

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Enrique Lopez**

**Case No.: FEC 19-362**

**TO:** Enrique Lopez  
14381 Southwest 37th Street  
Miami, FL 33175

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

**NOTICE OF HEARING (CONSENT ORDER)**

A hearing will be held in this case before the Florida Elections Commission on, **August 13, 2019 at 9:30 am**, *or as soon thereafter as the parties can be heard*, at the following location: **Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399**. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

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

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

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

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

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

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

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

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

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

***Tim Vaccaro***

Executive Director  
Florida Elections Commission  
July 29, 2019

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.

THIS FILE CONTAINS INFORMATION  
THAT IS CONFIDENTIAL  
AND EXEMPT FROM DISCLOSURE  
PURSUANT TO  
CHAPTER 119, FLORIDA STATUTES

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Enrique Lopez**

---

**Case No.: FEC 19-362  
F.O. No.: FOFEC <#>**

**CONSENT ORDER**

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

**FINDINGS OF FACT**

1. Respondent was a 2018 candidate for State Representative, District 119.
2. On June 11, 2019, the Commission received a complaint alleging that Respondent

violated the following section(s) of The Florida Election Code:

**Section 106.07(7), Florida Statutes:** As alleged in the complaint, Respondent, 2018 candidate for State Representative, District 119, 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:

- 2017 M6
- 2018 M2
- 2018 P1
- 2018 P2
- 2018 P3

3. No other legally sufficient violation of Chapter 104 or 106, Florida Statutes, was alleged in the complaint.

## CONCLUSIONS OF LAW

4. The Commission has jurisdiction over the parties to and subject matter of this cause, pursuant to Section 106.26, Florida Statutes.

5. The Commission considers the allegation(s) contained in the complaint a minor violation, pursuant to Rule 2B-1.003, Florida Administrative Code.

6. Respondent neither admits nor denies that he violated Section(s) 106.07(7), Florida Statutes.

## ORDER

7. Respondent and the staff of the Commission have entered into this Consent Order freely and voluntarily.

8. Respondent shall bear his own attorney's fees and costs that are in any way associated with this case.

9. Respondent understands that before this Consent Order is final agency action, it must be approved by the Commission. The Commission will consider this Consent Order at its next available meeting.

10. Respondent voluntarily waives confidentiality upon approval of this Consent Order by the Commission, the right to any further proceedings under Chapters 104, 106, and 120, Florida Statutes, and the right to appeal the Consent Order.

11. Respondent will carefully review Chapter 106, Florida Statutes, and avoid any future violation of the chapter.

12. Respondent agrees to correct immediately, if feasible, the violations alleged in the complaint.

13. Respondent shall remit to the Commission a civil penalty in the amount of \$250, inclusive of fees and costs. The civil penalty shall be paid by cashier's check, money order good





U.S. CENTURY BANK

13780 Coral Way  
Miami, Florida 33175

CASHIER'S CHECK

NOTICE TO CUSTOMER: IN THE EVENT THIS CHECK IS LOST, STOLEN OR MISPLACED  
IT CANNOT BE REPLACED EXCEPT AFTER 90 DAYS FROM THE ISSUE DATE AND THE  
EXECUTION OF A LEGAL DECLARATION BY THE APPROPRIATE PARTIES.

Remitter: Enrique Lopez  
Memo:

Two Hundred Fifty dollars \*\*\*\*\*

DATE

AMOUNT

07/26/2019

\*\*\$250.00\*\*

PAY  
TO THE  
ORDER  
OF

Florida Election Commission

VOID AFTER 90 DAYS

  
AUTHORIZED SIGNATURE





**FLORIDA ELECTIONS COMMISSION**

**107 W. Gaines Street  
Collins Building, Suite 224  
Tallahassee, Florida 32399-1050**

**Telephone: (850) 922-4539**

**Fax: (850) 921-0783**

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

July 10, 2019

Enrique Lopez  
14381 Southwest 37 Street  
Miami, FL 33175

**RE: Case No.: FEC 19-362; Respondent: Enrique Lopez**

Dear Mr. Lopez:

On June 11, 2019, 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(s):

**Section 106.07(7), Florida Statutes:** As alleged in the complaint, Respondent, 2018 candidate for State Representative, District 119, 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:

- 2017 M6
- 2018 M2
- 2018 P1
- 2018 P2
- 2018 P3

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 \$250**, 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.



Enrique Lopez  
July 10, 2019  
Page 2  
FEC 19-362

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.

**Please contact Stephanie Cunningham at 850-922-4539**, or at the address listed above, to accept this minor violation consent order offer.

If you choose not to resolve the case by consent order, an investigation will be conducted, and then the Commission will hold one or more hearings to determine whether the alleged violation(s) occurred and, if so, the amount of the fine to be imposed upon you. For more information, please see our FAQs available at <http://www.fec.state.fl.us>.

Sincerely,

A handwritten signature in cursive script that reads "Tim Vaccaro". The signature is written in black ink and is positioned above the printed name and title.

Tim Vaccaro  
Executive Director

TV/med

**DIVISION OF ELECTIONS  
FEC NOTICE FORM**

To FEC from Division of Elections

---

---

**Candidate:** Enrique Lopez

**Account Number:** 69715

**Treasurer:** Enrique Lopez

---

---

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).

2017 M6

2018 M2

2018 P1

2018 P2

2018 P3

- Enrique Lopez (69715) was a 2018 candidate for the office of State Representative.
- On March 14, 2017, Mr. Lopez filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division designating himself as treasurer.
- The 2017 M6 campaign treasurer's report was due on July 10, 2017. Mr. Lopez failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Lopez filed a notification of no activity on July 15, 2017. (See attached file receipt and letter.)
- The 2018 M2 campaign treasurer's report was due on March 12, 2018. Mr. Lopez failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Lopez filed a notification of no activity on April 24, 2018. (See attached file receipt and letter.)

