

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Javier Estevez

Case No.: FEC 19-474

TO: Javier Estevez
10820 SW 5th Street
Miami, FL 33174

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 · 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
 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 19-474

v.

Javier Estevez,
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 June 8, 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 December 10, 2018, Javier Estevez violated Section 106.07(7), Florida Statutes, when he failed to notify the filing officer in writing on the prescribed reporting date that he would not be filing his 2018 M11 Report.

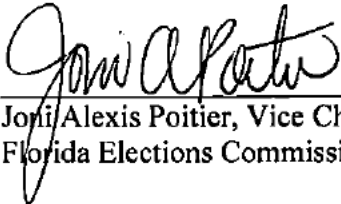
Count 2:

On or about January 10, 2019, Javier Estevez violated Section 106.07(7), Florida Statutes, when he failed to notify the filing officer in writing on the prescribed reporting date that he would not be filing his 2018 M12 Report.

Count 3:

On or about March 11, 2019, Javier Estevez violated Section 106.07(7), Florida Statutes, when he failed to notify the filing officer in writing on the prescribed reporting date that he would not be filing his 2019 M2 Report.

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
Javier Estevez, 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: Javier Estevez

Case No.: FEC 19-474

TO: Javier Estevez
10820 SW 5th Street
Miami, FL 33174

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:

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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: Javier Estevez

Case No.: FEC 19-474

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 April 13, 2020, the following facts and law support this staff recommendation:

1. On August 5, 2019, the Florida Elections Commission (“Commission”) received a referral from the Department of State, Division of Elections (“Division”), alleging that Javier Estevez (“Respondent”) violated Chapter 106, Florida Statutes.

2. Respondent is a candidate for State Representative, District 105, in the 2020 election, acting as his own treasurer. (ROI Exhibit 1)¹

3. On November 21, 2019, the Executive Director notified Respondent by mail that Commission staff would investigate the following statutory provisions:

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent, a 2020 candidate for State Representative, District 105, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the following reporting periods: 2018 M11, 2018 M12, 2019 M2.

4. On November 27, 2018, the Division sent Respondent a letter acknowledging that the Division had received Respondent’s Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of State Representative and placed his name on the 2020 active candidate list. (ROI Exhibit 3, page 1)

5. The acknowledgment letter advised Respondent that all the Division’s publications and reporting forms were available on its website and directed Respondent to print out the *Candidate and Campaign Treasurer Handbook*, *Calendar of Reporting Dates* as well as other relevant documents, including *Chapter 106, Florida Statutes*. The letter also stated, “An online instruction guide is available to you on the EFS to assist with navigation, data entry, and

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

submission of reports” and provided the telephone number for the Division’s EFS Help Desk. (ROI Exhibit 3, page 2)

6. Pursuant to Section 106.07(7), Florida Statutes, in any reporting period during which a candidate 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 candidate 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 *Candidate & Campaign Treasurer Handbook* references the statutory requirement regarding written notification and directs candidates to notify the Division by way of the Division’s electronic filing system. (ROI Exhibit 4, page 2) The *Candidate EFS User’s Guide* shows the process through which to notify the Division. The user’s guide instructs candidates 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 5, page 3, 4)

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 6)

| Report | Report Cover Period | Date Notification Due | Date Notification Filed | Days Late |
|----------|---------------------|-----------------------|-------------------------|-----------|
| 2018 M11 | 11/26//18 –11/30/18 | 12/10/18 | 12/17/18 | 7 |
| 2018 M12 | 12/01/18 – 12/31/18 | 01/10/19 | 01/25/19 | 15 |
| 2019 M2 | 02/01/19 – 02/28/19 | 03/11/19 | 03/12/19 | 1 |

9. Respondent did not respond in writing or otherwise to the Complaint, the Legal Sufficiency letter, the Report of Investigation and any accompanying letters Commission staff mailed to him with those documents. In addition, investigations sent Respondent a questionnaire-affidavit which he did not return. Investigations also attempted to contact Respondent via voicemail and email but were unsuccessful. (ROI Exhibit 7)

10. On November 27, 2018, as stated previously, when the Division acknowledged receipt of Respondent’s Statement of Organization and Appointment of Campaign Treasurer and Designation of Campaign Depository, Respondent was advised where all the Division’s publications and reporting forms were available.

