

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Mary Estime-Irvin

Case No.: FEC 16-522

TO: Mary Estime-Irvin
155 NE 131st Street
North Miami, FL 33161-4529

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

NOTICE OF HEARING (INFORMAL HEARING)

A hearing will be held in this case before the Florida Elections Commission on, **May 15, 2018 at 8:30 am, or as soon thereafter as the parties can be heard**, at the following location: **412 Knott Building, Pat Thomas Committee Room, 404 South Monroe Street, Tallahassee, Florida 32399.**

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

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

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

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

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

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

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

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

See further instructions on the reverse side.

Amy McKeever Toman
Executive Director
Florida Elections Commission
April 30, 2018

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

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

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

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

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

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

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



FLORIDA ELECTIONS COMMISSION

**107 W. Gaines Street, Suite 224
Collins Building
Tallahassee, Florida 32399-1050
(850) 922-4539**

March 20, 2018

Mary Estime-Irvin
155 NE 131st Street
North Miami, FL 33161-4529

RE: Case No.: FEC 16-522; Respondent: Mary Estime-Irvin

Dear Ms. Irvin:

The Florida Elections Commission at its last regularly scheduled meeting was unable to hear this case. **Therefore, this case has been rescheduled for its next meeting, which is scheduled for May 15-16, 2018 in Tallahassee.** A notice of hearing will be mailed approximately 14 days before the hearing noting the exact date, time and location.

If you have any questions, please contact us at the number listed above or at fec@myfloridalegal.com.

Sincerely,
Amy McKeever Toman
Executive Director

AMT/dam
cc: Division of Elections, Complainant

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Mary Estime-Irvin

Case No.: FEC 16-522

TO: Mary Estime-Irvin
155 NE 131st Street
North Miami Beach, FL 33161-4529

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

NOTICE OF HEARING (INFORMAL HEARING)

A hearing will be held in this case before the Florida Elections Commission on, **March 13, 2018 at 8:30 am, or as soon thereafter as the parties can be heard**, at the following location: **Augustus B. Turnbull Conference Center, 555 West Pensacola Street, Room 103, Tallahassee, Florida 32301.**

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

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

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

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

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

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

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

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

See further instructions on the reverse side.

Amy McKeever Toman
Executive Director
Florida Elections Commission
February 26, 2018

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.

FILED

17 DEC 15 AM 9:46

STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

Case No.: FEC 16-522

v.

**Mary Estimé-Irvin,
Respondent.**

ORDER OF PROBABLE CAUSE

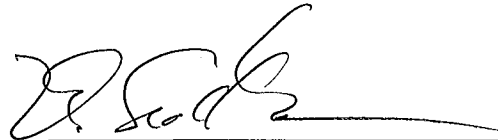
THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on November 28, 2017, in Tallahassee, Florida.

On August 29, 2017, 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 22, 2016, Respondent violated Section 106.07(2)(b)1., Florida Statutes, when Respondent failed to file an addendum to her 2016 P5 Report within seven days of receiving notice from the filing officer that her 2016 P5 Report was incomplete.

DONE AND ORDERED by the Florida Elections Commission on November 28, 2017.



M. Scott Thomas, Chairman
Florida Elections Commission

Copies furnished to:
Eric M. Lipman, General Counsel
Mary Estimé-Irvin, 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: Mary Estime-Irvin

Case No.: FEC 16-522

TO: Mary Estime-Irvin
155 NE 131st Street
North Miami Beach, FL 33161-4529

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

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on, **November 28, 2017 at 10:00 am, or as soon thereafter as the parties can be heard**, at the following location: **412 Knott Building, Pat Thomas Committee Room, 404 South Monroe Street, Tallahassee, Florida 32399.**

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.

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See further instructions on the reverse side.

Amy McKeever Toman
Executive Director
Florida Elections Commission
November 13, 2017

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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.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Mary Estime-Irvin

Case No.: FEC 16-522

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned counsel files this written recommendation for disposition of the referral in this case recommending that there is **probable cause** to charge Respondent with violating **Section 106.07(2)(b)1., Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on August 11, 2017, the following facts and law support this staff recommendation:

1. On September 30, 2016, the Florida Elections Commission ("Commission") received a referral from the Division of Elections ("Division") alleging Mary Estime-Irvin ("Respondent") violated Chapter 106, Florida Statutes.

2. Respondent was a candidate for State Representative, District 107, in the 2016 election. Respondent's Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form ("DS-DE 9") was filed with the Division on October 2, 2015. Respondent appointed herself as her campaign treasurer. (ROI Exhibit 1)¹

3. By letter dated May 25, 2017, the Executive Director notified Respondent that Commission staff would investigate the following alleged violation:

Section 106.07(2)(b)1., Florida Statutes: Respondent, a 2016 candidate for the office of State Representative, acting as her own treasurer, failed to timely make necessary amendments to the 2016 P5 campaign treasurer's report, as alleged in the complaint.

4. By letter dated October 5, 2015, Kristi Reid Bronson, Division of Elections, Chief, Bureau of Election Records, notified Respondent that her name had been placed on the 2016 active candidate list. The letter advised Respondent that all candidates who file reports with the Division are required to use the electronic filing system ("EFS") and provided Respondent with a user identification number and initial password to access the EFS. (ROI Exhibit 2, page 1)²

¹ The Report of Investigation shall be referred to herein as "ROI."

² Kristi Reid Bronson is now known as Kristi Willis.

