please contact the Commission and request to speak with the attorney assigned to this case.

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

Pursuant to Section 106.25, Florida Statutes, complaints, investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 or 106, Florida Statutes, are

Kyle Gibson  
August 5, 2020  
Page 2  
FEC 20-144

confidential until the Commission finds probable cause or no probable cause, unless the Respondent files a written waiver of confidentiality with the Commission. The confidentiality provision does not apply to the Complainant or the Respondent.

Should you retain counsel, your attorney must file a notice of appearance with the Commission before any member of the commission staff can discuss this case with him or her.

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

If you have additional questions, please contact **Cedric Oliver**, the investigator assigned to this case, by phone at (850) 922-4539 or by email at [Cedric.Oliver@myfloridalegal.com](mailto:Cedric.Oliver@myfloridalegal.com).

Sincerely,



Tim Vaccaro  
Executive Director

TV/med

**DIVISION OF ELECTIONS  
FEC NOTICE FORM**

To FEC from Division of Elections

---

---

**Candidate:** Kyle Gibson  
**Account Number:** 73870  
**Treasurer:** Kyle Gibson

---

---

The Division of Elections hereby provides this notice to the Florida Elections Commission pursuant to sections 106.22(7) and 106.25, Florida Statutes. An apparent violation of Chapter 106, Florida Statutes, has occurred based upon a failure to file addendums after notice as required by section 106.07(2)(b)1., Florida Statutes, for the following report(s):

2020 M2

- Kyle Gibson (73870) is a 2022 candidate for the office of Governor.
- On October 16, 2018, Kyle Gibson filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division appointing himself as treasurer.
- On March 11, 2020, the Division mailed Mr. Gibson notification that one or more campaign treasurer's reports were incomplete.
- On March 26, 2020, the Division mailed Mr. Gibson notification that one or more campaign treasurer's reports were incomplete.
- On April 27, 2020, the Division mailed Mr. Gibson final notification with delivery confirmation that one or more campaign treasurer's reports were incomplete. (See attached letter and delivery confirmation.)
- As of June 23, 2020, one or more campaign treasurer's reports remain incomplete.

---

**Sent By:** Kristi Reid Willis  
**Date:** June 23, 2020

*Kew*

ejr



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee  
Secretary of State

DIVISION OF ELECTIONS

**FINAL NOTICE**

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For Tracking or Inquiries go to USPS.com  
or call 1-800-222-1811.

April 27, 2020

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

Re: CAN 73870

Dear Mr. Gibson:

You have previously been advised that one or more campaign treasurer's reports are incomplete for the reasons noted in the attached error report.

Pursuant to Section 106.07(2), Florida Statutes, you have 7 days from receipt of this letter to correct errors or provide missing information. If the information has been reported accurately, you must provide a written explanation to the Division addressing the issue noted in the error report. Please be advised that if you fail to comply with this request, the Division will forward this matter to the Florida Elections Commission for further action. Section 106.265(1), Florida Statutes, authorizes the Florida Elections Commission to impose civil penalties of up to \$1,000 per violation.

If you need assistance in filing an amendment, please contact the Division's help line at (850) 245-6280.

Sincerely,

Kristi Reid Willis, Chief  
Bureau of Election Records

Attachment

Error Report

Candidate: Kyle Gibson

Office: GOV

Report: 2020 M2 (17) Covering Period: 2/1/20 - 2/29/20

Account: 73870

**Contributions**

**Expenditures**

<u>Seq</u>	<u>Date</u>	<u>Name</u>	<u>Address</u>	<u>City/State/Zip</u>	<u>Type</u>	<u>Expenditure Purpose</u>	<u>Amount</u>	<u>Amend</u>
12	02/10/20			JACKSONVILLE, FL	MON		\$34.44	
		*No Value Provided For Last Name Field						
		*No Address Was Provided						
		*Missing Expenditure Purpose						
15	02/18/20	HOTEL.COM	HOTEL.COM		MON	POLK COUNTY HOTEL TRIP	\$130.00	
		*No City Was Provided In The Address						
		*No State Was Provided In The Address						