11. Respondent was also directed to print out *Chapter 106, Florida Statutes*, the *Candidate and Campaign Treasurer Handbook*, *Calendar of Reporting Dates* as well as other relevant documents.

12. The Division further informed Respondent: “It is your responsibility to read, understand, and follow the requirements of Florida’s election laws.”

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. 1st DCA 1995).

14. The facts set forth above show that Respondent is a candidate for State Representative, District 105, in the 2020 election and he failed to notify the filing officer on the prescribed reporting dates that no reports would be filed for the following reporting periods: 2018 M11, 2018 M12, 2019 M2.

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 December 10, 2018, Javier Estevez violated Section 106.07(7), Florida Statutes, when he failed to notify the filing officer in writing on the prescribed reporting date that he would not be filing his 2018 M11 Report.

Count 2:

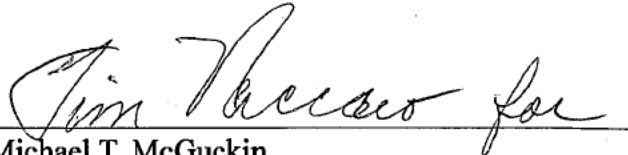
On or about January 10, 2019, Javier Estevez violated Section 106.07(7), Florida Statutes, when he failed to notify the filing officer in writing on the prescribed reporting date that he would not be filing his 2018 M11 Report.

Count 3:

On or about March 11, 2019, Javier Estevez violated Section 106.07(7), Florida Statutes, when he failed to notify the filing officer in writing on the prescribed reporting date that he would not be filing his 2019 M2 Report.

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Respectfully submitted on June 8, 2020.



Michael T. McGuckin
Assistant General Counsel

I reviewed this Staff Recommendation this 8th day of June 2020.



Tim Vaccaro
Executive Director

FLORIDA ELECTIONS COMMISSION

Report of Investigation for Failure to Timely Amend

Case Number: FEC 19-071

Respondent: Javier Estevez

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.

Division of Elections (Division)

Referral Filed: February 11, 2019

Respondent Type: Treasurer for Candidate

I. Preliminary Information:

1. I investigated whether Respondent violated this section of the election laws by failing to file amended reports for the following campaign treasurer's reports after receiving notice from the filing officer: 2018 G5, G6, G7.

2. An appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9) was filed on September 6, 2017. Respondent was named as the treasurer for his campaign for State Representative, District 105. To review the DS-DE 9, refer to Exhibit 1.

3. On September 7, 2017, the Division sent Respondent a letter acknowledging his appointment as the campaign treasurer for his campaign for State Representative. 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 October 22, 2018, October 29, 2018 and November 15, 2018¹, 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 reports: 2018 G5 and G6. To review the correspondence and error report, refer to Exhibit 3.

5. On December 19, 2018, 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 reports: 2018 G5 and G6. It was confirmed delivered on December 22, 2018. To review the Final Notice letter, error report and delivery confirmation, refer to Exhibit 4.

6. On November 5, 2018 and December 6, 2018, 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 reports: 2018 G7. To review the correspondence and error report, refer to Exhibit 5.

¹ The 2018 G5 and G6 notifications were combined in the second letter on November 15, 2018.

7. On January 30, 2019, 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: 2018 G7. It was confirmed delivered on February 1, 2019. To review the Final Notice letter, error report and delivery confirmation, refer to Exhibit 6.

8. In an email dated March 27, 2020, Division staff confirmed that Respondent has not correctly amended any of the reports at issue. To review the email from Division staff, refer to Exhibit 7.

