

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**In Re: Benjamin Alexander Thaddeus John
Horbowy**

Case No.: FEC 19-588

TO: Benjamin Alexander Thaddeus John Horbowy
1113 Old Bumpy Road
Tallahassee, FL 32317

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

NOTICE OF VIRTUAL HEARING (INFORMAL HEARING)

A hearing will be held in this case before the Florida Elections Commission on, **May 25, 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 640938187** or via **teleconference by dialing (866) 901-6455** and entering the **meeting access code 278040912**, 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.

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

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

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

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

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

See further instructions on the reverse side.

Tim Vaccaro
Executive Director
Florida Elections Commission
May 10, 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 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 West Gaines Street, Suite 224 Tallahassee, Florida 32399-6596
Telephone: (850) 922-4539 · Facsimile: (850) 921-0783
FEC@myfloridalegal.com · www.fec.state.fl.us



Commission Meeting May 25, 2021 at 8:30AM via GoToWebinar and OpenVoice

In order to participate in the public portion of the May 25, 2021, Florida Elections Commission meeting, please follow the instructions below:

- A. GoToWebinar – Remote Video Conferencing
 1. Open your web browser and search GoToWebinar or enter www.gotowebinar.com.
 2. Select "Join" in the upper right corner of the website.
 3. Enter the 9-digit Webinar ID: 640938187 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 1-866-901-6455
 2. Enter Access Code 278-040-912
 3. You will automatically join the meeting as an **Attendee**. Attendees are muted.

While this is a public meeting and advanced registration is not mandatory, we ask that if you plan to attend via Video Conference or Teleconference, that you notify our office in advance. This will give the Commission the opportunity to organize the agenda as efficiently as possible. It will be the goal of the Commission to hear cases in which parties are present, first, in order to reduce the standby time of the parties in attendance.

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

Thank you,

Commission Staff

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**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

Case No.: FEC 19-588

v.

**Benjamin Alexander Thaddeus J. Horbowy,
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.

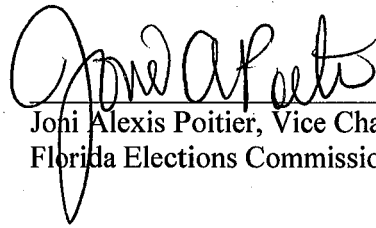
On January 4, 2021, Staff recommended to the Commission that there was probable cause to believe that the Florida Election Code was violated. The facts articulated in Staff's Recommendation are adopted by reference and incorporated herein. Based on the Complaint, Report of Investigation, Staff's Recommendation, 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:

Count 1:

On or about November 26, 2019, Respondent violated Section 106.07(2)(b)1., Florida Statutes, when Respondent failed to file an addendum to his 2019 M8 Report within seven days of receiving notice from the filing officer that his 2019 M8 Report was incomplete.

THIS SPACE INTENTIONALLY LEFT BLANK

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



Joni Alexis Poitier, Vice Chair
Florida Elections Commission

Copies furnished to:
Eric M. Lipman, General Counsel
Benjamin Alexander Thaddeus J. Horbowy, 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: Benjamin Alexander Thaddeus J. Horbowy

Case No.: FEC 19-588

TO: Benjamin Alexander Thaddeus J. Horbowy
1113 Old Bumpy Road
Tallahassee, FL 32317

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:

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If you are the Complainant, you may attend the hearing, but you will *not* be permitted to address the Commission. In addition, some cases (including those in which 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.

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

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

See further instructions on the reverse side.

Tim Vaccaro
Executive Director
Florida Elections Commission
February 2, 2021

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

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

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

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

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



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-6596
Telephone: (850) 922-4539 · Facsimile: (850) 921-0783
FEC@myfloridalegal.com · www.fec.state.fl.us



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
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: Benjamin Alexander Thaddeus John Horbowy

Case No.: FEC 19-588

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 April 20, 2020, the following facts and law support this staff recommendation:

1. On December 6, 2019, the Florida Elections Commission (“Commission”) received a referral from the Division of Elections (“Division”) alleging Benjamin Alexander Thaddeus John Horbowy (“Respondent”) violated Chapter 106, Florida Statutes.