5. Ms. Bronson's October 5, 2015 letter further advised Respondent that all the Division's publications and reporting forms were available on the Division's website and directed Respondent to print a copy of Chapters 104 and 106, Florida Statutes, the *Candidate and Campaign Treasurer Handbook* ("Handbook"), and the *Calendar of Reporting Dates*. (ROI Exhibit 2, page 3)

6. Respondent's 2016 P5 Report covering the dates of July 30, 2016, through August 5, 2016, was due on August 12, 2016. Respondent timely filed her 2016 P5 Report, however, it was incomplete. (Attachments A and B)

7. On August 15, 2016, the Division sent notification to Respondent that her 2016 P5 Report was incomplete and Respondent had seven days from receipt of the notice to correct the errors on the attached Error Report and file an amended 2016 P5 Report. The letter also stated that if the information was reported accurately, Respondent should provide a written explanation to the Division addressing the issues noted in the Error Report. (ROI Exhibit 3)³

8. On August 29, 2016, the Division sent notification to Respondent that her 2016 P5 Report was incomplete and Respondent had seven days from receipt of the notice to correct the errors on the attached Error Report and file an amended 2016 P5 Report. (ROI Exhibit 4)

9. On September 12, 2016, the Division sent a "Final Notice" to Respondent notifying her that her 2016 P5 Report remained incomplete and Respondent had seven days from receipt of the notice to correct the errors on the attached Error Report and file an amended 2016 P5 Report. The letter also stated that if the information was reported accurately, Respondent should provide a written explanation to the Division addressing the issues noted in the Error Report. The Division's September 12, 2016 letter was confirmed delivered on September 15, 2016. (ROI Exhibit 5)

10. As of August 7, 2017, Respondent has failed to correct the errors identified by the Division and file an amended 2016 P5 Report. (ROI Exhibit 6)

11. Investigator Spore attempted to contact Respondent three times at the phone number Respondent listed on her DS-DE-9. On two occasions, Investigator Spore received a message that the phone number was not accepting incoming calls. On the third occasion, Investigator Spore began to leave a voice message and before she could finish, she heard a beep and click as if the voicemail had stopped recording. (Attachment C)

12. Based upon the information above, it appears Respondent failed to file an amended 2016 P5 Report correcting errors identified by the Division on her 2016 P5 Report within seven days of receiving notification that the report was incomplete.

³ Section 106.07(2)(b)1., Fla. Stat. does not require a campaign treasurer to provide a written explanation to the Division addressing the issues noted in an Error Report if the information was reported accurately.

13. "Probable Cause" is defined as reasonable grounds of suspicion supported by circumstances sufficiently strong to warrant a cautious person in the belief that the person has committed the offense charged. *Schmitt v. State*, 590 So.2d 404, 409 (Fla. 1991). Probable cause exists where the facts and circumstances, of which an [investigator] has reasonably trustworthy information, are sufficient in themselves for a reasonable man to reach the conclusion that an offense has been committed. *Department of Highway Safety and Motor Vehicles v. Favino*, 667 So.2d 305, 309 (Fla. 1st DCA 1995).

14. The above facts show Respondent was a candidate for State Representative, District 107, in the 2016 election. Respondent timely filed her 2016 P5 Report, however, it was incomplete. On August 15, 2016, August 29, 2016, and September 12, 2016, the Division sent a letter notifying Respondent that her 2016 P5 Report was incomplete and that she had seven days from receipt of the notification to correct the errors and file an amended 2016 P5 Report. The Division's September 12, 2016 notification was confirmed delivered on September 15, 2016. As of August 7, 2017, Respondent has failed to file an amended 2016 P5 Report correcting the errors identified by the Division.

Based upon these facts and circumstances, I recommend that the Commission find probable cause to charge Respondent with the following:

Count 1:

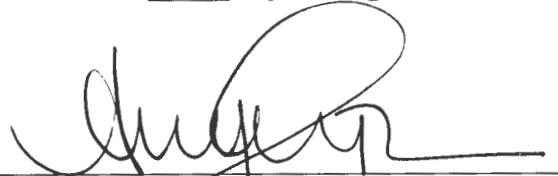
On or about September 22, 2016, Respondent violated Section 106.07(2)(b)1., Florida Statutes, when Respondent failed to file an addendum to her 2016 P5 Report within seven days of receiving notice from the filing officer that her 2016 P5 Report was incomplete.

Respectfully submitted August 29, 2017,



Eric M. Lipman
General Counsel

I reviewed this Staff Recommendation this 29th day of August 2017.



Amy McKeever Toman
Executive Director

Calendar of Reporting Dates

for 2016 Candidates registered with the Division of Elections

<u>Cover Period</u>	<u>Report Code</u>	<u>Due Date</u>
12/01/15 - 12/31/15	2015 M12	01/11/16
01/01/16 - 01/31/16	2016 M1	02/10/16
02/01/16 - 02/29/16	2016 M2	03/10/16
03/01/16 - 03/31/16	2016 M3	04/11/16
04/01/16 - 04/30/16	2016 M4	05/10/16
05/01/16 - 05/31/16	2016 M5	06/10/16

06/01/16 - 06/24/16	2016 P1	07/01/16
06/25/16 - 07/08/16	2016 P2	07/15/16
07/09/16 - 07/22/16	2016 P3	07/29/16
07/23/16 - 07/29/16	2016 P4	08/05/16
07/30/16 - 08/05/16	2016 P5	08/12/16
08/06/16 - 08/12/16	2016 P6	08/19/16
08/13/16 - 08/25/16	2016 P7	08/26/16

