

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Anika Omphroy**

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**Case No.: FEC 19-123**

**TO:** Robert H. Fernandez, Esquire  
FHF Law Firm, LLC  
2600 South Douglas Road, Suite 305  
Coral Gables, FL 33134

Division of Elections  
500 S. Bronough Street, Room 316  
Tallahassee, FL 32399-0250

**AMENDED NOTICE OF VIRTUAL HEARING (INFORMAL HEARING)**  
**(ONLY CHANGES MADE WERE TO CORRECT WEBINAR ID &**  
**TELECONFERENCE DIAL-IN NUMBER & ACCESS CODE**

A hearing will be held in this case before the Florida Elections Commission on, **August 31, 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: 116499747** or via **teleconference by dialing (877) 309-2074** and entering the **meeting access code 339-753-920**, 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 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.

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

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

*Tim Vaccaro*  
Executive Director  
Florida Elections Commission  
August 23, 2021

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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 August 31, 2021 at 8:30AM via GoToWebinar and OpenVoice

In order to participate in the public portion of the August 31, 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" in the upper right corner of the website. Select "Webinar".
  3. Enter the 9-digit Webinar ID: 116-499-747 and your email address.
  4. Register your name and email address.
  5. You will automatically join the meeting as an attendee. Attendees are muted and can choose to utilize their webcam.
  
- B. OpenVoice - Teleconference
  1. Call 1-877-309-2074
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Thank you,

Commission Staff

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Anika Omphroy**

---

**Case No.: FEC 19-123**

**TO:** Robert H. Fernandez, Esquire  
FHF Law Firm, LLC  
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Coral Gables, FL 33134

Division of Elections  
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**Tim Vaccaro**  
Executive Director  
Florida Elections Commission  
August 13, 2021

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# 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)



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- B. OpenVoice - Teleconference
  1. Call 1-877-568-4108
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Thank you,

Commission Staff

STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION

In Re: Anika Omphroy

Case No.: FEC 19-123

ORDER CONTINUING CASE

**THIS MATTER** was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on May 25, 2021, in Tallahassee, Florida.

Respondent requested that the matter be continued.

The Commission reviewed Respondent's request and considered Staff's response. Respondent's request was **GRANTED**.

**THIS MATTER** is continued until the next available meeting of the Florida Elections Commission.

**DONE AND ORDERED** by the Florida Elections Commission on May 25, 2021.

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

Copies furnished to:  
Stephanie J. Cunningham, General Counsel  
Robert H. Fernandez, Esq., Attorney for Respondent  
Division of Elections, Complainant



FEC Nos: 21-332, 20-050, 19-192 & 19-123 -- State Representative Anika Omphroy  
fec@myfloridalegal.com 05/21/2021 04:12 PM  
From: "Robert Fernandez" <rfernandez@rhflawfirm.com>  
To: "fec@myfloridalegal.com" <fec@myfloridalegal.com>

1 Attachment



Ltr to Florida Elections Commission 05-21-21 re Omphroy Complaint.pdf

Please see attached.



Robert H. Fernandez, Esq.  
RHF Law Firm, LLC  
2600 S. Douglas Road  
Suite 305  
Coral Gables, Florida 33134  
Business -- 786-315-4479  
Cell -- 305-215-2264

[rfernandez@rhflawfirm.com](mailto:rfernandez@rhflawfirm.com)

<https://www.linkedin.com/in/robert-h-fernandez/>

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2600 S. Douglas Road, Suite 305  
Coral Gables, FL 33134  
(786) 315-4479  
RFernandez@rhflawfirm.com

May 21, 2021

**Via E-mail**

Tim Vaccaro  
Executive Director  
Florida Elections Commission  
107 West Gaines Street  
Collins Building, Suite 224  
Tallahassee, Florida 32399-1050  
[fec@myfloridalegal.com](mailto:fec@myfloridalegal.com)

**Re: FEC Case Nos. 21-332, 20-050, 19-123, 19-192**  
**Complaints Filed Against State Representative Anika Omphroy**

Dear Director Vaccaro:

I am writing you on behalf of State Representative Anika Omphroy. I have just been retained by Representative Omphroy to respond to the above identified complaints filed with the Florida Elections Commission (the “**Complaints**”). Please accept this as my formal Notice of Appearance on the above identified Complaints on behalf of Representative Omphroy. Therefore, kindly please direct all future correspondence and communications to my attention on behalf of State Representative Omphroy.

It is my understanding that one or more of these Complaints are scheduled for informal hearing next **Tuesday, May 25, 2021**. I am in the process of gathering all pertinent documents from Representative Omphroy in order to fully address and respond to each of the Complaints identified herein. It is our goal to fully cooperate, verify all required information needed to update Representative Omphroy’s missing reports and address the issue of any potential fines for the untimely disclosure of certain reports.

I anticipate having additional information to provide to the Commission shortly for its review and consideration. At this time, I would respectfully request a brief continuance of any informal hearing on the above identified Complaints to give me an opportunity to gather and review all relevant information to ensure reporting compliance.



2600 S. Douglas Road, Suite 305  
Coral Gables, FL 33134  
(786) 315-4479  
RFernandez@rhflawfirm.com

In the meantime, if the Commission has any questions or concerns, please feel free to contact me at your convenience. Thank you in advance for your anticipated cooperation.

Respectfully,

A handwritten signature in black ink, appearing to read 'R. Fernandez', with a stylized flourish extending from the end.

Robert H. Fernandez

cc: State Representative Anika Omphroy

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Anika Tene Omphroy**

**Case No.: FEC 19-123**

**TO:** Anika Tene Omphroy  
2901 North 46th Avenue, Apt. 202  
Lauderdale Lakes, FL 33313-3313

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

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Tim Vaccaro  
Executive Director  
Florida Elections Commission  
May 10, 2021

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Commission Staff

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**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,  
Petitioner,**

**Case No.: FEC 19-123**

**v.**

**Anika Omphroy,  
Respondent.**

---

**ORDER OF PROBABLE CAUSE**

**THIS MATTER** was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on February 23, 2021, in Tallahassee, Florida.

On January 5, 2021, 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 September 20, 2018, Anika Omphroy violated Section 106.141(1), Florida Statutes, when she failed to file the campaign's 2018 Termination Report reflecting the disposition of all remaining campaign funds within 90 days after becoming unopposed as a candidate.

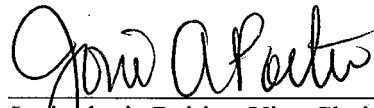
**Count 2:**

On or around September 20, 2018, Anika Omphroy violated Section

106.19(1)(c), Florida Statutes, when she deliberately failed to include information required by Chapter 106, Florida Statutes, on the campaign's 2018 Termination Report.

The Commission finds that there is **no probable cause** to charge Respondent with violating Section 106.07(7), Florida Statutes.

**DONE AND ORDERED** by the Florida Elections Commission on February 23, 2021.

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

Copies furnished to:  
Stephanie J. Cunningham, Assistant General Counsel  
Anika Omphroy, 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: Anika Omphroy**

**Case No.: FEC 19-123**

**TO:** Anika Omphroy  
2901 NW 46th Avenue, # 202  
Lauderdale Lakes, FL 33313

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

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

A hearing will be held in this case before the Florida Elections Commission on **February 23, 2021**. The Commission's Confidential Session will begin at **1:00 p.m., EST**, and will consider multiple cases that day.

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 ZOOM, Meeting ID 987 1847 0760, or via teleconference by dialing (929) 205-6099 and entering the meeting access code 370906, 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)



## **Confidential Commission Meeting February 23, 2021 at 1:00 PM via Zoom**

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

### **Join Zoom Meeting**

Click on the meeting link sent to your attention via email:

<https://zoom.us/j/98718470706?pwd=TXdsdGwrZVVScjNmVGFDbXRRdzlJZz09>

If you have difficulty launching the hyperlink, follow these steps.