2. Respondent was a candidate for State Senator, District 3, in the 2020 election. Respondent's initial Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form (“DS-DE 9”) was filed with the Division on April 5, 2019. (ROI Exhibit 1, page 1)¹ Respondent filed a second DS-DE 9 with the Division on September 6, 2019, appointing himself as his own campaign treasurer. (ROI Exhibit 1, page 2)

3. By letter dated April 8, 2019, Kristi Reid Willis, Chief, Bureau of Election Records, sent a letter to Respondent notifying him that his name had been placed on file in the Division's office as a candidate for State Senator. The letter advised Respondent that all candidates filing reports with the Division are required to use the Division's electronic filing system (“EFS”) and provided Respondent with a user identification number and initial password to access the EFS. (ROI Exhibit 2, page 1)

4. Ms. Willis's April 8, 2019 letter also informed Respondent that all of the Division's publications and reporting forms were on the Division's website; it was Respondent's responsibility to read, understand, and follow the requirements of Florida's election laws; and directed Respondent to print a copy of Chapters 104 and 106, Florida Statutes, the *Candidate and Campaign Treasurer Handbook* (“Handbook”), and *Calendar of Reporting Dates*. (ROI Exhibit 2, page 2)

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

5. After Respondent's September 6, 2019 DS-DE 9 was filed, Ms. Willis sent Respondent a letter dated September 9, 2019, acknowledging his appointment as campaign treasurer, and enclosed a PIN for Respondent to use when filing campaign reports as the campaign treasurer. (ROI Exhibit 1, page 2; ROI Exhibit 2, page 3)

6. Ms. Willis's September 9, 2019 letter informed Respondent, a second time, that all of the Division's publications and reporting forms were on the Division's website; it was Respondent's responsibility to read, understand, and follow the requirements of Florida's election laws; and directed Respondent to print a copy of Chapters 104 and 106, Florida Statutes, the *Candidate and Campaign Treasurer Handbook* ("Handbook"), and *Calendar of Reporting Dates*. (ROI Exhibit 2, page 3)

7. On February 6, 2020, the Executive Director sent Respondent notification that Commission staff would investigate the following alleged violation:

Section 106.07(2)(b)1., Florida Statutes: Respondent, a 2020 candidate for State Senator, District 3, failed to timely make necessary amendments to the 2019 M8 campaign treasurer report, as alleged in the complaint.

8. Respondent's 2019 M8 Report covering the dates of August 1, 2019, through August 31, 2019, was due on September 10, 2019. (Attachment A) Respondent filed his 2019 M8 Report on September 16, 2019; however, it was incomplete. (ROI Exhibit 3, page 1 and 2; Attachment B)²

9. On October 18, 2019, and November 4, 2019, the Division sent a letter notifying Respondent his 2019 M8 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 2019 M8 Report. The Division's October 18, 2019 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

10. On November 18, 2019, the Division sent a "Final Notice" notifying Respondent his 2019 M8 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 2019 M8 Report. The Division's November 18, 2019 letter also stated if the information was reported accurately, Respondent should provide a written explanation to the Division addressing the issues noted in the Error Report. (ROI Exhibit 4, pages 1 and 2) The Division's November 18, 2019 letter was confirmed delivered on November 19, 2019. (ROI Exhibit 4, page 3)

11. Respondent filed an amended 2019 M8 Report providing the missing information identified by the Division on July 4, 2020. (Attachment C)

² Respondent was his own campaign treasurer prior to the date his 2019 M8 Report was due.

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

12. "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).