08/26/16 - 09/02/16	2016 G1	09/09/16
09/03/16 - 09/16/16	2016 G2	09/23/16
09/17/16 - 09/30/16	2016 G3	10/07/16
10/01/16 - 10/07/16	2016 G4	10/14/16
10/08/16 - 10/14/16	2016 G5	10/21/16
10/15/16 - 10/21/16	2016 G6	10/28/16
10/22/16 - 11/03/16	2016 G7	11/04/16

Termination Reports

<u>Cover Period</u>	<u>Report Code</u>	<u>Due Date</u>
After May Qualifying	TR	08/04/16
After June Qualifying	TR	09/22/16
Primary Election	TR	11/28/16
General Election	TR	02/06/17

ATTACHMENT A



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Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Candidate Name: Mary Estime-Irvin

Name: **Estime-Irvin**

Account: 64957

Election

Acct: **64957**

Type: **Candidate**

Search

Reset

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
11/28/2016	TR		FEC	0	\$0.00		\$0.00	\$0.00
8/26/2016	P7		FEC	0	\$0.00		\$0.00	\$0.00
8/19/2016	P6	8/19/2016						
8/12/2016	P5	8/12/2016						
8/5/2016	P4	8/6/2016	DFS	1	\$50.00		\$50.00	\$0.00
7/29/2016	P3	7/30/2016	DFS	1	\$50.00		\$50.00	\$0.00
7/15/2016	P2	7/15/2016						
7/1/2016	P1	7/11/2016	DFS	10	\$586.25		\$586.25	\$0.00
6/10/2016	M5	6/8/2016						
5/10/2016	M4	5/11/2016	NEN	1	\$7.50		\$7.50	\$0.00
4/11/2016	M3	4/11/2016						
3/10/2016	M2	4/6/2016	DFS	27	\$425.91		\$425.91	\$0.00
2/10/2016	M1	2/11/2016	DFS	1	\$50.00		\$50.00	\$0.00
1/11/2016	M12	1/11/2016						
12/10/2015	M11	12/10/2015						
11/10/2015	M10	11/12/2015	DFS	2	\$100.00		\$100.00	\$0.00

ATTACHMENT B

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 16-522**

Respondent: Mary Estimé -Irvin

Complainant: Division of Elections

1. **Date and time:** 06/29/17- 10:20 AM
Name: Respondent
Phone #: 305-709-7936
Summary: I attempted to call Respondent on the number listed on the DS-DE 9 form, however, I reached a recording stating the number was not accepting incoming calls at this time. There was no way to leave a voicemail message.
Memo to File? No
Entered by: S. Spore

2. **Date and time:** 8/1/17- 2:17 PM
Name: Respondent
Phone #: 305-709-7936
Summary: I called Respondent on the number listed on the DS-DE 9 form. I reached a generic voicemail box, and left a message, asking Respondent to return my call, leaving my name and telephone number. As I was repeating the telephone number a second time, I heard a beep and click, and it sounded as if the voicemail service had stopped recording.
Memo to File? No
Entered by: S. Spore

3. **Date and time:** 8/7/17- 3:48 PM
Name: Respondent
Phone #: 305-709-7936
Summary: I attempted to call Respondent on the number listed on the DS-DE 9 form again, however, I again reached the recording stating the number I had dialed was not accepting incoming calls.
Memo to File? No
Entered by: S. Spore

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

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

ATTACHMENT C

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Case No.: FEC 16-522

Respondent: Mary Estimé-Irvin

Complainant: Division of Elections

On September 30, 2016, the Florida Elections Commission (“Commission”) received a referral from the Division of Elections alleging that Respondent violated Chapter 106, Florida Statutes. Commission staff investigated whether Respondent violated the following statute:

Section 106.07(2)(b)1, Florida Statutes, failure to timely make necessary amendments to the 2016 P5 campaign treasurer’s report.

I. Preliminary Information:

1. Respondent was a candidate in 2016 for the office of State Representative, District 107. Respondent received 34.76% of the vote in the Democratic primary election, to finish second in a field of two candidates.
2. Complainant is the Division of Elections (Division).
3. Respondent’s filing officer is Kristi Willis, Chief, Bureau of Election Records.

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

4. I investigated whether Respondent violated this section of the election laws by failing to timely make necessary amendments to the 2016 P5 campaign treasurer’s report.
5. On October 2, 2015, Respondent filed the Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9 form) with the Division. Respondent appointed herself as campaign treasurer. To review the DS-DE 9 form, refer to Exhibit 1.
6. On October 5, 2015, Complainant mailed Respondent a letter acknowledging receipt of the DS-DE 9 form, and informing her that her name had been placed on the 2016 active candidate list. To view a copy of the October 5, 2015 acknowledgment letter, refer to Exhibit 2.
7. On August 15, 2016, the Division mailed Respondent notification that the 2016 P5 campaign treasurer’s report was incomplete. This letter was sent to the address Respondent provided on her DS-DE 9 form; Exhibit 1. Attached to the notification letter was a copy of the detailed error report. To review a copy of the August 15, 2016 notification letter and error report, refer to Exhibit 3.

8. On August 29, 2016, the Division mailed Respondent notification that the 2016 P5 campaign treasurer's report was incomplete. This letter was sent to the address Respondent provided on her DS-DE 9 form; Exhibit 1. Attached to the notification was a copy of the detailed error report. To review a copy of the August 29, 2016 notification letter and error report, refer to Exhibit 4.

9. On September 12, 2016, the Division mailed Respondent a certified letter titled "Final Notice" informing her that the 2016 P5 campaign treasurer's report was incomplete, which included a delivery confirmation receipt. This letter was also sent to the address Respondent provided on her DS-DE 9 form; Exhibit 1. Attached to the final notice letter was a copy of the detailed error report. To review a copy of the September 12, 2016 final notice letter with delivery confirmation, refer to Exhibit 5.