1. Open your web browser and search ZOOM or enter [www.zoom.us](http://www.zoom.us)
2. Select "Join A Meeting" in the upper right corner of the website.
3. Enter the Meeting ID: 987 1847 0760 and click "Join".
4. Enter the Meeting Passcode: 370906 and click "Join".

### **For alternative audio participation:**

1. Dial: 1 (929) 205-6099
2. Meeting ID: 987 1847 0760
3. Passcode: 370906

While this is a confidential 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.

Please test your audio; microphone, speakers and webcam, in advance.

**Those attendees who wish to speak before the Commission 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 be placed in a ZOOM Breakout Room until your case is considered.

If you have any questions, contact Commission staff at (850) 922-4539. Please provide the case number(s) of interest, when contacting our office.

Thank you,

Commission Staff

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Anika Omphroy**

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**Case No.: FEC 19-123**

**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 **Sections 106.141(1)**, and **106.19(1)(c)**, **Florida Statutes**, and **no probable cause** to charge Respondent with violating **Section 106.07(7)**, **Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on December 7, 2020, the following facts and law support this staff recommendation:

1. On March 7, 2019, the Florida Elections Commission (“Commission”) received a referral from the Department of State, Division of Elections (“Division” or “Complainant”), alleging that Anika Omphroy (“Respondent”) violated Chapter 106, Florida Statutes.

2. Respondent was a 2018 candidate for State Representative, District 95. Respondent’s Statement of Candidate form (“DS-DE 84”) was filed on March 12, 2018. (ROI Exhibit 2)<sup>1</sup>

3. By letter dated April 5, 2019, the Executive Director notified Respondent that Commission staff would investigate the following statutory provisions:

**Section 106.07(7), Florida Statutes:** As alleged in the complaint, Respondent, a 2018 candidate for State Representative, District 95, may have failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because she had not received funds, made contributions, or expended reportable funds during the 2018 termination reporting period.

**Section 106.141(1), Florida Statutes:** As alleged in the complaint, Respondent, a 2018 candidate for State Representative, District 95, failed to timely file her 2018 Termination Report reflecting the disposition of all remaining campaign funds.

**Section 106.19(1)(c), Florida Statutes:** As alleged in the complaint, Respondent, a 2018 candidate for State Representative, District 95, may have falsely reported or deliberately failed to include information in her 2018 Termination Report, as required by Chapter 106.

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

4. On March 12, 2018, Respondent filed her Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form (“DS-DE 9”) appointing herself as treasurer for her campaign. (ROI Exhibit 1, page 1)

5. By letter dated March 13, 2018, Kristi Reid Willis, Chief, Bureau of Election Records, sent Respondent a letter acknowledging that the Division had received her DS-DE 9 and that her name was placed on the 2018 active candidate list. (ROI Exhibit 3, page 1)

6. The acknowledgment letter advised Respondent that all candidates filing 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 grant access to the EFS. (ROI Exhibit 3, page 1) The letter further advised Respondent that all of the Division’s publications and reporting forms were available on its website and directed Respondent to print out Chapter 106, Florida Statutes, and the *Calendar of Reporting Dates*, as well as other relevant documents. (ROI Exhibit 3, page 2)

**Alleged Violation: Section 106.141(1), Florida Statutes**

7. Complainant alleged that Respondent violated Florida’s election laws by failing to timely file the campaign’s 2018 Termination Report.

8. Respondent was unopposed as a candidate. (ROI, p. 1, ¶1) Respondent was required to dispose of the funds on deposit in her campaign account and file the campaign’s 2018 Termination Report within 90 days after becoming unopposed as a candidate.

9. On September 21, 2018, and February 21, 2019, the Division sent letters notifying Respondent that her report had not been received. (ROI Exhibits 4 & 5)

10. A subpoena was issued to Respondent’s designated campaign depository to ascertain whether any financial activity occurred during the relevant reporting period, i.e., June 23, 2018 – September 20, 2018. Respondent’s bank records show seven or more contributions (including transfers from online fundraising platforms) totaling \$2,386.77, nineteen expenditures (including cash withdrawals) totaling \$2,710.44, seven bank fees (overdraft fees, returned item fees, and negative account balance fees) totaling \$288, one refund totaling \$36, and two charge off credits from the bank totaling \$258.31. (ROI Exhibit 7)

11. Respondent stated that she understood that she did not report some contributions and expenditures. She stated that the discrepancies between her report and bank records were for the most part true, that she paid her campaign manager with cash withdrawn, and that she had not reported all contributions and expenditures correctly. (ROI Exhibit 8, pages 2 & 3) On May 7, 2019, the report was filed. It was 229 days late. (ROI Exhibit 6, page 1) Respondent reported receiving zero contributions and making two expenditures totaling \$1,200. (ROI Exhibit 6, pages 3-7)

12. As it appears that Respondent had reportable financial activity during the relevant reporting period, Respondent was required to file the campaign's 2018 Termination Report within 90 days after becoming unopposed as a candidate, but failed to do so.

**Alleged Violation: Section 106.19(1)(c), Florida Statutes**

13. Complainant alleged that Respondent violated Florida's election laws by falsely reporting or deliberately failing to include information required by Chapter 106, Florida Statutes, on the campaign's 2018 Termination Report.

14. Based on the above analysis, Respondent had reportable financial activity during the relevant reporting period. Therefore, Respondent was required to disclose the financial activity on the campaign's 2018 Termination Report.

15. To date, Respondent has not disclosed the \$5,679.52 in financial activity but rather disclosed two expenditures which are not supported by Respondent's bank records. (ROI Exhibit 6, page 5; ROI Exhibit 7, pages 1 & 2) With regard to Respondent's deliberate failure to include information on the campaign's report, she may have failed to disclose the campaign's financial activity as the funds were not disposed of properly pursuant to sections 106.141(4)(a), and 106.11(5), Florida Statutes, but were spent at gas stations, restaurants, and other nonapproved vendors, as the campaign account was overdrawn in violation of section 106.11(4), Florida Statutes, as contributions were received after Respondent became unopposed in violation of section 106.08(3)(b), Florida Statutes, and as Respondent made cash withdrawals in violation of section 106.12(2), Florida Statutes. Respondent was not a first-time candidate. (Attachment A)

16. Respondent deliberately failed to include information required by Chapter 106, Florida Statutes, on the campaign's 2018 Termination Report.

**Alleged Violation: Section 106.07(7), Florida Statutes**

17. Complainant alleged that Respondent violated Florida's election laws by failing to notify the filing officer on the prescribed reporting date that no report would be filed for the 2018 Termination reporting period.

18. Based on the above analysis, the campaign was not required to submit a notice of no activity for the 2018 Termination reporting period as there was reportable financial activity that Respondent was required to disclose on her 2018 Termination Report.

19. "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).

20. The facts set forth above show that Respondent was a 2018 candidate for State Representative, District 95. Respondent failed to file the campaign's 2018 Termination Report within 90 days after becoming unopposed as a candidate. Respondent deliberately failed to include information required by Chapter 106, Florida Statutes, on the campaign's 2018 Termination Report. Respondent was not required to notify the filing officer that she would not be filing her 2018 Termination Report because the campaign had reportable financial activity.

Based upon these facts and circumstances, I recommend that the Commission find **no probable cause** to charge Respondent with violating **Section 106.07(7), Florida Statutes**, and find **probable cause** to charge Respondent with violating the following:

**Count 1:**

On or about September 20, 2018, Anika Omphroy violated Section 106.141(1), Florida Statutes, when she failed to file the campaign's 2018 Termination Report reflecting the disposition of all remaining campaign funds within 90 days after becoming unopposed as a candidate.