9. Respondent did not respond to the referral.

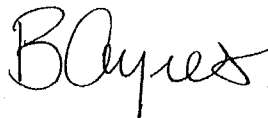
10. Respondent did not respond to a questionnaire-affidavit. Because the affidavit has not been returned, I am unable to ascertain whether he has read Chapter 106, Florida Statutes, and/or the *Candidate and Campaign Treasurer Handbook*.

11. 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 call, email, or the affidavit-questionnaire. To review a copy of the phone log and email sent to Respondent, refer to Exhibit 8.

III. FEC History:

12. Respondent has no prior history with the Florida Elections Commission.

SIGNATURE OF INVESTIGATOR:



Date: April 13, 2020

/Brian Ayres/

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Javier Estevez -- FEC 19-071

| LIST OF EXHIBITS | |
|-------------------------|--|
| Exhibits #s | Description of Exhibits |
| Exhibit 1 | DS-DE 9 & DS-DE 84 |
| Exhibit 2 | Division Acknowledgment Letter |
| Exhibit 3 | First and Second Notice to Amend G5 and G6 |
| Exhibit 4 | Final Notice to Amend G5 and G6 |
| Exhibit 5 | First and Second Notice to Amend G7 |
| Exhibit 6 | Final Notice to Amend G7 |
| Exhibit 7 | Division Correspondence |
| Exhibit 8 | Investigation Attempted Contacts |

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

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

(PLEASE PRINT OR TYPE)

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

RECEIVED
DEPARTMENT OF STATE
17 SEP -6 AM 9:43
DIVISION OF ELECTIONS
TALLAHASSEE, FL

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

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

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

Javier Estevez

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

10820 SW 5 Street
Miami, FL 33174

4. Telephone

(305) 297-6069

5. E-mail address

javier@javier2018.com

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

State Representative District 105

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 Democratic Party Party candidate.

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

10. Name of Treasurer or Deputy Treasurer

Javier Estevez

11. Mailing Address

10820 SW 5 Street

12. Telephone

(305) 297-6069

13. City

Miami

14. County

Miami-Dade

15. State

FL

16. Zip Code

33174

17. E-mail address

javier@javier2018.com

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

19. Name of Bank

Wells Fargo

20. Address

12200 SW 8 Street

21. City

Miami

22. County

Miami-Dade

23. State

FL

24. Zip Code

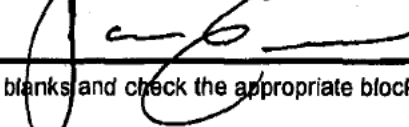
33184

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

8/27/2017

26. Signature of Candidate

X 

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

I, Javier Estevez, do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer.

8/27/2017
Date

X


Signature of Campaign Treasurer or Deputy Treasurer

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY
RECEIVED
DEPARTMENT OF STATE

17 SEP 13 AM 9:32

DIVISION OF ELECTIONS
TALLAHASSEE, FL

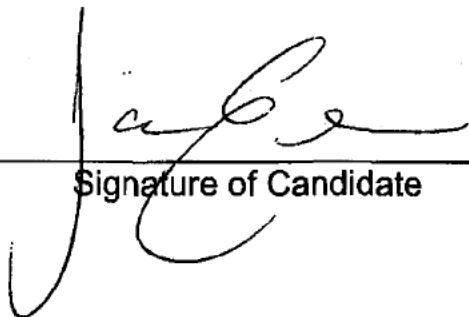
I, Javier Estevez ,

candidate for the office of Florida House of Representatives- District 105 ;

have been provided access to read and understand the requirements of

Chapter 106, Florida Statutes.