10. An e-mail was sent to the Division on August 1, 2017, asking if Respondent had satisfactorily amended the 2016 P5 campaign treasurer's report. An e-mail was sent from the Division on August 7, 2017, which stated, "No". As of that date, the 2016 P5 campaign treasurer's report had not been satisfactorily amended. To review the August 7, 2017 e-mail, refer to Exhibit 6.

IV. FEC History:

11. Respondent has had multiple automatic-fine cases before the Florida Elections Commission (Commission). In the matter of FEC 16-085, the Commission upheld the automatic-fine of \$100.00, and issued a default final order. In the matter of FEC 16-175, the Commission upheld the automatic-fine of \$50.00, and issued a default final order. In the matter of FEC 16-176, the Commission upheld the automatic-fine of \$425.91, and issued a default final order. In the matter of FEC 16-536, the Commission upheld the automatic-fine of \$586.25, and issued a default final order. In the matter of FEC 16-578, the Commission upheld the automatic-fine of \$50.00, and issued a default final order. In the matter of FEC 16-600, the Commission upheld the automatic-fine of \$50.00, and issued a default final order.


Conclusion:

12. Respondent was offered several opportunities to make comments regarding the findings of this investigation. Respondent has not returned telephone calls. A questionnaire-affidavit was returned by the post office, stating there was "no such number", however, other correspondence was successfully delivered to the address on file. I am unable to ascertain whether she has read Chapter 106, Florida Statutes, and/or the *Candidate and Campaign Treasurer Handbook*.

13. In the October 5, 2015 acknowledgment letter, Respondent was informed that all of the Division's publications were available online at the Division's website. In the letter, Respondent was admonished as follows: **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;** Exhibit 2.

14. On October 2, 2015, Respondent filed her Statement of Candidate for Florida State Representative, District 107 acknowledging that she had been provided access to read and understand the requirements of Chapter 106, Florida Statutes. To view a copy of the Statement of Candidate, refer to Exhibit 7.

Respectfully submitted on August 11, 2017.



Samantha Spore
Investigation Specialist

Current address of Respondent

Ms. Mary Estimé-Irvin
155 NE 131st Street
North Miami, FL 33161-4529

Current address of Complainant

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

Name and Address of Filing Officer:

Ms. Kristi Reid-Bronson
Chief of Bureau of Election Records
500 South Bronough Street, Room 316
Tallahassee, FL 32399

Copy furnished to: Mr. David Flagg, Investigations Manager

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Mary Estimé- Irvin -- FEC 16-522

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	October 2, 2015 DS-DE 9 Form
Exhibit 2	October 5, 2015 Acknowledgment Letter
Exhibit 3	August 15, 2016 Notification
Exhibit 4	August 29, 2016 Notification
Exhibit 5	September 12, 2016 Certified Letter with Delivery Confirmation
Exhibit 6	August 7, 2017 E-mail
Exhibit 7	October 2, 2016 Statement of Candidate

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

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

(PLEASE PRINT OR TYPE)

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

RECEIVED
2015 OCT -2 AM 9:49

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

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

2. Name of Candidate (in this order: First, Middle, Last)
Mary Estime-Irvin

3. Address (include post office box or street, city, state, zip code)
P.O. BOX 613008
Miami, FL 33261

4. Telephone
(305) 709-7936

5. E-mail address
info@maryestimeirvin.com

6. Office sought (include district, circuit, group number)
State Representative, District 107

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
Mary Estime-Irvin

11. Mailing Address
P.O. BOX 613008

12. Telephone
(305) 709-7936

13. City
Miami

14. County
Miami-Dade

15. State
FL

16. Zip Code
33261

17. E-mail address
info@maryestimeirvin.com

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

19. Name of Bank
Bank United

20. Address
12290 Biscayne Boulevard

21. City
North Miami

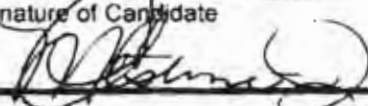
22. County
Miami-Dade

23. State
FL

24. Zip Code
33181

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY AND THAT THE FACTS STATED IN IT ARE TRUE.

25. Date
October 1, 2015

26. Signature of Candidate
X 

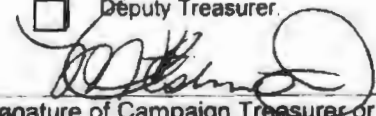
27. Treasurer's Acceptance of Appointment (fill in the blanks and check the appropriate block)

I, Mary Estime-Irvin, do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer

October 1, 2015

X



Date

Page 4 of 18 Signature of Campaign Treasurer or Deputy Treasurer



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

October 5, 2015

Mary Estime-Irvin
Post Office Box 613008
Miami, Florida 33261

Dear Ms. Estime-Irvine:

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 October 2, 2015. Your name has been placed on the 2016 active candidate list.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **November 10, 2015**. The report will cover the period of October 1-31, 2015 (M10). All candidates who file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

Credentials and Sign-ons

Below is the web address to access the EFS and your user identification number. The enclosed sealed envelope contains your initial password. Once you have logged in using the initial password, you will be immediately prompted to change it to a confidential sign-on. You, your campaign treasurer, and deputy treasurers are responsible for protecting these passwords from disclosure and are responsible for all filings using these credentials, unless the Division is notified that your credentials have been compromised.

EFS Website Address: <https://efs.dos.state.fl.us>
Identification Number: 64957



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/
Promoting Florida's History and Culture VivaFlorida.org

EXHIBIT 2 page 1 of 3
FLORIDA
DEPARTMENT OF
ELECTION

Mary Estime-Irvin
October 5, 2015
Page Two

Pin Numbers

Pin numbers are confidential secure credentials that allow you to submit reports and update personal information. The enclosed sealed envelope contains your confidential pin numbers.