**Count 2:**

On or around September 20, 2018, Anika Omphroy violated Section 106.19(1)(c), Florida Statutes, when she deliberately failed to include information required by Chapter 106, Florida Statutes, on the campaign's 2018 Termination Report.

Respectfully submitted on January 5, 2021.



Stephanie J. Cunningham  
Assistant General Counsel

I reviewed this Staff Recommendation this 5<sup>th</sup> day of January 2021.



Tim Vaccaro  
Executive Director

*Candidate  
Tracking  
System*

**2016 General Election**

**State Representative**

District 95

**Anika Omphroy**

**Democrat**

**Address**

2901 NW 46  
Ave, Apt. 202  
Lauderdale  
Lakes,  
FL 33313

**Campaign Treasurer**

Anika Omphroy

**Phone:** (954)  
684-0542

**Status:** Defeated

**Date Filed:** 02/26/2016

**Date** 06/22/2016

**Qualified:**

**Method:** Paid Qualifying Fee

**Website:** <http://www.anikaomphroy.com>

**Email:** [email protected]

Campaign Finance Activity

Campaign Documents

Petition Signatures



## FLORIDA ELECTIONS COMMISSION

### Report of Investigation Sections 106.07(7), 106.141(1), and 106.19(1)(c), F.S.

**Case Number: FEC 19-123**

**Respondent:** Anika Omphroy

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

Section 106.141(1), Florida Statutes, failure of a candidate to dispose of funds remaining in her campaign account within 90 days after she withdrew, became unopposed, was eliminated, or elected and to file a termination report (TR) reflecting the disposition of all remaining funds.

**Division of Elections (Division)**

**Referral Filed:** March 7, 2019

Sections 106.07(7) and 106.19(1)(c), Florida Statutes, failure of a candidate who did not receive any contributions or make any expenditures during the TR reporting period to notify timely the filing officer, in writing, that no TR is being filed or failure to file a TR to reflect financial activity.

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

1. Respondent was a 2018 candidate for State Representative, District 95; she was unopposed in both the primary and general elections. Respondent was a first-time candidate.

2. An Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9) was filed on March 12, 2018. Respondent appointed herself as campaign treasurer. To review the DS-DE 9, refer to Exhibit 1.<sup>1</sup>

3. Respondent filed a Statement of Candidate with the Division on March 12, 2018 in which she certified she had been provided access to read and understand Chapter 106, F.S. To review a copy of the Statement of Candidate, refer to Exhibit 2.

4. An acknowledgement letter was mailed to the address provided on the DS-DE 9 on March 13, 2018. The letter advised Respondent that all candidates filing reports with the Division are required to file by means of the Division's electronic filing system (EFS). Respondent was provided with a user identification number and initial password allowing her access to the EFS.

5. The acknowledgement letter also 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 her responsibility to read, understand, and follow the requirements of Florida's election laws. To review the acknowledgement letter, refer to Exhibit 3.

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<sup>1</sup> Respondent filed a second DS-DE 9 on June 22, 2018; she changed her depository but left herself treasurer.

6. The Division sent correspondence to Respondent notifying her that she had not filed either a termination report or notification that no reportable activity occurred and reminded her that the filing date was September 20, 2018. The correspondence was mailed to Respondent at the address provided on the DS-DE 9. To review the failure to file correspondence, refer to Exhibit 4.<sup>2</sup>

7. On February 21, 2019, the Division sent Respondent a letter marked “Final Notice” with delivery confirmation stating that her 2018 termination report, or the required notification that no reportable activity occurred, had not been filed. The letter was mailed to Respondent at an updated mailing address, and it was confirmed delivered on February 23, 2019. To review the letter marked “Final Notice” and delivery confirmation, refer to Exhibit 5.

**II. Alleged Violation of Sections 106.07(7), 106.141, and 106.19(1)(c), Florida Statutes:**

8. I investigated whether Respondent violated these sections of the election laws either by not notifying the filing officer, in writing, that no TR would be filed due to not receiving any contributions or making expenditures during the TR reporting period or by not filing a TR to reflect financial activity during the TR reporting period. I also investigated whether Respondent violated Section 106.141(1), Florida Statutes, by not disposing of all remaining campaign funds within 90 days of becoming unopposed. To review a copy of Respondent’s filing history, refer to Exhibit 6.

Report	Report Cover Period	Due Date	Report or Waiver Required	<sup>3</sup> Exhibit 7
2018 TR	6/23 - 9/20/2018	9/20/2018	Report	7

9. Campaign account records disclose that many expenditures transpired during the TR period in amounts varying from \$2.00 to \$360.00 for purposes such as gas, coffee, parking fees, and bank fees. Many deposits or credits were made during the TR period in amounts varying from \$36.00 to \$853.00.

10. On the date the TR was due, campaign account records reflect that the balance was \$0.00. To review the relevant bank statement, refer to Exhibit 7, page 5.

11. Respondent filed her 2018 TR on May 7, 2019. To review a copy of the TR, refer to Exhibit 6.

12. Respondent did not respond to the referral.

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

<sup>2</sup> The letter was returned undelivered on October 25, 2018.

<sup>3</sup> I subpoenaed Respondent’s campaign account records from the designated campaign depository.

14. On May 27, 2020, and November 9, 2020, I called Respondent for the purpose of reviewing the referral with her. Respondent stated she did not have a physical copy of the *Candidate and Campaign Treasurer Handbook* for 2020, but understood where to find it on the Division website and what my investigation encompassed, and believed she had a copy from her previous campaign in 2018. Respondent stated she has since filed outstanding CTRs.

Respondent stated she was the primary care giver for her grandmother while her grandmother faced medical issues from November 2019 to February 2020, including being admitted to the ICU. Respondent acknowledged that she was required to report her activity but failed to do so by the prescribed due date. To review a copy of the phone log, refer to Exhibit 8.

**SIGNATURE OF INVESTIGATOR:**



**Date:** 12/07/20

**FLORIDA ELECTIONS COMMISSION**  
**REPORT OF INVESTIGATION**  
**Anika Omphroy -- FEC 19-123**

<b>LIST OF EXHIBITS</b>	
<b>Exhibits #s</b>	<b>Description of Exhibits</b>
Exhibit 1	Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9)
Exhibit 2	Statement of Candidate (DS-DE 84)
Exhibit 3	Division Acknowledgement Letter
Exhibit 4	Notice of Failing to File
Exhibit 5	Final Notice of Failing to File
Exhibit 6	Candidate Filing History
Exhibit 7	BB&T Campaign Depository Bank Records
Exhibit 8	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 MAR 12 PM 12:20 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)

Anika Omphroy

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

3500 N State Road 7, Suite 105
Lauderdale Lakes, FL 33319

4. Telephone

(954) 605-5179

5. E-mail address

anika@anikaomphroy.com

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

State Representative District 95

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 candidate.

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

10. Name of Treasurer or Deputy Treasurer

Anika Omphroy

11. Mailing Address

3500 N State Road 7, Suite 105

12. Telephone

(954) 605-5179

13. City

Lauderdale Lakes

14. County

Broward

15. State

FL

16. Zip Code

33319

17. E-mail address

anikaomphroy@gmail.com

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

19. Name of Bank

PNC BANK

20. Address

400 N Federal Highway

21. City

Fort Lauderdale

22. County

Broward

23. State

FL

24. Zip Code

33301

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

03/08/18

26. Signature of Candidate

X [Signature]

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

I, Anika Omphroy, do hereby accept the appointment (Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer.

03/08/18 Date

X [Signature] Signature of Campaign Treasurer or Deputy Treasurer

**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 JUN 22 AM 8:22

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)

Anika T Omphroy

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

3500 N State Road 7, Suite 105  
Lauderdale Lakes, FL 33319

4. Telephone

(954 ) 605-5179

5. E-mail address

anika@anikaomphroy.com

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

State Representative District 95

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     Democrat    Party candidate.