13. The above facts show Respondent was a candidate for State Senate, District 3, in the 2020 election. Respondent filed his 2019 M8 Report on September 16, 2019, but it was incomplete. On October 18, 2019, November 4, 2019, and November 18, 2019, the Division sent Respondent notification his 2019 M8 Report was incomplete. Each letter stated Respondent had seven days from receipt of the notification to provide the missing information on the attached Error Report and file an amended 2019 M8 Report. The Division's November 18, 2019 Final Notice was confirmed delivered on November 19, 2019. On July 4, 2020, Respondent filed an amended 2019 M8 Report providing the missing information 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 November 26, 2019, Respondent violated Section 106.07(2)(b)1., Florida Statutes, when Respondent failed to file an addendum to his 2019 M8 Report within seven days of receiving notice from the filing officer that his 2019 M8 Report was incomplete.

Respectfully submitted January 4, 2021.



Eric M. Lipman
General Counsel

I reviewed this Staff Recommendation this 4th day of January 2021.



Tim Vaccaro
Executive Director

2019 Calendar of Reporting Dates

Candidates, Political Committees and
Electioneering Communications Organizations
registered with the Division of Elections

<u>Cover Period</u>	<u>Report Code</u>	<u>Due Date</u>
1/1/19 – 1/31/19	2019 M1	2/11/19
2/1/19 – 2/28/19	2019 M2	3/11/19
3/1/19 – 3/31/19	2019 M3	4/10/19
4/1/19 – 4/30/19	2019 M4	5/10/19
5/1/19 – 5/31/19	2019 M5	6/10/19
1/1/2018 – 12/31/2018	2018 MUC* (PC Only)	7/1/19
6/1/19 – 6/30/19	2019 M6	7/10/19
7/1/19 – 7/31/19	2019 M7	8/12/19
8/1/19 – 8/31/19	2019 M8	9/10/19
9/1/19 – 9/30/19	2019 M9	10/10/19
10/1/19 – 10/31/19	2019 M10	11/12/19
11/1/19 – 11/30/19	2019 M11	12/10/19
12/1/19 – 12/31/19	2019 M12	1/10/20

* If not reported as individual contributions when received, a political committee must report contributions that comprise multiple uniform contributions from the same person aggregating no more than \$250 per calendar year, collected by an organization that is the affiliated sponsor of the political committee. The report must list the name, address, and occupation of the person making the contribution; however, the occupation need not be listed if the aggregate contribution from the person is \$100 or less.

ATTACHMENT A



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Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Candidate Name: Benjamin Alexander Thaddeus John Horbowy

Name:

Account: 74245

Election:

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
11/16/2020	TR		FEC	0	\$0.00		\$0.00	\$0.00
8/14/2020	P7	8/14/2020						
8/7/2020	P6	8/7/2020						
7/31/2020	P5	7/31/2020						
7/24/2020	P4	7/24/2020						
7/17/2020	P3	7/17/2020						
7/3/2020	P2	7/3/2020						
6/19/2020	P1	7/3/2020	FEC	14	\$445.46		\$445.46	\$0.00
6/10/2020	M5	7/3/2020	FEC	23	\$13.06		\$13.06	\$0.00
5/11/2020	M4	5/11/2020						
4/10/2020	M3	5/11/2020	FEC	31	\$0.00		\$0.00	\$0.00
3/10/2020	M2	5/11/2020	FEC	62	\$0.00		\$0.00	\$0.00
2/10/2020	M1	2/10/2020						
1/10/2020	M12	1/10/2020						
12/10/2019	M11	12/10/2019						
11/12/2019	M10	11/8/2019						
10/10/2019	M9	10/10/2019						
9/10/2019	M8	9/16/2019	CLO	6	\$6.57		\$6.57	\$6.57
8/12/2019	M7	8/12/2019						
7/10/2019	M6	8/12/2019	DUE	33	\$55.35		\$55.35	\$0.00
6/10/2019	M5	8/12/2019	CLO	63	\$0.00		\$0.00	\$0.00
5/10/2019	M4	8/12/2019	CLO	94	\$0.00		\$0.00	\$0.00

ATTACHMENT B

Eric Lipman

From: Willis, Kristi R. (Bronson) <Kristi.Willis@DOS.MyFlorida.com>
Sent: Monday, January 4, 2021 1:34 PM
To: Eric Lipman
Subject: RE: Candidate 74245 2019 M8

Yes. July 4, 2020.