Each candidate is required to provide the Division of Elections with confidential personal information that may be used to allow access in the event that password is forgotten or lost. When you enter the campaign account screen, there will be a drop down box where you pick a question (such as *What is your mother's maiden name?*) and supply an answer. All passwords and answers to questions are stored as encrypted data and cannot be viewed by Division staff and given out over the phone. Please notify the Division if your credentials have been compromised.

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 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.

Mary Estime-Irvin
October 5, 2015
Page Three

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 Bronson, Chief
Bureau of Election Records

KRB/js

Enclosures



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

August 15, 2016

Mary Estime-Irvin
Post Office Box 613008
Miami, FL 33261

Re: CAN 64957

Dear Ms. Estime-Irvin:

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

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

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

Sincerely,

Kristi Reid Bronson
Chief, Bureau of Election Records

Attachment

EXHIBIT 3 page 1 of 2

Error Report

Candidate: Mary Estime-Irvin

Office: STR

Report: 2016 P5 (13) Covering Period: 7/30/16 - 8/5/16

Account: 64957

Contributions

Contributions

Transfers

Other Distributions

Seq	Date	Name	Address	City/State/Zip	Distribution Purpose	Amount	Amend
1					N	\$0.00	

- *The Transaction Date Is Either Before Or After The Report Coverage Period
- *Missing or Invalid Distribution Type
- *Amount Is Zero
- *No Value Provided For Last Name Field
- *Missing Distribution Purpose
- *No Address Was Provided
- *No City Was Provided In The Address
- *No State Was Provided In The Address

EXHIBIT 3 page 2 of 2



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

Second Notice

August 29, 2016

Mary Estime-Irvin
Post Office Box 613008
Miami, FL 33261

Re: CAN 64957

Dear Ms. Estime-Irvin:

On August 15, 2016, you were advised that one or more of your campaign treasurer's reports were incomplete and that you had 7 days to provide the requested information.

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

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records

Attachment

EXHIBIT 4 page 1 of 2

Error Report

Candidate: Mary Estime-Irvin

Office: STR

Report: 2016 P5 (13) Covering Period: 7/30/16 - 8/5/16

Account: 64857

Contributions

Expenditures

and Transfers

Other Distributions

Seq	Date	Name	Address	City/State/Zip	Distribution Purpose	Amount	Amend
1					N	\$0.00	

- *The Transaction Date is Either Before Or After The Report Coverage Period
- *Missing or Invalid Distribution Type
- *Amount is Zero
- *No Value Provided For Last Name Field
- *Missing Distribution Purpose
- *No Address Was Provided
- *No City Was Provided In The Address
- *No State Was Provided In The Address

EXHIBIT 4 page 2 of 2



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

FINAL NOTICE

Delivery Confirmation:

USPS TRACKING #
& CUSTOMER
RECEIPT **9114 9999 4431 4596 7283 90**
For Tracking or Inquiries go to USPS.com
or call 1-800-222-1811.

September 12, 2016

Mary Estime-Irvin
Post Office Box 613008
Miami, FL 33261

Re: CAN 64957

Dear Ms. Estime-Irvin:

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

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

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

Sincerely,

Kristi Reid Bronson
Chief, Bureau of Election Records

Attachment

EXHIBIT 5 page 1 of 3

Error Report

Candidate: Mary Estime-Irvin

Office: STR

Report: 2016 P5 (13) Covering Period: 7/30/16 - 8/5/16

Account: 64957

Contributions

Contributions

and Transfers

Other Distributions

Seq	Date	Name	Address	City/State/Zip	Distribution Purpose	Amount	Amend
1					N	\$0.00	

- *The Transaction Date is Either Before Or After The Report Coverage Period
- *Missing or Invalid Distribution Type
- *Amount is Zero
- *No Value Provided For Last Name Field
- *Missing Distribution Purpose
- *No Address Was Provided
- *No City Was Provided In The Address
- *No State Was Provided In The Address

English

Customer Service

USPS Mobile

Register / Sign In



USPS Tracking®

Still Have Questions?
Browse our FAQs »



Get Easy Tracking Updates »
Sign up for My USPS.

Tracking Number: 9114999944314596728390

Updated Delivery Day: Thursday, September 15, 2016

Product & Tracking Information

Postal Product:

Features:
USPS Tracking®

DATE & TIME

STATUS OF ITEM

LOCATION

September 15, 2016, 10:49 am

Delivered, PO Box

MIAMI, FL 33261

Your item has been delivered and is available at a PO Box at 10:49 am on September 15, 2016 in MIAMI, FL 33261

September 15, 2016, 10:28 am

Available for Pickup

MIAMI, FL 33261

September 15, 2016, 7:41 am

Arrived at Post Office

MIAMI, FL 33181

September 15, 2016, 3:03 am

Arrived at USPS Facility

MIAMI, FL 33181

September 15, 2016, 12:49 am

Departed USPS Facility

OPA LOCKA, FL 33054

September 14, 2016, 4:38 pm

Arrived at USPS Facility

OPA LOCKA, FL 33054

September 13, 2016, 10:12 pm

Arrived at USPS Facility

TALLAHASSEE, FL 32301

Available Actions

Text Updates

Email Updates

Track Another Package

Tracking (or receipt) number

Track It

Manage Incoming Packages

Track all your packages from a dashboard.
No tracking numbers necessary

Sign up for My USPS »





RE: Questions on FEC 16-522 and 16-581

Willis, Kristi R.

to:

Samantha Spore

08/07/2017 03:07 PM

Hide Details

From: "Willis, Kristi R." <Kristi.Willis@DOS.MyFlorida.com>

To: Samantha Spore <Samantha.Spore@myfloridalegal.com>

From: Samantha Spore [<mailto:Samantha.Spore@myfloridalegal.com>]

Sent: Tuesday, August 01, 2017 3:02 PM

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

Subject: Questions on FEC 16-522 and 16-581

Good Afternoon!