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

10. Name of Treasurer or Deputy Treasurer

11. Mailing Address

12. Telephone

13. City

14. County

15. State

16. Zip Code

17. E-mail address

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

19. Name of Bank

BB&T

20. Address

110 E Broward Blvd Ste 100

21. City

Fort Lauderdale

22. County

Broward

23. State

Florida

24. Zip Code

33301

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

06/18/2018

26. Signature of Candidate

*X [Signature]*

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

I, \_\_\_\_\_, do hereby accept the appointment  
(Please Print or Type Name)

designated above as:     Campaign Treasurer     Deputy Treasurer.

**X**

Date

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  
2018 MAR 12 PM 12:20  
DIVISION OF ELECTIONS  
TALLAHASSEE, FL

I, Anika Omphroy

candidate for the office of STATE REPRESENTATIVE District 95

have been provided access to read and understand the requirements of

Chapter 106, Florida Statutes.

X   
Signature of Candidate

03/08/18  
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

March 13, 2018

Anika Omphroy  
3500 North State Road 7  
Suite 105  
Lauderdale Lakes, Florida 33319

Dear Ms. Omphroy:

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 March 12, 2018. Your name has been placed on the 2018 active candidate list.

### **Campaign Treasurer's Reports**

Your first campaign treasurer's report will be due on **April 10, 2018**. The report will cover the period of March 1-31, 2018 (M3). 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:** 70489

### **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/)





Anika Omphroy  
March 13, 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/njt

Enclosures

RECEIVED  
DEPARTMENT

2018 OCT 25 PM 2:31

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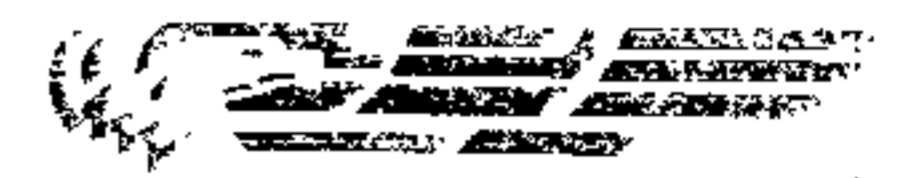


ADDRESS SERVICE  
REQUESTED

PRESORT  
FIRST CLASS



U.S. POSTAGE PITNEY BOWES

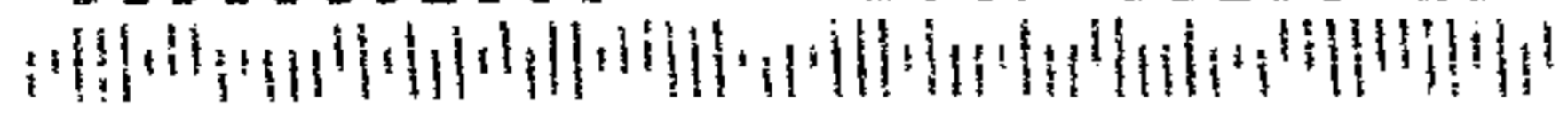


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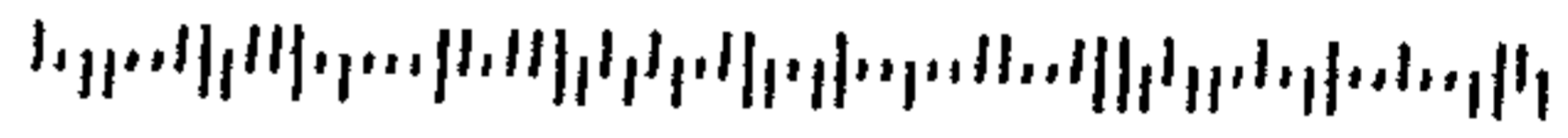
RETURN TO SENDER  
ATTEMPTED - NOT KNOWN  
UNABLE TO FORWARD

EC: 32399651900 \*1687-01196-15-23



Anika Omphroy  
Candidate for State Representative  
3500 North State Road  
Suite 105  
Lauderdale Lakes, FL 33319

ANK  
008 HAESMB993319





FLORIDA DEPARTMENT OF STATE

**Ken Detzner**  
Secretary of State

DIVISION OF ELECTIONS

September 21, 2018

Anika Omphroy  
Candidate for State Representative, District 95  
3500 North State Road 7  
Suite 105  
Lauderdale Lakes, FL 33319-3319

CAN 70489

Dear Ms. Omphroy:

Our records indicate that you have not filed either your termination report or notification that no reportable activity occurred, whichever is applicable. The filing date was September 20, 2018.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

- If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as \$50 per day until you file your report. The total fine for the untimely report cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the cover period. Even if you end up filing your report late, we cannot waive the statutory fines. We will notify you of the specific amount of fines owed once you file your report. You have 20 days from the day you receive the notice to pay the fine or to appeal the fine to the Florida Elections Commission.
- If no reportable activity occurred for the report date(s), you are still required to notify us in writing, via the Division's Electronic Filing System, that no reportable activity occurred. No automatic fines are statutorily assessed.

However, in all cases, failure to file and/or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

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

Sincerely,

Kristi Reid Willis, Chief  
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee  
Secretary of State

DIVISION OF ELECTIONS

**Final Notice**

**Delivery Confirmation:**

USPS TRACKING # 9114 9014 9646 1750 4303 53  
& CUSTOMER RECEIPT For Tracking or inquiries go to USPS.com  
or call 1-800-222-1811

February 21, 2019

Anika Omphroy  
Candidate for State Representative, District 95  
2901 North 46 Avenue, #202  
Lauderdale Lakes, FL 33313-3313

CAN 70489

Dear Representative Omphroy:

A recent review of the Division's records show that the Division has not yet received your termination report or the required notification that no reportable activity occurred, whichever is applicable.

The Division has previously notified you of the unfiled report or notification. Please file your report or notification. If the report or notification is not filed within 7 days of receipt of this letter, the Division will refer this matter to the Florida Elections Commission, which may impose civil penalties of up to \$1000 per violation, apart from that automatic fine provisions of s. 106.07(8)(b), Fla. Stat.) that are applicable only to campaign finance reports.

As we stated in the prior notices, even if you now file the report or notification, the untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

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

Sincerely,

Kristi Reid Willis, Chief  
Bureau of Election Records

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

**Track Another Package +**

**Tracking Number:** 9114901496451750430353

Remove X

**Expected Delivery on**

**SATURDAY**

**23** FEBRUARY  
2019 ⓘ

**See Product Information** ∨

Feedback

**✓ Delivered**

February 23, 2019 at 2:49 pm  
Delivered, In/At Mailbox  
FORT LAUDERDALE, FL 33313

**Get Updates** ∨

---

**Text & Email Updates**



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**Tracking History**



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**Product Information**



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**See Less** ^

**Candidate Name:** Anika Omphroy

**Account:** 70489

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
9/20/2018	TR	5/7/2019	DFS	229	\$300.00		\$300.00	\$0.00
6/29/2018	P1	7/10/2018	DFS	11	\$495.00		\$495.00	\$0.00
6/11/2018	M5	6/11/2018						
5/10/2018	M4	5/10/2018						
4/10/2018	M3	4/11/2018	CLO	1	\$0.00		\$0.00	\$0.00



**Florida Department of State  
Division of Elections**

**2018 General Election  
Anika Omphroy (DEM)  
State Representative**

**Campaign Finance Activity**

*Note: The information presented below was obtained from the Committee's/Candidate's Campaign Treasurer's Report filed with the Division of Elections. [About the Campaign Finance Data Base.](#)*