From: Eric Lipman <Eric.Lipman@myfloridalegal.com>
Sent: Friday, January 01, 2021 6:57 PM
To: Willis, Kristi R. (Bronson) <Kristi.Willis@DOS.MyFlorida.com>
Subject: Candidate 74245 2019 M8

EMAIL RECEIVED FROM EXTERNAL SOURCE

Kristi,

Has candidate 74245 made the required corrections to his 2019 M8 Report? If so, can you please tell me the date?

Thank you and Happy New Year!

Eric M. Lipman, General Counsel
Florida Elections Commission
107 West Gaines Street
The Collins Building, Suite 224
Tallahassee, Florida 32399-1050
(850) 922-4539
eric.lipman@myfloridalegal.com

ATTACHMENT C

FLORIDA ELECTIONS COMMISSION

Report of Investigation for Failure to Timely Amend

Case Number: FEC 19-588

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

Respondent: Benjamin Alexander Thaddeus John Horbowy

Division of Elections (Division)
Referral Filed: December 6, 2019

Respondent Type: Treasurer for Candidate

I. Preliminary Information:

1. I investigated whether Respondent violated this section of the election laws by failing to file amended report(s) for the following campaign treasurer's report(s) after receiving notice from the filing officer: 2019 M8.

2. An appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9) was filed on September 6, 2019. Respondent was named as the treasurer for Benjamin Alexander Thaddeus John Horbowy, a 2020 candidate for State Senate¹. To review the DS-DE 9, refer to Exhibit 1.

3. On September 9, 2019, the Division sent Respondent a letter acknowledging his appointment as the campaign treasurer for Respondent's campaign². The letter advised Respondent that all of the Division's publications and reporting forms are available on their website, including Chapter 106, Florida Statutes, the *Candidate and Campaign Treasurer Handbook*, and the *Calendar of Reporting Dates*. The letter further advised Respondent that it was his responsibility to read, understand, and follow the requirements of Florida's election laws. To review a copy of the acknowledgement letter, refer to Exhibit 2.

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

4. On October 18, 2019 and November 4, 2019, the Division sent correspondence to Respondent informing him that one or more campaign reports were incomplete. The correspondence was sent to Respondent's address provided on the DS-DE 9 and included an error report referencing the following report: 2019 M8. To review the correspondence and error report, refer to Exhibit 3.

5. On November 18, 2019, the Division sent Respondent a letter marked "Final Notice" with delivery confirmation informing him that one or more campaign reports were incomplete. The letter was sent to Respondent's address provided on the DS-DE 9 and included an error report referencing the following report: 2019 M8. It was confirmed delivered on November 19, 2019. To review the Final Notice letter, error report and delivery confirmation, refer to Exhibit 4.

6. In an email dated March 17, 2020, Division staff confirmed that Respondent has not correctly amended the report at issue. To review the email from Division staff, refer to Exhibit 5.

¹ By filing this DS-DE 9, Respondent replaced Nancy Horobwy, who had been appointed campaign treasurer on April 5, 2019, refer to Exhibit 1.