This email is in regards to Ms. Mary Estime-Irvin (64957).

In regards to FEC 16-522: Has Ms. Estime-Irvin satisfactorily amended the 2016 P5 report? NO

In regards to FEC 16-581: Has Ms. Estime-Irvin satisfactorily amended the 2016 P1 report? NO

Any information you could give me would be very helpful!

Thank you for your assistance!

Samantha

Samantha Spore

Investigation Specialist

Florida Elections Commission

The Collins Building, Ste. 224

107 West Gaines Street

Tallahassee, FL 32399-1050

samantha.spore@myfloridalegal.com

PH: 850-922-4539 extension 110

Fax: 850-921-0783

www.fec.state.fl.us

<p>The Department of State is committed to excellence. Please take our <u>Customer Satisfaction Survey</u>.</p>

EXHIBIT 6

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

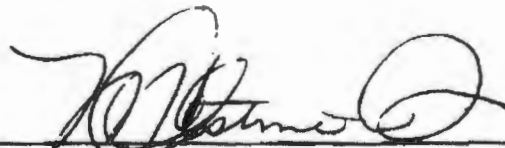
RECEIVED
2015 OCT -2 AM 9:49

I, Mary Estime-Irvin,

candidate for the office of State Representative, District 107

have been provided access to read and understand the requirements of
Chapter 106, Florida Statutes.

X


Signature of Candidate

October 1, 2015

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 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; fec@myfloridalegal.com**

May 25, 2017

Mary Estime-Irvin
155 NE 131st Street
North Miami, FL 33161-4529

RE: Case No.: FEC 16-522; Respondent: Mary Estime-Irvin

Dear Ms. Estime-Irvin:

On September 30, 2016, 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:

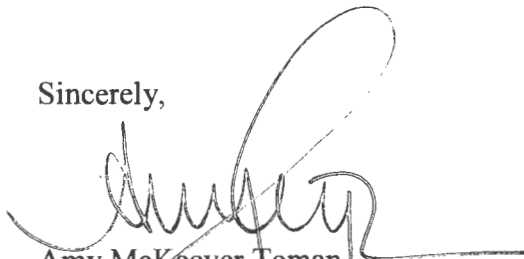
Section 106.07(2)(b)1., Florida Statutes: Respondent, a 2016 candidate for the office of State Representative, acting as her own treasurer, failed to timely make necessary amendments to the 2016 P5 campaign treasurer's report, as alleged in the complaint.

When we conclude the investigation, a copy of the Report of Investigation (ROI) will be mailed to you at the above address. Based on the results of the investigation, a staff attorney will 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 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). If you have additional questions, please contact **Samantha Spore**, the investigator assigned to this case.

Sincerely,



Amy McKeever Toman
Executive Director

AMT/dam

**DIVISION OF ELECTIONS
FEC NOTICE FORM**

RECEIVED

To FEC from Division of Elections

2016 SEP 30 1P 3:49

STATE OF FLORIDA
ELECTIONS COMMISSION

Name: Mary Estime-Irvin
Account Number: 64957
Candidate: Mary Estime-Irvin
Treasurer: Mary Estime-Irvin
Person Named/Notified: Mary Estime-Irvin

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

2016 P5

Sent By: Kristi Reid Bronson
Date: September 27, 2016

KRB

ejr

AFFIDAVIT

STATE OF FLORIDA

County of Leon

Kristi Reid Bronson, 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. Mary Estime-Irvin (64957) was a 2016 candidate for the office of State Representative.
5. On October 2, 2015, Mary Estime-Irvin filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division. She appointed herself as treasurer. (See attached documents and acknowledgment letter.)
6. On August 15, 2016, the Division mailed Ms. Estime-Irvin notification that the 2016 P5 campaign treasurer's report was incomplete. (See attached letter.)
7. On August 29, 2016, the Division mailed Ms. Estime-Irvin notification that the 2016 P5 campaign treasurer's report was incomplete. (See attached letter.)
8. On September 12, 2016, the Division mailed Ms. Estime-Irvin final notification with delivery confirmation that the 2016 P5 campaign treasurer's report was incomplete. (See attached letter.)

9. As of September 27, 2016, the 2016 P5 campaign treasurer's report remains incomplete.

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

Kristi Reid B

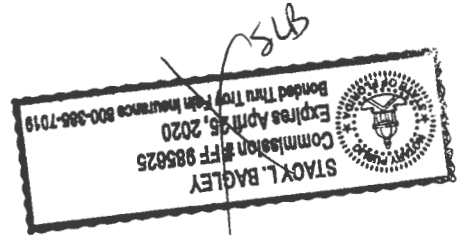
Signature of Affiant
Sworn to (or affirmed) and subscribed before me this 27th day of September, 2016.