**Fund Transfers**

**Other Distributions**

Compliance Report

Candidate: Kyle Gibson

Office: GOV

Report: 2018 M10 (4)

Covering Period: 10/16/18 - 10/31/18

Account: 73870

**Overall**

<u>Statute</u>	<u>FAC</u>	<u>Description</u>
106.07, FS		Pending report must be filed or deleted

**Contributions**

**Expenditures**

**Fund Transfers**

**Other Distributions**

Report: 2018 M12 (2)

Covering Period: 12/1/18 - 12/31/18

Account: 73870

**Overall**

<u>Statute</u>	<u>FAC</u>	<u>Description</u>
106.07, FS		Pending report must be filed or deleted

**Contributions**

**Expenditures**

**Fund Transfers**

**Other Distributions**

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Your item has been delivered and is available at a PO Box at 10:43 am on April 30, 2020 in FORT LAUDERDALE, FL 33319.

 **Delivered**

April 30, 2020 at 10:43 am  
Delivered, PO Box  
FORT LAUDERDALE, FL 33319

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## Report Detail

Account/Seq 73870 4

Election/Type

20221108-GEN

Kyle Gibson

CAN

Status/Reviewer	Mailed	Type/Recd	R E S P O N S E
SN ejrowlette	<b>1st:</b> 3/11/2020	AUT	
4/27/20 8:32 am	<b>2nd:</b> 3/26/2020	4/30/2020	
	<b>3rd:</b> 4/27/2020		

**NOTES:** 5/15/2020 - No change. Recommend FEC referral. ejr  
5/13/2020 - Attempted to reach Mr. Gibson, but had to leave a voice message informing him our records show he received the final notice almost 2 weeks ago. I asked that he fix the errors and file the 2 pending reports. I asked him to call if he needed assistance; other wise, the issue would be sent to the FEC. Ejr



**HISTORY NOTES**  
 Kyle Gibson - 73870

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
68909	5/12/2020 11:54:00 AM		dsbrown
RE: Credential Request  Spoke to Mr. Gibson. He said he couldn't remember his treasurer pin. I gave him the treasurer pin. He said he would file his report "momentarily".			
66791	10/4/2019 10:34:00 AM		jcsoria
Re: FEC Referral (Audit)  I contacted candidate on 9/30 and left him a message indicating that he would be referred to the FEC due to incomplete campaign reports. Candidate did not return call.			
65805	7/10/2019 4:25:00 PM		ZJSantos
RE: Credential Request Form  I released them to Mr. Gibson at the front desk.			
65300	5/29/2019 1:59:00 PM		mchellman
Re CRF letter, called Can/T 2:00 pm and gave him his 2 PINs.			
64598	4/11/2019 1:17:00 PM		dsbrown
RE: Credentials  Mr. Gibson called back. I confirmed that he needed his password reset. Gave him new password and his candidate/treasure pins.			
64592	4/11/2019 11:40:00 AM		dsbrown
RE: Credential Request  Mr. Gibson sent a letter requesting his password and pin as candidate and treasurer. He did not provide a phone number in the letter. I called the number on file and left a message for him to call me direct for his credentials.			
64223	3/27/2019 10:43:00 AM		zjsantos
RE: Late Filings  I left a voicemail for Mr. Gibson instructing him to file the 2018 M10, M11, & M12 reports as waivers, and if there was any activity on those reports go back and amend them. I then instructed him to file the 2019 M1 & M2 reports, those have been available.			
63231	2/8/2019 11:59:00 AM		mchellman
Re CRF, gave Can/T his credentials at the counter at 11:50 pm.			