² Respondent had previously been sent a similar acknowledgment by the Division on April 8, 2019, when he appointed the previous treasurer, refer to Exhibit 2

7. Respondent did respond to the referral. Respondent mailed a letter to the Division and Commission received on November 20, 2019. In the letter, he stated that he was out of the state in the summer and out of the country in the fall. In his response, which was dated November 8, 2019, Respondent stated he had just returned to Florida. Respondent did not explain why he failed to timely amend the 2019 M8 report after receiving notice of the need to amend it on November 19, 2019, though he confirmed that his mailing address was the address to which the Final Notice had been mailed. Respondent stated that he was about to appoint a new campaign treasurer, Tracy Gill Sysk. Division records show that Respondent filed a DS-DE 9 appointing Tracy Sysk as campaign treasurer on November 14, 2019. On November 15, 2019, Tracy Sysk was sent a letter by the Division acknowledging the appointment and providing information for logging into the Division's electronic filing system. To review Respondent's response to the referral, refer to Exhibit 6. To review the DS-DE 9 and acknowledgment letter appointing the new treasurer, refer to Exhibit 7.

8. Respondent did not respond to a questionnaire-affidavit. Because the affidavit has not been returned, I am unable to ascertain whether he has read Chapter 106, Florida Statutes.

9. On February 10, 2020, I called Respondent for the purpose of reviewing the referral with him. In the telephone interview, Respondent stated he had read the *Candidate and Campaign Treasurer Handbook*. He further explained he had a small campaign as compared to the amount of fines that have been levied against his campaign. To review a copy of the phone log, refer to Exhibit 8.

III. FEC History:

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

SIGNATURE OF INVESTIGATOR:



Date: April 20, 2020

/Brian Ayres/

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Benjamin Alexander Thaddeus John Horbowy -- FEC 19-588

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9)
Exhibit 2	Division Acknowledgment Letter
Exhibit 3	First and Second Notification Letter
Exhibit 4	Final Notice
Exhibit 5	Division Correspondence
Exhibit 6	Respondent Response
Exhibit 7	Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9) (November 15, 2019)
Exhibit 8	Investigation Phone Log

HAND DELIVERED

RECEIVED
DEPARTMENT OF STATE

2019 APR -5 PM 2: 18

DIVISION OF ELECTIONS
TALLAHASSEE, FL

**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.

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)
Benjamin Alexander Thaddeus John Horbowy

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

1113 Old Bumpy Road
Tallahassee Florida 32317

4. Telephone
(850) 565-9333

5. E-mail address
CEO@SmartGreenIndustries

6. Office sought (include district, circuit, group number)
Florida State Senate District 3

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 Republican Party candidate.

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

10. Name of Treasurer or Deputy Treasurer
Nancy Horbowy

11. Mailing Address
1113 Old Bumpy Road

12. Telephone
(850) 228-4672

13. City
Tallahassee

14. County
Leon

15. State
Florida

16. Zip Code
32317

17. E-mail address
tnhorbowy@gmail.com

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

19. Name of Bank
Capital City Bank

20. Address
3255 Mahan Dr

21. City
Tallahassee

22. County
Leon

23. State
Florida

24. Zip Code
32308

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
4-5-2019

26. Signature of Candidate

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

I, Nancy Horbowy do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer.

4-5-2019

Date

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)

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

RECEIVED

2019 SEP -6 PM 12: 37

DIVISION OF ELECTIONS
TALLAHASSEE, FL

HAND DELIVERED

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)

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

Benjamin Alexander Horbowy
Thaddeus John BH

1113 Old Bumpy Rd

4. Telephone

5. E-mail address

(850) 565-9333 *Bowito850strong@gmail.com*

Tallahassee FL 32317

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

7. If a candidate for a nonpartisan office, check if applicable:

Florida State Senate District 3

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 Republican Party candidate.

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

10. Name of Treasurer or Deputy Treasurer

Benjamin Alexander Horbowy
Thaddeus John BH

11. Mailing Address

12. Telephone

1113 Old Bumpy Rd

(850) 565-9333

13. City

14. County

15. State

16. Zip Code

17. E-mail address

Tallahassee

FL/Leon

FL

32317

Bowito850strong@gmail.com

18. I have designated the following bank as my

Primary Depository

Secondary Depository

19. Name of Bank

20. Address

21. City

22. County

23. State

24. Zip Code

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

26. Signature of Candidate

9/6/09

X 

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

I, *Benjamin Alexander Horbowy* (Please Print or Type Name), do hereby accept the appointment

designated above as: Campaign Treasurer Deputy Treasurer.