X



Signature of Candidate

8/31/17

Date

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



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

September 7, 2017

Javier Estevez
10820 South West 5 Street
Miami, Florida 33174

Dear Mr. Estevez:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of State Representative, which was placed on file in our office on September 6, 2017. Your name has been placed on the 2018 active candidate list. **The enclosed Statement of Candidate must be filed within 10 days of filing the Appointment of Campaign Treasurer form. Also, a new Candidate Oath must be filed during the qualifying period along with the other qualifying documents.**

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **October 10, 2017**. The report will cover the period of September 1-30, 2017 (M9). All candidates who file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

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: 70073

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/



Javier Estevez
September 7, 2017
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/kep

Enclosures



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

October 22, 2018

Javier Estevez
10820 Southwest 5th Street
Miami, FL 33174

Re: CAN 70073

Dear Mr. Estevez:

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: Javier Estevez

Office: STR

Report: 2018 G5 (21) Covering Period: 10/6/18 - 10/12/18

Account: 70073

Contributions

| <u>Contributor</u> | | | <u>Contribution</u> | | | | | | | |
|--------------------|-------------|-------------|---------------------|------------------------|-------------|-------------------|-------------|---------------|-----------------------|--------------|
| <u>Seq</u> | <u>Date</u> | <u>Name</u> | <u>Address</u> | <u>City/State/Zip</u> | <u>Type</u> | <u>Occupation</u> | <u>Type</u> | <u>Amount</u> | <u>InKind Descrip</u> | <u>Amend</u> |
| 14 | 10/10/18 | W FLL LLC | P O BOX 70367 | OAKLAND PARK FL 3-3307 | B | | INK | \$1,000.00 | ADVERTISEMENT | |

*Occupation/Business Required When Contribution Is Greater Than \$100

Expenditures

Fund Transfers

Other Distributions



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

October 29, 2018

Javier Estevez
10820 Southwest 5th Street
Miami, FL 33174

Re: CAN 70073

Dear Mr. Estevez:

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: Javier Estevez

Office: STR

Report: 2018 G6 (22) Covering Period: 10/13/18 - 10/19/18

Account: 70073

Contributions

| Contributor | | | Contribution | | | | | | | | |
|--------------------|-------------|-------------------|------------------------|-----------------------|-------------|-------------------|-------------|---------------|---------------|----------------|--------------|
| <u>Seq</u> | <u>Date</u> | <u>Name</u> | <u>Address</u> | <u>City/State/Zip</u> | <u>Type</u> | <u>Occupation</u> | <u>Type</u> | <u>Amount</u> | <u>InKind</u> | <u>Descrip</u> | <u>Amend</u> |
| 3 | 10/19/18 | RUBIO-RAMOS DELHI | 316 DOWNING GLEN DRIVE | MORRISVILLE, NC 27560 | | STAY AT HOME MOM | CAS | \$333.33 | | | |

*Cash Contributions May Not Exceed \$50 - Written Explanation Required

Expenditures

Fund Transfers

Other Distributions



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

Second Notice

November 15, 2018

Javier Estevez
10820 Southwest 5th Street
Miami, FL 33174

Re: CAN 70073

Dear Mr. Estevez:

On October 22, 2018, 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.

Our records indicate that changes to the report were made, however, the reports are still incomplete. Enclosed is a second error report. Please provide the requested information within 7 days of the date of this letter. Thank you for your cooperation.

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

Attachment

Error Report

Candidate: Javier Estevez

Office: STR

Report: 2018 G6 (22) Covering Period: 10/13/18 - 10/19/18

Account: 70073

Contributions

-----Contributor-----

-----Contribution-----

| <u>Seq</u> | <u>Date</u> | <u>Name</u> | <u>Address</u> | <u>City/State/Zip</u> | <u>Type</u> | <u>Occupation</u> | <u>Type</u> | <u>Amount</u> | <u>InKind</u> | <u>Descrip</u> | <u>Amend</u> |
|------------|-------------|--------------------|------------------------|-----------------------|-------------|-------------------|-------------|---------------|---------------|----------------|--------------|
| 3 | 10/19/18 | RUBIO RAMOS DEL HI | 31E DOWNING GLEN DRIVE | MORRISVILLE, NC 27560 | I | STAY AT HOME MOM | CAS | \$333.33 | | | |