# Queued Items for 2020-M2

Account: 73870

**GOV Kyle Gibson**

Rpt Seq: 17

<i>ProcessDescription</i>	<i>Status</i>	<i>Submitter</i>	<i>Created</i>	<i>LastUpdate</i>
Create Pending Report	Processing Complete	73870	3/10/2020 10:07:21 PM	3/10/2020 10:07:21 PM
Recalc Pending Report Total	Processing Complete	73870	3/10/2020 11:22:08 PM	3/10/2020 11:22:08 PM
Review Pending Report	Processing Complete	73870	3/10/2020 11:22:14 PM	3/10/2020 11:22:14 PM
File Pending Report	Processing Complete	73870	3/10/2020 11:28:30 PM	3/10/2020 11:28:30 PM
Review Filed Report	Processing Complete	mzortiz	3/11/2020 9:49:49 AM	3/11/2020 9:49:49 AM

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

(1) Kyle Gibson (2) 73870  
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 02/01/2020 To 02/29/2020 Report Type: M2  
 Original  Amendment  Special Election Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks	\$0.00
Loans	\$180.88
<i>Total Monetary</i>	\$180.88
In-Kind	\$0.00

(7) EXPENDITURES THIS REPORT

Monetary Expenditures	\$467.94
Transfers to Office Account	\$0.00
<i>Total Monetary</i>	\$467.94

(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 Gibson

Report: 2020 M2

Period: 02/01/2020 to 02/29/2020

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

Seq # Date	Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip	Contributor	Occupation	Amount
		Type	In-Kind Description	Amend
1 02/12/2020	GIBSON KYLE PO BOX 590581 FT LAUDERDALE, FL	S LOA		\$100.00
2 02/13/2020	GIBSON KYLE PO BOX 590581 FT LAUDERDALE, FL	S LOA		\$80.88

Name: Kyle Gibson

Report: 2020 M2

Period: 02/01/2020 to 02/29/2020

## \*\* Records in Filed Report \*\*

Seq # Date	Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip	Type	Purpose	Amount Amend
1 02/03/2020	MCDONALDS 200 N CHARLESTON AVE FT. MEADE, FL 33841	MON	FOOD FOR VOLUNTEER	\$8.65
2 02/03/2020	ZOYA JAMAICAN 599 ST ANDREWS RD WINTER HAVEN, FL 33884-8844	MON	FOOD FOR VOLUNTEER	\$40.00
3 02/04/2020	BROWARD COUNTY SOE OFFICE 115 NW 40TH AVE FT LAUDEEDALE, FL 33313	MON	COUNTY VOTER LIST	\$20.00
4 02/03/2020	STAPLES 470 CITI CENTER ST WINTER HAVEN, FL 33380	MON	COPIES OF PETITIONS	\$37.80
5 02/04/2020	US POST OFFICE 1900 W OAKLAND PARK BLCD FT LAUDERDALE, FL	MON	POST OFFICE BOX RENTAL	\$28.73
6 02/06/2020	JETS PIZZA 1300 E OAKLAND PARK BLVD OAKLAND PARK, FL 33334	MON	FOOD FOR VOLUNTEERS	\$15.07
7 02/07/2020	WAWA 1180 US 1 VERO BEACH, FL 32960	MON	GAS	\$11.42
8 02/07/2020	GIBSON KYLE PO BOX 590581 FT LAUDERDALE, FL	PCW		\$35.00
9 02/07/2020	JIFFY LUBE 901 NE 62ND ST FT LAUDERDALE, FL	MON	OIL CHANGE	\$41.41
10 02/08/2020	LAWTY COMMUNITY FOOD MARKET 23702 US HWY 301 LAWTEY, FL	MON	WATER	\$4.91
11 02/07/2020	CHICK FIL A 6200 20TH STE VERO BEACH, FL 32966	MON	FOOD FOR VOLUNTEER	\$13.36
* 12 02/10/2020	JACKSONVILLE, FL	MON		\$34.44
13 02/14/2020	WALGREENS 1 W SUNRISE BLVD FT LAUDERDALE, FL 33311	MON	PENS	\$4.88
14 02/14/2020	US POST OFFICE 1900 W OAKLAND PARK BLVD OAKLAND PARK, FL 33310	MON	STAMPS	\$28.35
* 15 02/18/2020	HOTEL.COM HOTEL.COM	MON	POLK COUNTY HOTEL TRIP	\$130.00
16 02/18/2020	HOT DOG HEAVEN 101 E SUNRISE BLVD FT LAUDERDALE, FL	MON	FOOD FOR VOLUNTEER	\$8.92
17 02/20/2020	CENTENNIAL BANK 2600 E COMMERCIAL BLVD FT LAUDERDALE, FL	MON	BANK SERVICE FEE	\$5.00