	Filing Period	Contributions			Expend	Other	Transfers
		Monetary	Loans	InKind			
<b>W</b>	03/12/2018 - 03/31/2018	0.00	0.00	0.00	0.00	0.00	0.00
<b>W</b>	04/01/2018 - 04/30/2018	0.00	0.00	0.00	0.00	0.00	0.00
<input type="radio"/>	05/01/2018 - 05/31/2018	1,005.00	0.00	0.00	0.00	0.00	0.00
<input type="radio"/>	06/01/2018 - 06/22/2018	1,980.00	0.00	0.00	1,829.76	0.00	0.00
<input type="radio"/>	06/23/2018 - 09/20/2018	0.00	0.00	0.00	1,200.00	0.00	0.00
<input checked="" type="radio"/>	<b>All Dates (Totals)</b>	2,985.00	0.00	0.00	3,029.76	0.00	0.00

Note: <sup>(E)</sup> indicates that report was filed electronically

**X** Indicates that detail has not been released

**W** Indicates that a waiver was filed and **L** Indicates that a loan report was filed

Select Detail Type

Contributions

Select Sort Order

Date(Ascending)

Select Output Type

Display On Screen

[Query the Campaign Finance Data Base](#)

[\[Department of State\]](#) [\[Division of Elections\]](#) [\[Candidates and Races\]](#) [\[Campaign Finance Information\]](#)

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

(1) Anika Omphroy (2) 70489  
 Candidate, Committee or Party Name I.D. Number

(3) 2901 North 46 Avenue, #202 Lauderdale Lakes FL 33313  
 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 06/23/2018 To 09/20/2018 Report Type: TR

Original  Amendment  Special Election Report

(6) CONTRIBUTIONS THIS REPORT

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

(7) EXPENDITURES THIS REPORT

Monetary Expenditures	\$1,200.00
Transfers to Office Account	\$0.00
<i>Total Monetary</i>	\$1,200.00

(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



ID:

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

Name: Anika Omphroy

Report: 2018 TR

Period: 06/23/2018 to 09/20/2018

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

Seq #	Full Name (Last, Suffix, First, Middle)	Contributor	Occupation	Amount
Date	Street Address & City, State, Zip	Type	In-Kind Description	Amend

Name: Anika Omphroy

Report: 2018 TR

Period: 06/23/2018 to 09/20/2018

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

Seq #	Full Name (Last, Suffix, First, Middle)	Type	Purpose	Amount
Date	Street Address & City, State, Zip			Amend
1	HAYNES LISA 7501 NW 16TH STREET, APT 3302 PLANTATION, FL 33313	MON	CAMPAIGN MANAGER	\$600.00
06/30/2018				
2	HAYNES LISA 7501 NW 16TH STREET, APT 3302 PLANTATION, FL 33313	MON	CAMPAIGN MANAGER	\$600.00
06/23/2018				

ID:

**CAMPAIGN TREASURER'S REPORT – ITEMIZED FUND TRANSFERS**

Name: Anika Omphroy

Report: 2018 TR

Period: 06/23/2018 to 09/20/2018

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

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

ID:

**CAMPAIGN TREASURER'S REPORT – ITEMIZED DISTRIBUTIONS**

Name: Anika Omphroy

Report: 2018 TR

Period: 06/23/2018 to 09/20/2018

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

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



888-69-01-00 40158 2 C 001 30 S 66 002  
 ANIKA OMPHROY STATE REPRESENTATIVE  
 3500 N STATE ROAD 7 STE 105  
 LAUDERDALE LAKES FL 33319-5616

# Your account statement

For 06/29/2018

## Contact us



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(800) BANK-BBT or  
 (800) 226-5228

**Your account security is our top priority.** That's why BB&T will soon be providing interactive alerts on Business Debit Card transactions. If BB&T suspects fraud, primary account owners who have provided contact information will be automatically contacted through a text, email, Small Business Online banking, U by BB&T or phone. Account owners will be able to respond immediately to secure all cards on the account including those that employees use. Interactive alerts will be automatically included with your BB&T Business Debit Cards.

BB&T. Member FDIC.

### ■ COMMUNITY CHECKING 0000247618368

#### Account summary

Your previous balance as of 05/31/2018	\$0.00
Checks	- 2,281.82
Other withdrawals, debits and service charges	- 980.27
Deposits, credits and interest	+ 3,385.55
Your new balance as of 06/29/2018	= \$123.46

#### Checks

DATE	CHECK #	AMOUNT(\$)
06/08	93	500.00
06/26	* 1003	1,781.82
Total checks		= \$ 2,281.82

\* indicates a skip in sequential check numbers above this item

#### Other withdrawals, debits and service charges

DATE	DESCRIPTION	AMOUNT(\$)
06/04	VERIFYBANK PAYPAL JNNJ ANIKA OMPHROY CAMPAIGN	0.16
06/18	BB&T 24 CASH WITHDRAWAL 06-18-18 1572 BROWARD-CORAL RIDGE FT LAUDERD	120.00
06/19	DEBIT CARD PURCHASE WHOLEFDS FTL 10117 06-18 FT. LAUDERDAL FL 1572	5.60
06/19	INTERNET PAYMENT INST XFER PAYPAL FIRST WATCH RES	2.92
06/19	INTERNET PAYMENT INST XFER PAYPAL MARATHON PETRO8	11.31
06/20	DEBIT CARD PURCHASE-PIN 06-19-18 PLANTATION FL 1572 WALGREENS STORE 1780 N UN	4.66
06/20	CHECK CHRG HARLAND CLARKE ANIKA OMPHROY STATE RE	13.69
06/22	DEBIT CARD PURCHASE-PIN 06-21-18 SUNRISE FL 1572 WALGREENS STORE 3599 N UN	23.08
06/25	DEBIT CARD PURCHASE FEDEX 781528528212 06-22 MEMPHIS TN 1572	76.50
06/25	DEBIT CARD PURCHASE WAWA 5232 0005 06-22 FORT LAUDERDA FL 1572	30.00
06/26	DEBIT CARD PURCHASE SHELL OIL 57543663 06-24 FORT LAUDERDA FL 1572	20.00
06/27	BB&T 24 CASH WITHDRAWAL 06-27-18 5039 BROWARD-INVERRARY #2 LAUDERHIL	360.00
06/28	DEBIT CARD PURCHASE SHELL OIL 57543665 06-26 TAMARAC FL 1572	12.35
06/28	BB&T 24 CASH WITHDRAWAL 06-28-18 5039 BROWARD-CORAL RIDGE FT LAUDERD	100.00

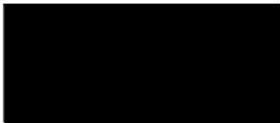
continued

■ COMMUNITY CHECKING 00002470368 (continued)

DATE	DESCRIPTION	AMOUNT(\$)
06/29	BB&T 24 CASH WITHDRAWAL 06-29-18 5039 BROWARD NEW OFFICE FT LAUDERDA	200.00
Total other withdrawals, debits and service charges		= \$980.27

**Deposits, credits and interest**

DATE	DESCRIPTION	AMOUNT(\$)
06/04	VERIFYBANK PAYPAL WENJ ANIKA OMPHROY CAMPAIGN	0.05
06/04	VERIFYBANK PAYPAL 7ENJ ANIKA OMPHROY CAMPAIGN	0.11
06/05	MOBILE DEPOSIT	100.00
06/05	MOBILE DEPOSIT	500.00
06/12	Squar Square Inc Anika Omphroy CUSTOMER ID T20049219870	48.62
06/21	DEPOSIT	300.00
06/22	Funds Disb Vantiv eCommerce Anika Omphroy for Dist CUSTOMER ID 27500129532642	50.00
06/25	TRANSFER PAYPAL 0740 ANIKA OMPHROY CAMPAIGN	48.77
06/25	MOBILE DEPOSIT	150.00
06/25	DEPOSIT	853.00
06/26	Funds Disb Vantiv eCommerce Anika Omphroy for Dist CUSTOMER ID 27500131384446	160.00
06/26	BB&T 24 CASH DEPOSIT 06-25-18 19:49 AN29 BROWARD-INVERRARY #1 LAUDERHIL	400.00
06/26	BB&T 24 CASH DEPOSIT 06-25-18 19:27 AN30 BROWARD-INVERRARY #2 LAUDERHIL	400.00
06/27	COUNTER DEPOSIT	375.00
Total deposits, credits and interest		= \$3,385.55