*Cash Contributions May Not Exceed \$50 - Written Explanation Required

Expenditures

Ind Transfers

Other Distributions

Compliance Report

Candidate: Javier Estevez

Office: STR

Report: 2018 G5 (21) Covering Period: 10/6/18 - 10/12/18

Account: 70073

Overall

Contributions

| <u>Statute</u> | <u>FAC</u> | <u>Description</u> |
|----------------|------------|---------------------------------------|
| 1S-2.017 F | | Name required (Initials not accepted) |
| 106 07 | | Occupation/Business Not Provided |

| Contribution | | | | | | |
|---------------------|-------------|-------------|-------------|-------------|---------------|--|
| <u>Seq</u> | <u>Date</u> | <u>Name</u> | <u>City</u> | <u>Type</u> | <u>Amount</u> | |
| 14 | 10/10/201 | W FLL LLC | | INK | \$1,000.00 | |
| 14 | 10/10/201 | W FLL LLC | | INK | \$1,000.00 | |

Expenditures

Fund Transfers

Other Distributions



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

FINAL NOTICE

Delivery Confirmation:

USPS TRACKING # **9114 9014 9646 1760 4319 78**
& CUSTOMER RECEIPT For Tracking or Inquiries go to USPS.com
or call 1-800-222-1811.

December 19, 2018

Javier Estevez
10820 Southwest 5th Street
Miami, FL 33174

Re: CAN 70073

Dear Mr. Estevez:

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

ate: Javier Estevez

Office: STR

ort: 2018 G6 (22) Covering Period: 10/13/18 - 10/19/18

Account: 70073

| Contributor | | | | Contribution | | | | | | |
|-------------|-------------------|------------------------|-----------------------|--------------|------------------|------|----------|--------|---------|-------|
| Date | Name | Address | City/State/Zip | Type | Occupation | Type | Amount | InKind | Descrip | Amend |
| 10/19/18 | RUBIO RAMOS DELEH | 31E DOWNING GLEN DRIVE | MORRISVILLE, NC 27560 | I | STAY AT HOME MOM | CAS | \$333.33 | | | |

*Cash Contributions May Not Exceed \$50 - Written Explanation Required

STILL NEEDED

(UPDATED TO "CHECK")

res

ifers

tributions

Compliance Report

Candidate: Javier Estevez

Office: STR

Report: 2018 G5 (21) Covering Period: 10/6/18 - 10/12/18

Account: 70073

Ball

Contributions

Contribution

| <u>Statute</u> | <u>FAC</u> | <u>Description</u> | <u>Seq</u> | <u>Date</u> | <u>Name</u> | <u>City</u> | <u>Type</u> | <u>Amount</u> |
|----------------|------------|---------------------------------------|------------|-------------|-------------|-------------|-------------|---------------|
| S-2 017 F | | Name required (Initials not accepted) | 14 | 10/10/201 | W FLL LLC | | INK | \$1,000.00 |
| 06.07 | | Occupation/Business Not Provided | 14 | 10/10/201 | W FLL LLC | | INK | \$1,000.00 |

Endorsements

Transfers

or Distributions



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

Track Another Package +

Tracking Number: 9114901496451750431978

Remove X

Expected Delivery on

SATURDAY

22 DECEMBER
2018 ⓘ

[See Product Information](#) ▾

Feedback

Delivered

December 22, 2018 at 1:58 pm
Delivered, In/At Mailbox
MIAMI, FL 33174

-
- Tracking History**
▾
 - Product Information**
▾

[See Less](#) ^

Can't find what you're looking for?

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



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

November 5, 2018

Javier Estevez
10820 Southwest 5th Street
Miami, FL 33174

Re: CAN 70073

Dear Mr. Estevez:

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: Javier Estevez

Office: STR

Report: 2018 G7 (23) Covering Period: 10/20/18 - 11/1/18

Account: 70073

Contributions

Contributor

Contribution

| <u>Seq</u> | <u>Date</u> | <u>Name</u> | <u>Address</u> | <u>City/State/Zip</u> | <u>Type</u> | <u>Occupation</u> | <u>Type</u> | <u>Amount</u> | <u>InKind</u> | <u>Descrip</u> | <u>Amend</u> |
|------------|-------------|-------------|----------------|-----------------------|-------------|-------------------|-------------|---------------|---------------|----------------|--------------|
| 5 | | REID DAVID | 3729 9 ST NW | WASHINGTON, DC 2-0010 | I | POLICY ADVISOR | CHE | \$10 00 | | | |