Stacy L Bagley

Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known



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

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

(PLEASE PRINT OR TYPE)

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

RECEIVED
2015 OCT -2 AM 9:49

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

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

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

3. **Address** (include post office box or street, city, state, zip code)
P.O. BOX 613008
Miami, FL 33261

4. **Telephone**
(305) 709-7936

5. **E-mail address**
info@maryestimeirvin.com

6. **Office sought** (include district, circuit, group number)
State Representative, District 107

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**
Mary Estime-Irvin

11. **Mailing Address**
P.O. BOX 613008

12. **Telephone**
(305) 709-7936

13. **City**
Miami

14. **County**
Miami-Dade

15. **State**
FL

16. **Zip Code**
33261

17. **E-mail address**
info@maryestimeirvin.com

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

19. **Name of Bank**
Bank United

20. **Address**
12290 Biscayne Boulevard

21. **City**
North Miami

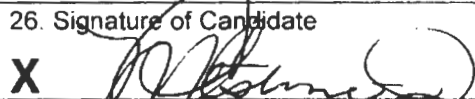
22. **County**
Miami-Dade

23. **State**
FL

24. **Zip Code**
33181

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY AND THAT THE FACTS STATED IN IT ARE TRUE.

25. **Date**
October 1, 2015

26. **Signature of Candidate**
 

27. **Treasurer's Acceptance of Appointment** (fill in the blanks and check the appropriate block)
I, Mary Estime-Irvin, do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer.

October 1, 2015

Date


Signature of Campaign Treasurer or Deputy Treasurer

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

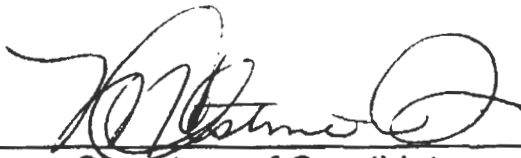
RECEIVED
DEPARTMENT OF
2015 OCT -2 AM 9:49

I, Mary Estime-Irvin,

candidate for the office of State Representative, District 107;

have been provided access to read and understand the requirements of
Chapter 106, Florida Statutes.

X



Signature of Candidate

October 1, 2015

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

October 5, 2015

Mary Estime-Irvin
Post Office Box 613008
Miami, Florida 33261

Dear Ms. Estime-Irvine:

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 October 2, 2015. Your name has been placed on the 2016 active candidate list.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **November 10, 2015**. The report will cover the period of October 1-31, 2015 (M10). All candidates who file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

Credentials and Sign-ons

Below is the web address to access the EFS and your user identification number. The enclosed sealed envelope contains your initial password. Once you have logged in using the initial password, you will be immediately prompted to change it to a confidential sign-on. You, your campaign treasurer, and deputy treasurers are responsible for protecting these passwords from disclosure and are responsible for all filings using these credentials, unless the Division is notified that your credentials have been compromised.

EFS Website Address: <https://efs.dos.state.fl.us>
Identification Number: 64957



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/
Promoting Florida's History and Culture VivaFlorida.org

FLORIDA
DIVISION OF
ELECTION

Mary Estime-Irvin
October 5, 2015
Page Two

Pin Numbers

Pin numbers are confidential secure credentials that allow you to submit reports and update personal information. The enclosed sealed envelope contains your confidential pin numbers.

Each candidate is required to provide the Division of Elections with confidential personal information that may be used to allow access in the event that password is forgotten or lost. When you enter the campaign account screen, there will be a drop down box where you pick a question (such as *What is your mother's maiden name?*) and supply an answer. All passwords and answers to questions are stored as encrypted data and cannot be viewed by Division staff and given out over the phone. Please notify the Division if your credentials have been compromised.

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 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.

Mary Estime-Irvin
October 5, 2015
Page Three

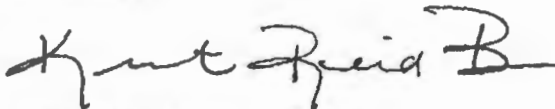
Instructions and Assistance

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 Bronson, Chief
Bureau of Election Records

KRB/js

Enclosures



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

August 15, 2016

Mary Estime-Irvin
Post Office Box 613008
Miami, FL 33261

Re: CAN 64957

Dear Ms. Estime-Irvin:

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

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

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

Sincerely,

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

Kristi Reid Bronson
Chief, Bureau of Election Records

Attachment

Error Report

Candidate: Mary Estime-Irvin

Office: STR

Report: 2016 P5 (13) Covering Period: 7/30/16 - 8/5/16

Account: 64957

Contributions

Contributions

Internal Transfers

Other Distributions

<u>Seq</u>	<u>Date</u>	<u>Name</u>	<u>Address</u>	<u>City/State/Zip</u>	<u>Distribution Purpose</u>	<u>Amount</u>	<u>Amend</u>
1					N	\$0 00	

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

*Missing or Invalid Distribution Type

*Amount is Zero

*No Value Provided For Last Name Field

*Missing Distribution Purpose

*No Address Was Provided

*No City Was Provided In The Address

*No State Was Provided In The Address



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

Second Notice

August 29, 2016

Mary Estime-Irvin
Post Office Box 613008
Miami, FL 33261

Re: CAN 64957

Dear Ms. Estime-Irvin:

On August 15, 2016, you were advised that one or more of your campaign treasurer 's reports were incomplete and that you had 7 days to provide the requested information.

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

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records

Attachment

Error Report

Candidate: Mary Estime-Irvin

Office: STR

Report: 2016 P5 (13) Covering Period: 7/30/16 - 8/5/16

Account: 64957

Contributions

Expenditures

Revolving Funds and Transfers

Other Distributions

<u>Seq</u>	<u>Date</u>	<u>Name</u>	<u>Address</u>	<u>City/State/Zip</u>	<u>Distribution Purpose</u>	<u>Amount</u>	<u>Amend</u>
1					N	\$0.00	

- *The Transaction Date Is Either Before Or After The Report Coverage Period
- *Missing or Invalid Distribution Type
- *Amount is Zero
- *No Value Provided For Last Name Field
- *Missing Distribution Purpose
- *No Address Was Provided
- *No City Was Provided In The Address
- *No State Was Provided In The Address



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

FINAL NOTICE

Delivery Confirmation:

USPS TRACKING #
& CUSTOMER
RECEIPT

9114 9999 4431 4596 7283 90
For Tracking or inquiries go to USPS.com
or call 1-800-222-1811.