ANIKA OMPHROY STATE REPRESENTATIVE  
 3500 N STATE ROAD 7 STE 105  
 LAUDERDALE LAKES FL 33319-5616

# Your account statement

For 07/31/2018

## Contact us



BBT.com



(800) BANK-BBT or  
 (800) 226-5228

**Your account security is our top priority.** That's why BB&T will soon be providing interactive alerts on Business Debit Card transactions. If BB&T suspects fraud, primary account owners who have provided contact information will be automatically contacted through a text, email, Small Business Online banking, U by BB&T or phone. Account owners will be able to respond immediately to secure all cards on the account including those that employees use. Interactive alerts will be automatically included with your BB&T Business Debit Cards.

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### ■ COMMUNITY CHECKING

#### Account summary

Your previous balance as of 06/29/2018	\$123.46
Checks	- 0.00
Other withdrawals, debits and service charges	- 273.77
Deposits, credits and interest	+ 36.00
Your new balance as of 07/31/2018	= \$-114.31

#### Other withdrawals, debits and service charges

DATE	DESCRIPTION	AMOUNT(\$)
07/02	DEBIT CARD PURCHASE ASTA PARKING 06-29 FORT LAUDERDA FL 5039	4.00
07/02	DEBIT CARD NON-BBT ATM FEE 07-01-18 HOLLYWOOD FL 5039 DIPLOMAT RES-277789	3.00
07/02	ATM NETWORK CASH WITHDRAWAL 07-01-18 HOLLYWOOD FL 5039 DIPLOMAT RES-277789	24.00
07/02	DEBIT CARD PURCHASE-PIN 07-01-18 LAUDERDALE L FL 5039 ALDI 77087	2.57
07/03	DEBIT CARD PURCHASE DIPLOMAT RESORT BR 07-01 HOLLYWOOD FL 5039	27.28
07/05	DEBIT CARD PURCHASE STARBUCKS STORE 16 07-03 FORT LAUDERDA FL 5039	6.02
07/05	DEBIT CARD PURCHASE-PIN 07-03-18 FORT LAUDERDA FL 5039 7-ELEVEN	10.00
07/05	DEBIT CARD PURCHASE EXXONMOBIL 4812 07-03 FORT LAUDERDA FL 5039	2.00
07/05	DEBIT CARD PURCHASE FIRST WATCH 175 07-03 PLANTATION FL 5039	45.03
07/05	ACH CORP DEBIT 6175177600 ACTBLUEDONATE Vote Anika Omphroy CUSTOMER ID	3.15
07/05	OVERDRAFT ITEM FEE (\$36/ITEM) 36	72.00
07/10	ACH CORP DEBIT Funds Disb Vantiv eCommerce Anika Omphroy for Dist CUSTOMER ID 27500141751147	2.72
07/10	OVERDRAFT ITEM FEE (\$36/ITEM) 36	36.00
07/11	NEGATIVE ACCOUNT BALANCE FEE	36.00
Total other withdrawals, debits and service charges		= \$273.77

#### Deposits, credits and interest

DATE	DESCRIPTION	AMOUNT(\$)
07/20	NEG ACCT BALANCE FEE REFUND	36.00
Total deposits, credits and interest		= \$36.00



FL [REDACTED]

[REDACTED]

ANIKA OMPHROY STATE REPRESENTATIVE  
3500 N STATE ROAD 7 STE 105  
LAUDERDALE LAKES FL 33319-5616

# Your account statement

For 08/31/2018

## Contact us



BBT.com



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### New BB&T Credit Cards Now Available

Whether you want to go low interest, earn cash back or make travel more rewarding, we have a credit card to fit your lifestyle. Our new BB&T Spectrum Cash Rewards and BB&T Spectrum Travel Rewards credit cards earn rewards on the things that matter to you such as everyday purchases, travel expenses and more. Or, if a low interest card is what you need, the BB&T Bright credit card is always a bright idea. Apply online at BBT.com or visit your local BB&T financial center.

BB&T Member FDIC. Credit cards are subject to credit approval.

#### ■ COMMUNITY CHECKING [REDACTED]

##### Account summary

Your previous balance as of 07/31/2018	\$-114.31
Checks	- 0.00
Other withdrawals, debits and service charges	- 108.00
Deposits, credits and interest	+ 0.00
Your new balance as of 08/31/2018	= \$-222.31

##### Other withdrawals, debits and service charges

DATE	DESCRIPTION	AMOUNT(\$)
08/06	PRIOR DAY RET ITEM FEE-\$36/ITM	36.00
08/10	PRIOR DAY RET ITEM FEE-\$36/ITM	36.00
08/13	PRIOR DAY RET ITEM FEE-\$36/ITM	36.00
Total other withdrawals, debits and service charges		= \$108.00





[REDACTED]  
 ANIKA OMPHROY STATE REPRESENTATIVE  
 3500 N STATE ROAD 7 STE 105  
 LAUDERDALE LAKES FL 33319-5616

## Your account statement

For 09/28/2018

## Contact us



BBT.com



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### Three Great Business Credit Cards The Choice is Yours

No matter your preference, there's a BB&T business credit card to meet your needs! Save on interest with the low annual percentage rate **BB&T Bright® for Business credit card**; earn cash back on the things you buy for your business every day with the **BB&T Spectrum Cash Rewards for Business credit card**; or make travel purchases more rewarding with the **BB&T Spectrum Travel Rewards for Business credit card**. Visit [BBT.com/SmallBusinessCards](http://BBT.com/SmallBusinessCards) or your local BB&T financial center to learn more.

BB&T, Member FDIC. Credit cards are issued by Branch Banking and Trust and are subject to credit approval.

#### ■ COMMUNITY CHECKING [REDACTED]

##### Account summary

Your previous balance as of 08/31/2018	\$-222.31
Checks	- 0.00
Other withdrawals, debits and service charges	- 36.00
Deposits, credits and interest	+ 258.31
Your new balance as of 09/28/2018	= \$0.00

##### Other withdrawals, debits and service charges

DATE	DESCRIPTION	AMOUNT(\$)
09/05	PRIOR DAY RET ITEM FEE-\$36/ITM	36.00
Total other withdrawals, debits and service charges		= \$36.00

##### Deposits, credits and interest

DATE	DESCRIPTION	AMOUNT(\$)
09/05	CHARGE-OFF - ACCOUNT CLOSED OVERDRAFT CLOSEOUT	222.31
09/06	CHARGE-OFF - ACCOUNT CLOSED OVERDRAFT CLOSEOUT	36.00
Total deposits, credits and interest		= \$258.31

**FLORIDA ELECTIONS COMMISSION  
PHONE LOG  
Case No.: FEC 19-123**

**Respondent:** Anika Tene Omphroy

**Complainant:** Division

1. **Date and time:** May 27, 2020 @12:00  
**Name:** Anika Tene Omphroy  
**Phone #:** 954-557-2676  
**Summary:** I called The number provided to me in email by Representative Omphroy. The call went straight to voicemail. I left a generic voicemail for Rep Omphroy to call back and provided my office number.  
**Memo to File?** No  
**Entered by:** Brian Ayres
2. **Date and time:** May 27, 2020 @12:05  
**Name:** Amika Tene Omphroy  
**Phone #:** 954-557-2676  
**Summary:** I called for a second time in the day five minutes later. The call went to voicemail and I left a detailed message of how and when to reach me.  
**Memo to File?** No  
**Entered by:** Brian Ayres
3. **Date and time:** May 27, 2020 @12:15 pm  
**Name:** Anika Tene Omphroy  
**Phone #:** 954-557-2676  
**Summary:** Representative Omphroy Called back when she received my email. We discussed our correspondence, and the cases she is involved with. She was confused as to the separation of Florida Elecitons Commission and The Division of Elections and stated that she commented the answers from the affidavit sent to her to the Division's website. I asked her to send her responses to us.