9/6/09

X



Date

Signature of Campaign Treasurer or Deputy Treasurer



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

April 8, 2019

Benjamin Alexander Thaddeus John Horbowy
1113 Old Bumpy Road
Tallahassee, Florida 32317

Dear Mr. Horbowy:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of State Senator, which was placed on file in our office on April 5, 2019. Your name has been placed on the 2020 active candidate list.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **May 10, 2019**. The report will cover the period of April 1-30, 2019 (2019 M4). 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: 74245

Timely Filing

All reports filed must be completed and filed through the EFS not later than midnight 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.

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



Benjamin Horbowy
April 8, 2019
Page Two

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.

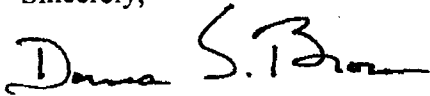
Instructions and Assistance


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/dlh

Enclosures

pc: Nancy Horbowy, Treasurer



FLORIDA DEPARTMENT OF STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

September 9, 2019

Benjamin Alexander Thaddeus John Horbowy (74245)
1113 Old Bumpy Road
Tallahassee, Florida 32317

Dear Mr. Horbowy:

Your appointment as campaign treasurer for your candidacy for State Senator was filed in this office on September 6, 2019. Enclosed is a security envelope containing your confidential pin number to access the Division's Electronic Filing System (EFS) for submitting campaign treasurer's reports.

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.

If you have questions concerning your campaign account or the EFS, you may call the Help Desk at (850) 245-6280.

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

KRW/jcs

Enclosure

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





FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

October 18, 2019

Benjamin Alexander Thaddeus John Horbowy
1113 Old Bumpy Road
Tallahassee, FL 32317

Re: CAN 74245

Dear Mr. Horbowy:

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

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

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

Attachment

Error Report

Candidate: Benjamin Alexander Thaddeus John Horbowy

Office: STS

Report: 2019 M8 (5) Covering Period: 8/1/19 - 8/31/19

Account: 74245

Contributions

		<u>Contributor</u>				<u>Contribution</u>					
<u>Seg</u>	<u>Date</u>	<u>Name</u>	<u>Address</u>	<u>City/State/Zip</u>	<u>Type</u>	<u>Occupation</u>	<u>Type</u>	<u>Amount</u>	<u>InKind</u>	<u>Descrip</u>	<u>Amend</u>
1		MAUREEN SOLLBERGER	3454 HARBORWAY LN, OH 45241-2730	CINCINNATI, OH 4-5241	1	RETIRED	CHE	\$26.27			

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

Expenditures

<u>Seg</u>	<u>Date</u>	<u>Name</u>	<u>Address</u>	<u>City/State/Zip</u>	<u>Type</u>	<u>Expenditure Purpose</u>	<u>Amount</u>	<u>Amend</u>
1					X		\$0.00	

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

*Invalid Expenditure Type

*Amount is Zero

*No Value Provided For Last Name Field

*No Address Was Provided

*No City Was Provided In The Address

*No State Was Provided In The Address

*Missing Expenditure Purpose

Fund Transfers

Other Distributions



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

Second Notice

November 4, 2019

Benjamin Alexander Thaddeus John Horbowy
1113 Old Bumpy Road
Tallahassee, FL 32317

Re: CAN 74245

Dear Mr. Horbowy:

On October 18, 2019, you were advised that one or more of your campaign treasurer's reports were incomplete and that you had 7 days to provide the requested information.