- The 2018 P1 campaign treasurer's report was due on June 29, 2018. Mr. Lopez failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Lopez filed a notification of no activity on August 1, 2018. (See attached file receipt and letter.)
- The 2018 P2 campaign treasurer's report was due on July 13, 2018. Mr. Lopez failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Lopez filed a notification of no activity on August 1, 2018. (See attached file receipt and letter.)
- The 2018 P3 campaign treasurer's report was due on July 27, 2018. Mr. Lopez failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Lopez filed a notification of no activity on August 1, 2018. (See attached file receipt and letter.)

---

**Sent By:** Kristi Reid Willis  
**Date:** May 20, 2019 *KRW*

zjs

 Treasurer Report Status

ID: **69715**      Name: **Enrique Lopez**

Report: 2017 - M6 - 4

Print Date: **5/20/2019 9:13:54 AM**

Election: 2018 General Election

Covers: 6/1/2017-6/30/2017

Amended     Waiver

Due: 7/10/2017

Filed: **7/15/2017 10:12:48 PM**

File Status: **Filed Report**

Reviewed: **12/5/2017**

Review Status: **Reviewed**

Detail Complete: **Complete Detail Records**

File Method: Web Filed

**Number of Detail Records**

Entry Method: Web Data Entry

Contributions: 1

Expenditures: 0

Pending Queued Items: **0**

Fund Transfers: 0

Distributions: 0

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



FLORIDA DEPARTMENT OF STATE

**Ken Detzner**  
Secretary of State

DIVISION OF ELECTIONS

July 18, 2017

Enrique Lopez  
14381 Southwest 37 Street  
Miami, FL 33175-3175

CAN 69715

Dear Mr. Lopez:

The notification that you had no reportable activity for the report deadline of July 10, 2017, was not filed until July 15, 2017. 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: **69715**      Name: **Enrique Lopez**

Report: 2018 - M2 - 12

Print Date: **5/20/2019 9:14:23 AM**

Election: 2018 General Election

Covers: 2/1/2018-2/28/2018

Amended     Waiver

Due: 3/12/2018

Filed: **4/24/2018 9:41:56 PM**

File Status: **Filed Report**

Reviewed: **4/24/2018**

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'



FLORIDA DEPARTMENT OF STATE

**Ken Detzner**

Secretary of State

DIVISION OF ELECTIONS

May 9, 2018

Enrique Lopez  
14381 Southwest 37 Street  
Miami, FL 33175-3175

CAN 69715

Dear Mr. Lopez:

The notification that you had no reportable activity for the report deadline of March 12, 2018, was not filed until April 24, 2018. 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: **69715** Name: **Enrique Lopez**

Report: 2018 - P1 - 16

Print Date: **5/20/2019 9:14:47 AM**

Election: 2018 General Election

Covers: 6/1/2018-6/22/2018

Amended  Waiver

Due: 6/29/2018

Filed: **8/1/2018 3:25:43 PM**

File Status: **Filed Report**

Reviewed: **8/1/2018**

Review Status: **Reviewed**

Detail Complete: **No Detail Records Found**

File Method: Web Filed

Entry Method: Web Data Entry

Pending Queued Items: **0**

**Number of Detail Records**

Contributions: 0

Expenditures: 0

Fund Transfers: 0

Distributions: 0

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





FLORIDA DEPARTMENT OF STATE

**Ken Detzner**  
Secretary of State

DIVISION OF ELECTIONS

August 6, 2018

Enrique Lopez  
14381 Southwest 37 Street  
Miami, FL 33175-3175

CAN 69715

Dear Mr. Lopez:

The notification that you had no reportable activity for the report deadline of June 29, 2018, was not filed until August 1, 2018. 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,

Kristi Reid Willis, Chief  
Bureau of Election Records

 Treasurer Report Status

ID: **69715**      Name: **Enrique Lopez**

Report: 2018 - P2 - 17

Print Date: **5/20/2019 9:15:04 AM**

Election: 2018 General Election

Covers: 6/23/2018-7/6/2018

Amended     Waiver

Due: 7/13/2018

Filed: **8/1/2018 3:41:12 PM**

File Status: **Filed Report**

Reviewed: **8/1/2018**

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'



FLORIDA DEPARTMENT OF STATE

**Ken Detzner**  
Secretary of State

DIVISION OF ELECTIONS

August 6, 2018

Enrique Lopez  
14381 Southwest 37 Street  
Miami, FL 33175-3175

CAN 69715

Dear Mr. Lopez:

The notification that you had no reportable activity for the report deadline of July 13, 2018, was not filed until August 1, 2018. 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: **69715** Name: **Enrique Lopez**

Report: 2018 - P3 - 18

Print Date: **5/20/2019 9:15:22 AM**

Election: 2018 General Election

Covers: 7/7/2018-7/20/2018

Amended  Waiver

Due: 7/27/2018

Filed: **8/1/2018 3:42:03 PM**

File Status: **Filed Report**

Reviewed: **8/1/2018**

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'



FLORIDA DEPARTMENT OF STATE

**Ken Detzner**  
Secretary of State

DIVISION OF ELECTIONS

August 6, 2018

Enrique Lopez  
14381 Southwest 37 Street  
Miami, FL 33175-3175

CAN 69715

Dear Mr. Lopez:

The notification that you had no reportable activity for the report deadline of July 27, 2018, was not filed until August 1, 2018. 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,

Kristi Reid Willis, Chief  
Bureau of Election Records