Ms. Omphroy stated she was in session when our attorney reached out with the consent agreement but the mail was sent to her house where she was not staying during session (Tallahassee vs Lauderdale lakes). She then went on to state that her mother then had to be taken care of and she was the caregiver. Her mother was in the ICU from November, 2019 to Februray 2020. Then again in March. This caused an unforeseen burden to Ms. Omphroy.

We discussed how to resolve these cases. She has access to the Candidate and Campaign Treasurer Handbook and will re-read the issues that are present with her complaints. I will attempt to reach out to Ms. Cunningham and see if the original consent orders are still available or if they have been retracted.

**Memo to File?** No

**Entered by:** Brian Ayres

4. **Date and time:** October 29, 2020 @12:59 pm  
**Name:** Anika Tene Omphroy  
**Phone #:** 954-557-2676  
**Summary:** I called Representative Omphroy to discuss FEC cases 19-430, 19-192,

20-011, 20-027, 20-050, 20-089, and 20-100. Representative Omphroy referenced case 20-100 had been paid for, as well as a \$1,000.00 fine to the Division of Elections. She spoke on sending in a personal check and, at the time I did not have the answer as to why the check was not accepted as it was within another program on my laptop. She stated she had no idea why the check was not accepted and that she would like to set up an in-person session on November 14 to discuss her cases.

I spoke on her other cases and that I needed to look into why the check was not accepted before I began to guess to the reasons. Rep Omphroy agreed at another call once I am able to ascertain the reasons why the check was not accepted, and to help with her confusion on the additional cases FEC has. (Upon investigation personal checks are not allowed, only money orders or cashier's checks. A letter was confirmed delivered on July 20, 2020)

**Memo to File?** No

**Entered by:** Brian Ayres

5. **Date and time:** October 29, 2020 @3:00 pm

**Name:** Anika Tene Omphroy

**Phone #:** 954-557-2676

**Summary:** I called Representative Omphroy back after researching her consent order payment, and FEC 20-100. I reached her voicemail and gave her a detailed message to e-mail me back the best time I may be able to reach out to her for clarifying case FEC 20-100 as well as her other active cases with the Commission at this time.

**Memo to File?** No

**Entered by:** Brian Ayres

6. **Date and time:** October 30, 2020 @10:39 pm

**Name:** Anika Tene Omphroy

**Phone #:** 954-557-2676

**Summary:** I called Representative Omphroy back after researching her consent order payment, and FEC 20-100. I reached her voicemail and gave her a detailed message to e-mail me back the best time I may be able to reach out to her for clarifying case FEC 20-100 as well as her other active cases with the Commission at this time. Due to working remotely I provided my email address for best contact in order to communicate a time to discuss her cases.

**Memo to File?** No

**Entered by:** Brian Ayres

7. **Date and time:** November 9, 2020 @10:39 am

**Name:** Anika Tene Omphroy

**Phone #:** 954-557-2676

**Summary:** I called Representative Omphroy back after researching her consent order payment, and FEC 20-100 and her other cases. I went over each case (FEC: 19-123, 19-192, 19-430, 20-011, 20-027, 20-050, 20-089, 20-100). I confirmed that her grandmother was in her care and fell into the ICU and Respondent is her primary caregiver. I explained each case to Respondent. Respondent stated she understood her missing some of her contributions and expenditures that took place as well as confirmed she has since filed her outstanding CTRs. Respondent stated that the discrepancies in her reports and her bank account are, for the most part, true and that she paid her campaign manager with cash withdrawn, and

stated she had not documented all bills and contributions and expenditures correctly as I went over each. She was required to report her activity, but failed to do so by the prescribed deadline, and understood.

Respondent asked about next steps in the investigation process, I explained the next steps are submitting my reports to the attorney assigned, in which she will get a copy of the reports and have 14 days to respond. Respondent was concerned with the timing of sending the reports due to her legislative duties and the holidays. If the report is mailed to her after the 19th of November, she should be home to receive the information for her records and did express interest in possible reaching out to FEC staff for a pre-probable cause consent agreement before Commission meeting.

**Entered by:** Brian Ayres

**FLORIDA ELECTIONS COMMISSION  
PHONE LOG  
Case No.: FEC 19-123**

**Respondent:** Anika Tene Omphroy

**Complainant:** Division

1. **Date and time:** May 27, 2020 @12:00  
**Name:** Anika Tene Omphroy  
**Phone #:** 954-557-2676  
**Summary:** I called The number provided to me in email by Representative Omphroy. The call went straight to voicemail. I left a generic voicemail for Rep Omphroy to call back and provided my office number.  
**Memo to File?** No  
**Entered by:** Brian Ayres
2. **Date and time:** May 27, 2020 @12:05  
**Name:** Amika Tene Omphroy  
**Phone #:** 954-557-2676  
**Summary:** I called for a second time in the day five minutes later. The call went to voicemail and I left a detailed message of how and when to reach me.  
**Memo to File?** No  
**Entered by:** Brian Ayres
3. **Date and time:** May 27, 2020 @12:15 pm  
**Name:** Anika Tene Omphroy  
**Phone #:** 954-557-2676  
**Summary:** Representative Omphroy Called back when she received my email. We discussed our correspondence, and the cases she is involved with. She was confused as to the separation of Florida Elecitons Commission and The Division of Elections and stated that she commented the answers from the affidavit sent to her to the Division's website. I asked her to send her responses to us.

Ms. Omphroy stated she was in session when our attorney reached out with the consent agreement but the mail was sent to her house where she was not staying during session (Tallahassee vs Lauderdale lakes). She then went on to state that her mother then had to be taken care of and she was the caregiver. Her mother was in the ICU from November, 2019 to Februray 2020. Then again in March. This caused an unforeseen burden to Ms. Omphroy.

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**Memo to File?** No

**Entered by:** Brian Ayres

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**Name:** Anika Tene Omphroy  
**Phone #:** 954-557-2676  
**Summary:** I called Representative Omphroy to discuss FEC cases 19-430, 19-192,

20-011, 20-027, 20-050, 20-089, and 20-100. Representative Omphroy referenced case 20-100 had been paid for, as well as a \$1,000.00 fine to the Division of Elections. She spoke on sending in a personal check and, at the time I did not have the answer as to why the check was not accepted as it was within another program on my laptop. She stated she had no idea why the check was not accepted and that she would like to set up an in-person session on November 14 to discuss her cases.

I spoke on her other cases and that I needed to look into why the check was not accepted before I began to guess to the reasons. Rep Omphroy agreed at another call once I am able to ascertain the reasons why the check was not accepted, and to help with her confusion on the additional cases FEC has. (Upon investigation personal checks are not allowed, only money orders or cashier's checks. A letter was confirmed delivered on July 20, 2020)

**Memo to File?** No

**Entered by:** Brian Ayres

5. **Date and time:** October 29, 2020 @3:00 pm

**Name:** Anika Tene Omphroy

**Phone #:** 954-557-2676

**Summary:** I called Representative Omphroy back after researching her consent order payment, and FEC 20-100. I reached her voicemail and gave her a detailed message to e-mail me back the best time I may be able to reach out to her for clarifying case FEC 20-100 as well as her other active cases with the Commission at this time.