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

Attachment

Error Report

Candidate: Benjamin Alexander Thaddeus John Horbowy

Office: STS

Report: 2019 M8 (5) Covering Period: 8/1/19 - 8/31/19

Account: 74245

Contributions

Contributor				Contribution							
Seq	Date	Name	Address	City/State/Zip	Type	Occupation	Type	Amount	InKind	Descrip	Amend
1		MAUREEN SOLLBERGER	3454 HARBORWAY LN , OH 45241-2730	CINCINNATI, OH 45241	I	RETIRED	CHE	\$26.27			

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

Expenditures

Seq	Date	Name	Address	City/State/Zip	Type	Expenditure Purpose	Amount	Amend
1					X		\$0.00	

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

*Invalid Expenditure Type

*Amount is Zero

*No Value Provided For Last Name Field

*No Address Was Provided

*No City Was Provided In The Address

*No State Was Provided In The Address

*Missing Expenditure Purpose

Fund Transfers

Other Distributions



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

FINAL NOTICE

Delivery Confirmation:

USPS TRACKING # **9114 9023 0722 4427 0784 83**
& CUSTOMER RECEIPT For Tracking or Inquiries go to USPS.com
or call 1-800-222-1811.

November 18, 2019

Benjamin Alexander Thaddeus John Horbowy
1113 Old Bumpy Road
Tallahassee, FL 32317

Re: CAN 74245

Dear Mr. Horbowy:

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

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

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

Attachment

Error Report

Candidate: Benjamin Alexander Thaddeus John Horbowy

Office: STS

Report: 2019 M8 (5) **Covering Period:** 8/1/19 - 8/31/19

Account: 74245

Contributions

		<u>Contributor</u>				<u>Contribution</u>					
<u>Seq</u>	<u>Date</u>	<u>Name</u>	<u>Address</u>	<u>City/State/Zip</u>	<u>Type</u>	<u>Occupation</u>	<u>Type</u>	<u>Amount</u>	<u>InKind</u>	<u>Descrip</u>	<u>Amend</u>
1		MAUREEN SOLLBERGER	3454 HARBORWAY LN , OH 45241-2730	CINCINNATI, OH 4-5241	I	RETIRED	CHE	\$26.27			
*The Transaction Date Is Either Before Or After The Report Coverage Period											

Expenditures

<u>Seq</u>	<u>Date</u>	<u>Name</u>	<u>Address</u>	<u>City/State/Zip</u>	<u>Type</u>	<u>Expenditure Purpose</u>	<u>Amount</u>	<u>Amend</u>
1					X		\$0.00	
*The Transaction Date Is Either Before Or After The Report Coverage Period								
*Invalid Expenditure Type								
*Amount is Zero								
*No Value Provided For Last Name Field								
*No Address Was Provided								
*No City Was Provided In The Address								
*No State Was Provided In The Address								
*Missing Expenditure Purpose								

Fund Transfers

Other Distributions

RE: #74245 - Benjamin Alexander Thaddeus John Horbowy

Brian Ayres <Brian.Ayres@myfloridalegal.com>

Tue 3/17/2020 9:22 AM

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

Thank you!

Brian Ayres

Investigation Specialist

Florida Elections Commission

107 W Gaines St., #224

(850) 404-5616

Brian.Ayres@myfloridalegal.com

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

Sent: Tuesday, March 17, 2020 9:05 AM

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

Subject: RE: #74245 - Benjamin Alexander Thaddeus John Horbowy

No. The report has not been corrected.

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

Sent: Monday, March 16, 2020 4:16 PM

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

Subject: #74245 - Benjamin Alexander Thaddeus John Horbowy

EMAIL RECEIVED FROM EXTERNAL SOURCE

Good evening Ms. Willis,

Has the above candidate filed an emended 2019 M8 report that corrected all the errors the Division identified?

If so, was it filed?