ID:

# CAMPAIGN TREASURER'S REPORT – ITEMIZED FUND TRANSFERS

Name: Kyle Gibson

Report: 2020 M2

Period: 02/01/2020

to 02/29/2020

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

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

ID:

# CAMPAIGN TREASURER'S REPORT – ITEMIZED DISTRIBUTIONS

Name: Kyle Gibson

Report: 2020 M2

Period: 02/01/2020

to 02/29/2020

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

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

# Report Detail

Account/Seq 73870 4

Election/Type  
20221108-GEN  
CAN

Kyle Gibson

Status/Reviewer	Mailed	Type/Recd	R E S P O N S E
SN ejrowlette	1st: 3/11/2020	AUT	
4/27/20 8:32 am	2nd: 3/26/2020	4/30/2020	
	3rd: 4/27/2020		

NOTES: 5/15/2020 - No change. Recommend FEC referral. ejr  
5/13/2020 - Attempted to reach Mr. Gibson, but had to leave a voice message informing him our records show he received the final notice almost 2 weeks ago. I asked that he fix the errors and file the 2 pending reports. I asked him to call if he needed assistance; other wise, the issue would be sent to the FEC. Ejr



**HISTORY NOTES**  
**Kyle Gibson - 73870**

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
68909	5/12/2020 11:54:00 AM		dsbrown
<p>RE: Credential Request</p> <p>Spoke to Mr. Gibson. He said he couldn't remember his treasurer pin. I gave him the treasurer pin. He said he would file his report "momentarily".</p>			
66791	10/4/2019 10:34:00 AM		jcsoria
<p>Re: FEC Referral (Audit)</p> <p>I contacted candidate on 9/30 and left him a message indicating that he would be referred to the FEC due to incomplete campaign reports. Candidate did not return call.</p>			
65805	7/10/2019 4:25:00 PM		ZJSantos
<p>RE: Credential Request Form</p> <p>I released them to Mr. Gibson at the front desk.</p>			
65300	5/29/2019 1:59:00 PM		mcchellman
<p>Re CRF letter, called Can/T 2:00 pm and gave him his 2 PINs.</p>			
64598	4/11/2019 1:17:00 PM		dsbrown
<p>RE: Credentials</p> <p>Mr. Gibson called back. I confirmed that he needed his password reset. Gave him new password and his candidate/treasure pins.</p>			
64592	4/11/2019 11:40:00 AM		dsbrown
<p>RE: Credential Request</p> <p>Mr. Gibson sent a letter requesting his password and pin as candidate and treasurer. He did not provide a phone number in the letter. I called the number on file and left a message for him to call me direct for his credentials.</p>			
64223	3/27/2019 10:43:00 AM		zjsantos
<p>RE: Late Filings</p> <p>I left a voicemail for Mr. Gibson instructing him to file the 2018 M10, M11, &amp; M12 reports as waivers, and if there was any activity on those reports go back and amend them. I then instructed him to file the 2019 M1 &amp; M2 reports, those have been available.</p>			
63231	2/8/2019 11:59:00 AM		mcchellman
<p>Re CRF, gave Can/T his credentials at the counter at 11:50 pm.</p>			