September 12, 2016

Mary Estime-Irvin
Post Office Box 613008
Miami, FL 33261

Re: CAN 64957

Dear Ms. Estime-Irvin:

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

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

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

Sincerely,

Kristi Reid Bronson
Chief, Bureau of Election Records

Attachment

Error Report

Candidate: Mary Estime-Irvin

Office: STR

Report: 2016 P5 (13) Covering Period: 7/30/16 - 8/5/16

Account: 64957

Contributions

Expenditures

and Transfers

Other Distributions

<u>Seq</u>	<u>Date</u>	<u>Name</u>	<u>Address</u>	<u>City/State/Zip</u>	<u>Distribution Purpose</u>	<u>Amount</u>	<u>Amend</u>
1					N	\$0.00	

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

*Missing or Invalid Distribution Type

*Amount is Zero

*No Value Provided For Last Name Field

*Missing Distribution Purpose

*No Address Was Provided

*No City Was Provided In The Address

*No State Was Provided In The Address



USPS Tracking®

Still Have Questions?

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Sign up for My USPS.

Tracking Number: 9114999944314596728390

Updated Delivery Day: Thursday, September 15, 2016

Product & Tracking Information

Postal Product:

Features:
USPS Tracking®

DATE & TIME

STATUS OF ITEM

LOCATION

September 15, 2016 , 10:49 am

Delivered, PO Box

MIAMI, FL 33261

Your item has been delivered and is available at a PO Box at 10:49 am on September 15, 2016 in MIAMI, FL 33261.

September 15, 2016 , 10:26 am

Available for Pickup

MIAMI, FL 33261

September 15, 2016 , 7:41 am

Arrived at Post Office

MIAMI, FL 33181

September 15, 2016 , 3:03 am

Arrived at USPS Facility

MIAMI, FL 33181

September 15, 2016 , 12:49 am

Departed USPS Facility

OPA LOCKA, FL 33054

September 14, 2016 , 4:39 pm

Arrived at USPS Facility

OPA LOCKA, FL 33054

September 13, 2016 , 10:12 pm

Arrived at USPS Facility

TALLAHASSEE, FL 32301

Available Actions

[Text Updates](#)

[Email Updates](#)

Track Another Package

Tracking (or receipt) number

[Track It](#)

Manage Incoming Packages

Track all your packages from a dashboard. No tracking numbers necessary.

[Sign up for My USPS ›](#)



HISTORY NOTES
Mary Estime-Irvin - 64957

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
50524	9/27/2016 2:46:00 PM		Ejrowlette
<p>Re: Audit of 2016 P5 Attempted to reach candidate, but got a recording that the person was not receiving calls at this time. Ejr</p>			
47362	4/20/2016 8:56:00 AM	4/20/2016 9:00:17 AM	krbronson
<p>RE: Fines and Audits - I spoke with Ms. Estime-Irvin regarding the outstanding fines (2016 M1 and M2) and audits. The audits were corrected and closed. I told her she had 20 days from today to appeal or pay the fines as I was documenting that she had received the notices that we sent. I also explained that the November fine could not be appealed as the time for doing so had run. She said she understood.</p>			
47001	3/23/2016 11:27:00 AM		EJRowlette
<p>Re: Audit email sent 'info@maryestimeirvin.com' Attention Ms. Mary Estime-Irvin, Candidate for State Representative (64957). This email is in reference to an audit mailed out on February 12, February 24, and March 9, 2016. I have included a copy of the audit attached to this email. Please update this report so we may close out this audit. If you have any questions, please contact me at 850-245-6280.</p> <p>Erika J. Rowlette Regulatory Specialist II Bureau of Election Records Florida Department of State</p>			
47000	3/23/2016 11:18:00 AM	4/20/2016 9:00:58 AM	EJRowlette
<p>RE: Audits. I attempted to reach Ms. Estime-Irvin via phone but was only able to leave a voice message. I explained the reason for my call and told her that I would also email the audit to the email address we have on file for her. Ejr</p>			
46017	1/12/2016 11:16:00 AM		jhayala
<p>re: Incomplete Detail Records for 2015 M12</p> <p>Spoke w/candidate regarding errors for the 2014 M12 report. After reviewing the report I advised that contribution 7 has the incorrect date and that the contribution type for #16 is missing. She responded that she will make the necessary corrections. Jha</p>			
45340	11/12/2015 2:01:00 PM		slbagley
<p>RE: Credential Request Form</p> <p>Received Credential Request Form for the Treasurer Pin. Called and spoke with Ms. Irvin and gave her the treasurer pin.</p> <p>I also assisted her in filing the treasurer report. She asked how the late fee was calculated. I explained the it was \$50 per day for the first 3 days, then \$500 a day each additional day after the first 3 days, but not to exceed 25% of the total receipts or expenditures (whichever of the two of those are greater). She asked if the holiday counted as a day. I explained that yes, the holiday does count. She asked if she should go ahead and send in a check, I explained she should wait for the late fee letter the Division would send to her with the exact amount owed. She asked if she could pay with the campaign account money, I explained no it must come from the candidate's personal funds.</p> <p>Sib</p>			