*The Transaction Date Is Either Before Or After The Report Coverage Period

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> |
|------------|-------------|----------------|-----------------------------------|-----------------------|-------------|----------------------------|---------------|--------------|
| 2 | 10/19/18 | POSTCARD MANIA | 2145 SUNNYDALE BLVD, BUILDING 102 | CLEARWATER, FL 3-3765 | MON | PRINTING | \$2,176.85 | |

*The Transaction Date Is Either Before Or After The Report Coverage Period

Fund Transfers

Other Distributions



FLORIDA DEPARTMENT OF STATE
Ken Detzner
Secretary of State
DIVISION OF ELECTIONS

Second Notice

December 6, 2018

Javier Estevez
10820 Southwest 5th Street
Miami, FL 33174

Re: CAN 70073

Dear Mr. Estevez:

On November 5, 2018, 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.

Our records indicate that changes to the report were made, however, the reports are still incomplete. Enclosed is a second error report. Please provide the requested information within 7 days of the date of this letter. Thank you for your cooperation.

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

Attachment

Error Report

Candidate: Javier Estevez

Office: STR

Report: 2018 G7 (23) Covering Period: 10/20/18 - 11/1/18

Account: 70073

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> |
|------------|-------------|----------------|--------------------------------------|-----------------------|-------------|----------------------------|---------------|--------------|
| 2 | 10/19/18 | POSTCARD MANIA | 2145 SUNNYDALE BLVD. BUILDING 102 | CLEARWATER, FL 3-3765 | MON | PRINTING | \$2,176.85 | |

*The Transaction Date Is Either Before Or After The Report Coverage Period

Fund Transfers

Other Distributions



FLORIDA DEPARTMENT OF STATE

Jennifer Kennedy
Interim Secretary of State

DIVISION OF ELECTIONS

FINAL NOTICE

Delivery Confirmation:

USPS TRACKING # **9114 9014 9646 1750 4309 95**
& CUSTOMER RECEIPT For Tracking or inquiries go to USPS.com
or call 1-800-222-1811

January 30, 2019

Javier Estevez
10820 Southwest 5th Street
Miami, FL 33174

Re: CAN 70073

Dear Mr. Estevez:

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: Javier Estevez

Office: STR

Report: 2018 G7 (23) Covering Period: 10/20/18 - 11/1/18

Account: 70073

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> |
|------------|-------------|----------------|-------------------------------------|-----------------------|-------------|----------------------------|---------------|--------------|
| 2 | 10/19/18 | POSTCARD MANIA | 2145 SUNNYDALE BLVD BUILDING 102 | CLEARWATER FL 3-3765 | MON | PRINTING | \$2,176.85 | |

*The Transaction Date is Either Before Or After The Report Coverage Period

Fund Transfers

Other Distributions

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

Track Another Package +

Tracking Number: 9114901496451750430995

Remove X

Expected Delivery on

FRIDAY

1 FEBRUARY 2019  **See Product Information** ∨

Feedback

 **Delivered**

February 1, 2019 at 2:04 pm
Delivered, In/At Mailbox
MIAMI, FL 33174

Get Updates ∨

Text & Email Updates ∨

Tracking History ∨

Product Information ∨

See Less ^

RE: Account #70073 & #73931: Estevez, J.

Willis, Kristi R. (Bronson) <Kristi.Willis@DOS.MyFlorida.com>

Fri 3/27/2020 11:15 AM

To: Brian Ayres <Brian.Ayres@myfloridalegal.com>

From: Brian Ayres <Brian.Ayres@myfloridalegal.com>

Sent: Friday, March 27, 2020 10:31 AM

To: Willis, Kristi R. (Bronson) <Kristi.Willis@DOS.MyFlorida.com>

Subject: Account #70073 & #73931: Estevez, J.