**Memo to File?** No

**Entered by:** Brian Ayres

6. **Date and time:** October 30, 2020 @10:39 pm

**Name:** Anika Tene Omphroy

**Phone #:** 954-557-2676

**Summary:** I called Representative Omphroy back after researching her consent order payment, and FEC 20-100. I reached her voicemail and gave her a detailed message to e-mail me back the best time I may be able to reach out to her for clarifying case FEC 20-100 as well as her other active cases with the Commission at this time. Due to working remotely I provided my email address for best contact in order to communicate a time to discuss her cases.

**Memo to File?** No

**Entered by:** Brian Ayres

7. **Date and time:** November 9, 2020 @10:39 am

**Name:** Anika Tene Omphroy

**Phone #:** 954-557-2676

**Summary:** I called Representative Omphroy back after researching her consent order payment, and FEC 20-100 and her other cases. I went over each case (FEC: 19-123, 19-192, 19-430, 20-011, 20-027, 20-050, 20-089, 20-100). I confirmed that her grandmother was in her care and fell into the ICU and Respondent is her primary caregiver. I explained each case to Respondent. Respondent stated she understood her missing some of her contributions and expenditures that took place as well as confirmed she has since filed her outstanding CTRs. Respondent stated that the discrepancies in her reports and her bank account are, for the most part, true and that she paid her campaign manager with cash withdrawn, and

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**Entered by:** Brian Ayres

## **Brian Ayres**

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**From:** Brian Ayres  
**Sent:** Friday, August 21, 2020 1:29 PM  
**To:** Anika Omphroy  
**Subject:** Florida Elections Commission - re: 2018 Campaign Cases (August 21, 2020)

Good Afternoon Representative Omphroy,

I have finished collecting information for your 2018 cases (FEC 19-123, FEC 19-430) and would like to schedule a time to go over the results of my investigation before I forward the report to Ms. Cunningham for a probable cause determinations in order to present the cases to the commission.

Would you have any time to speak over the phone next week or whenever you are most available? The call should not take more than a few minutes.

Additionally, this is not a requirement and you may instead wait for the report to be sent to you in which you would have 14 days to respond to Ms. Cunningham directly.

Hope all is well, and congratulations on your 2020 campaign success,  
Brian Ayres  
Florida Elections Commission  
Investigation Specialist





**FLORIDA ELECTIONS COMMISSION**

107 W. Gaines Street,  
Suite 224 Collins Building  
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)

April 5, 2019

The Honorable Anika Omphroy  
2901 NW 46<sup>th</sup> Avenue  
Apt. 202  
Lauderdale Lakes, FL 33313

**RE: Case No.: FEC 19-123; Respondent: Anika Omphroy**

Dear Representative Omphroy:

On March 7, 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 violations:

**Section 106.07(7), Florida Statutes:** As alleged in the complaint, Respondent, a 2018 candidate for State Representative, District 95, may have 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 2018 termination reporting period.

**Section 106.141(1), Florida Statutes:** As alleged in the complaint, Respondent, a 2018 candidate for State Representative, District 95, failed to timely file her 2018 Termination Report reflecting the disposition of all remaining campaign funds.

**Section 106.19(1)(c), Florida Statutes:** As alleged in the complaint, Respondent, a 2018 candidate for State Representative, District 95, may have falsely reported or deliberately failed to include information in her 2018 Termination Report, as required by Chapter 106.

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 make a written recommendation (Staff Recommendation or SR) to the Commission as to whether there is probable cause to charge 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

The Honorable Anika Omphroy  
April 5, 2019  
Page 2  
FEC 19-123

one or more hearings to determine whether the alleged violations occurred and, if so, the amount of the fine to be imposed. You and the complainant will receive notice at least 14 days before any hearing at which your case is to be considered.

Please note that all documents related to this matter will be mailed to the above address unless you **notify us of a new address**. Also, please remember that complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 or 106, Florida Statutes, are **confidential** until the Commission finds probable cause or no probable cause.

For additional information, please refer to the “Frequently Asked Questions” section of the Commission’s website ([www.fec.state.fl.us](http://www.fec.state.fl.us)).

If you have additional questions, please contact **Samantha Spore**, the investigator assigned to this case.

Sincerely,

Tim Vaccaro  
Executive Director

TV/med

**DIVISION OF ELECTIONS  
FEC NOTICE FORM**

To FEC from Division of Elections

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**Name:** Anika Omphroy  
**Account Number:** 70489  
**Treasurer:** Anika Omphroy

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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, Florida Statutes. An apparent violation of Chapter 106, F.S., has occurred based upon the candidate's alleged failure to file a report after notice as required by section 106.07(8)(d), Florida Statutes, or failure to notify the filing officer on the prescribed reporting date that no report was to be filed as required by Section 106.07(7), Florida Statutes.

The following report or notice is outstanding after notification:

2018 TR

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**Sent By:** Kristi Reid Willis *KRW*  
**Date:** March 6, 2019

eal

## AFFIDAVIT

STATE OF FLORIDA

County of Leon

**Kristi Reid Willis, being duly sworn, says:**

1. I am the Chief of the Bureau of Election Records of the Division of Elections (Division). In that capacity, I oversee the Division's duties related to the filing of campaign finance reports.
2. This affidavit is made upon my personal knowledge, including information obtained from review of the attached records, of which I am the custodian.
3. I am of legal age and competent to testify to the matters stated herein.
4. Representative Anika Omphroy (70489) was a 2018 candidate for the office of State Representative.
5. On March 12, 2018, Representative Omphroy filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division.
6. The 2018 TR campaign treasurer's report was due on September 20, 2018. On September 21, 2018, the Division mailed Representative Omphroy notification that the 2018 TR treasurer's report had not been filed.
7. On February 21, 2019, the Division mailed Representative Omphroy final notification with delivery confirmation that the 2018 TR treasurer's report had not been filed. (See attached letter and delivery confirmation.)
8. Representative Omphroy did not notify the Division of Elections prior to or on the prescribed reporting date for the 2018 TR report that no report was to be filed.

9. As of March 6, 2019, Representative Omphroy has not filed the 2018 TR report.

**I hereby swear or affirm that the foregoing information is true and correct to the best of my knowledge.**

Kurt Reid Willis

Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 6<sup>th</sup> day of **March, 2019.**

Stacy L Bagley

Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known





FLORIDA DEPARTMENT OF STATE

Laurel M. Lee  
Secretary of State

DIVISION OF ELECTIONS

**Final Notice**

**Delivery Confirmation:**

USPS TRACKING # **9114 9014 9645 1750 4303 53**  
& CUSTOMER RECEIPT For Tracking or inquiries go to USPS.com  
or call 1-800-222-1811

February 21, 2019

Anika Omphroy

Candidate for State Representative, District 95

CAN 70489

2901 North 46 Avenue, #202

Lauderdale Lakes, FL 33313-3313

Dear Representative Omphroy:

A recent review of the Division's records show that the Division has not yet received your termination report or the required notification that no reportable activity occurred, whichever is applicable.

The Division has previously notified you of the unfiled report or notification. Please file your report or notification. If the report or notification is not filed within 7 days of receipt of this letter, the Division will refer this matter to the Florida Elections Commission, which may impose civil penalties of up to \$1000 per violation, apart from that automatic fine provisions of s. 106.07(8)(b), Fla. Stat.) that are applicable only to campaign finance reports.

As we stated in the prior notices, even if you now file the report or notification, the untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

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

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

**Track Another Package +**

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**Expected Delivery on**

**SATURDAY**

**23** FEBRUARY  
2019 ⓘ

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February 23, 2019 at 2:49 pm  
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FORT LAUDERDALE, FL 33313

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