EMAIL RECEIVED FROM EXTERNAL SOURCE

Good evening Ms. Willis,

Has the above candidate filed an amended 2018 P5, G5, G6 and G7 reports that corrected all the errors the Division identified for his 2018 Campaign? No
If so, was it filed?

Has he also amended his 2019 M11 for his 2020 Campaign? No
If so, was it filed?

Thank you,
Brian Ayres
Florida Elections Commission

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 19-071, 19-300, 19-474**

Respondent: Javier Estevez

Complainant: Division of Elections

1. **Date and time:** March 12, 2020 @ 11:20 a.m.
Name: Javier Estevez
Phone #: (305) 297-6069
Summary: I called Mr. Estevez to go over the three cases referred to the Commission from the Division of Elections. There was no answer, and it is unclear if my voicemail was saved to his voicemail inbox as there was no indication the message was ready to be received.
Memo to File? No
Entered by: Brian Ayres

2. **Date and time:**
Name:
Phone #:
Summary:
Memo to File? No
Entered by:

3. **Date and time:**
Name:
Phone #:
Summary:
Memo to File? No
Entered by:

4. **Date and time:**
Name:
Phone #:
Summary:
Memo to File? No
Entered by:

5. **Date and time:**
Name:
Phone #:
Summary:
Memo to File? No
Entered by:

Florida Elections Commission - Cases 19-071, 19-300, 19-474 and 20-054

Brian Ayres <Brian.Ayres@myfloridalegal.com>

Tue 3/24/2020 8:08 AM

To: javier@javier2018.com <javier@javier2018.com>

Good morning Mr. Estevez,

I am an investigator with the Florida Elections Commission. We have received 4 referrals from the Division on your campaigns. Two complaints are in reference to your 2018 campaign for State Representative, two are for your 2020 campaign for State Representative.

We sent four Legal Sufficiency letters on the following dates:

1. 19-071: March 27, 2019
2. 19-300: June 18, 2019
3. 19-474: November 21, 2019
4. 20-054: March 18, 2020

If you have any questions about these letters, or the investigation, please let me know.

Frequently asked questions with the Commission can be found here:

<http://www.fec.state.fl.us/FECWebFi.nsf/pages/FAQs>. If you need copies of any of the LS letters please let me know.

On **March 16, 2020** I mailed a letter and a questionnaire/affidavit to you. If you could please confirm you have received this it will assist in finalizing the investigations to these complaints. An additional affidavit/questionnaire will be sent in regards to 20-054.

As a note I do not have access to my office phone, email is the best way to contact me should you need anything or have any concerns.

Thank you,
Brian Ayres
Investigation Specialist
Florida Elections Commission

Florida Elections Commission - FAQs

Please direct all public records requests to the clerk of the Commission at fec@myfloridalegal.com, or (850) 922-4539. CITY CLERKS. If you have any questions about the procedures for remitting the 1% Election Assessments, please contact our agency at (850) 922-4539.

www.fec.state.fl.us



Florida Elections Commission

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

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

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



November 21, 2019

Javier Estevez
10820 Southwest 5th Street
Miami, FL 33174

RE: Case No.: FEC 19-474; Respondent: Javier Estevez

Dear Mr. Estevez:

On August 5, 2019, the Florida Elections Commission received a complaint alleging 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(s):

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent, a 2020 candidate for State Representative, District 105, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the following reporting periods:

- 2018 M11
- 2018 M12
- 2019 M2

However, prior to an investigation, you have the option to **resolve your case now by signing a minor violation consent order and paying a fine of \$150**, per Rule 2B-1.003, Florida Administrative Code, **rather than the potential \$1,000 per violation** 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.

Please contact Mike McGuckin at (850) 922-4539, or at the address listed above, to accept this minor violation consent order.

Javier Estevez
November 21, 2019
Page 2
FEC 19-474

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 you.

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,

A handwritten signature in cursive script that reads "Tim Vaccaro". The signature is written in black ink and is positioned below the word "Sincerely,".

Tim Vaccaro
Executive Director

TV/med

**DIVISION OF ELECTIONS
FEC NOTICE FORM**

To FEC from Division of Elections

Candidate: Javier Estevez

Account Number: 73931

Treasurer: Javier Estevez

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 file notifications to the filing officer in writing that no report was being filed on the prescribed reporting date under s. 106.07(7).

2018 M11

2018 M12

2019 M2

- Javier Estevez (73931) is a 2020 candidate for the office of State Representative.
- On November 26, 2018, Mr. Estevez filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division designating himself as treasurer.
- The 2018 M11 campaign treasurer's report was due on December 10, 2018. Mr. Estevez failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Estevez filed a notification of no activity on December 17, 2018. (See attached file receipt.)
- The 2018 M12 campaign treasurer's report was due on January 10, 2019. Mr. Estevez failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Estevez filed a notification of no activity on January 25, 2019. (See attached file receipt and letter.)

- The 2019 M2 campaign treasurer's report was due on March 11, 2019. Mr. Estevez failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Estevez filed a notification of no activity on March 12, 2019. (See attached file receipt and letter.)

Sent By: Kristi Reid Willis *KRW*
Date: August 2, 2019

zjs

 **Treasurer Report Status**

ID: **73931** Name: **Javier Estevez**

Report: 2018 - M11 - 1

Print Date: **7/31/2019 11:35:33 AM**

Election: 2020 General Election

Covers: 11/26/2018-11/30/2018

Amended Waiver

Due: 12/10/2018

Filed: **12/17/2018 12:34:28 AM**

File Status: **Filed Report**

Reviewed: **12/17/2018**

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: **73931** Name: **Javier Estevez**

Report: 2018 - M12 - 2
 Election: 2020 General Election
 Covers: 12/1/2018-12/31/2018
 Due: 1/10/2019

Print Date: **7/31/2019 11:36:09 AM**

Amended Waiver

Filed: **1/25/2019 1:58:48 PM**

File Status: **Filed Report**

Reviewed: **1/25/2019**

Review Status: **Reviewed**

Detail Complete: **No Detail Records Found**

File Method: Web Filed
 Entry Method: Web Data Entry

Number of Detail Records

Pending Queued Items: **0**

Contributions: 0
 Expenditures: 0
 Fund Transfers: 0
 Distributions: 0

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



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

March 1, 2019

Javier Estevez
10820 Southwest 5 Street
Miami, FL 33174-3174

CAN 73931

Dear Mr. Estevez:

The notification that you had no reportable activity for the report deadline of January 10, 2019, was not filed until January 25, 2019. 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,

A handwritten signature in black ink that reads "Kristi Reid Willis".

Kristi Reid Willis, Chief
Bureau of Election Records

 **Treasurer Report Status**

ID: **73931** Name: **Javier Estevez**

Report: 2019 - M2 - 4
 Election: 2020 General Election
 Covers: 2/1/2019-2/28/2019
 Due: 3/11/2019

Print Date: **7/31/2019 11:36:47 AM**

Amended Waiver

Filed: **3/12/2019 12:25:41 PM**

File Status: **Filed Report**

Reviewed: **3/12/2019**

Review Status: **Reviewed**

Detail Complete: **No Detail Records Found**

File Method: Web Filed
 Entry Method: Web Data Entry

Number of Detail Records

Contributions: 0
 Expenditures: 0
 Fund Transfers: 0
 Distributions: 0

Pending Queued Items: **0**

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



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

March 19, 2019

Javier Estevez
10820 Southwest 5 Street
Miami, FL 33174-3174

CAN 73931

Dear Mr. Estevez:

The notification that you had no reportable activity for the report deadline of March 11, 2019, was not filed until March 12, 2019. 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,

A handwritten signature in black ink that reads "Kristi Reid Willis".

Kristi Reid Willis, Chief
Bureau of Election Records