Thank you, Have a great evening,

Brian Ayres

Investigation Specialist

Florida Elections Commission

107 W Gaines St., #224

(850) 404-5616

Brian.Ayres@myfloridalegal.com

REC'D: FL ELECTIONS COM
20 NOV 19 AM 11:08

FROM THE DESK OF
BENJAMIN ALEXANDER THADDEUS JOHN HORBOWY
FOR FLORIDA SENATE DISTRICT 3.

November 8, 2019

From
BENJAMIN ALEXANDER HORBOWY
1113 OLD BUMPY ROAD
TALLAHASSEE, FLORIDA 32317
850-565-9333

To
Florida Division of Elections
R.A. Gray Building Room 316
500 South Bronough Street
Tallahassee, Florida 32399

Florida Elections Commissions
107 West Gaines Street Set 224
Tallahassee, Florida 32399

To Whom This May Concern

I was out of state for a period over the summer and out of country for a period in the fall. I just returned to Florida and will address some issues.

First, let's get my address straight 1113 Old Bumpy Road, Tallahassee Florida 32317. There has been some letters sent to an apartment in Palm Harbor. I do not live there and have not lived there in sometime; there was no reason for any mail to be delivered to Palm Harbor. I filed to run with the Tallahassee address and that's what's on my drivers license. Please address all letters here.

Second, I have a new Treasurer named Tracy Gill Sysk. I have the forms to turn in with original signatures and we will drop them off next week. At that time, we will discuss three issues face to face: a fine of \$55.35, a fine of \$6.57, and an error report for M8.

Third, Case **No FEC 19-417**. There was an attempt to serve me while I was out of country. I went into the Florida Elections Commission office to get the info as soon as I could. While waiting in the lobby, I heard the security guards speak for more than 5 minutes about how Florida democrats get away with

many unethical matters. They went on and on talking about Gwen Graham and Julie Meadows Keefe. I feel that's relative because it shows the professional culture of Florida Elections. When I was presented with what I was served with, the package was incomplete. It said at the bottom of the pages "1 of 4" but I wasn't handed pages 2, 3, 4. When I pointed it out, the polite gentlemen apologized over and over about how unprofessional handing me letters with a form or two upside down was, but didn't mention not giving me the full package. What were on those pages? The gentleman went to another room and came back with the 3 pages that I suppose were correct. They were three sheets of evidence you have against me and it was public info. Mild evidence of a simple late fee proceedings, why not share this? Seems fishy.

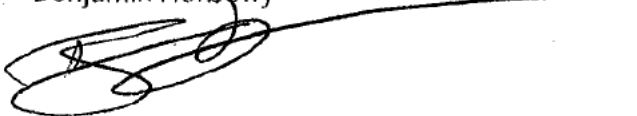
The gentlemen went on to explain that I can close this case with a simple omission of guilt and an agreement to pay \$50 dollars. I asked what if I challenge it... what would be the worst case scenario and what would be the best case. He informed me that \$50 dollars is probably the worst case and the best case would be mercy and a waiver of the fee.

After hearing the professional culture overview from the guards at the front door, having be served incomplete information, someone apologizing about handing me upside down sheets but not mentioning missing information, I feel that it's my patriotic duty to challenge this as experience in full the appeal process of the Florida Elections Commission. I feel there is a need for someone to lay out on public the antics of what goes on? Need I mention (maybe this is another commission)I was in the room when Andrew Gillum was slapped on the wrist with a small fine where many people thought he would be locked up for the infraction/crime that he did. This case is over \$50 bucks for a late fee to say "there's no money in the account" and now the account with about \$250. You want to take 20% from me; I'm up against someone with over half a million. Really, it's we the people up against the establishment full of lawyers, lobbyist, and cronies.

Politely, I wish to challenge and appeal No FEC 19-417. Humbly I request compassion from the commission and a forgiveness of the fine.

Respectfully

Benjamin Horbowy



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

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

(PLEASE PRINT OR TYPE)

DELIVERED
RECEIVED

2019 NOV 14 AM 9:28

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)

Benjamin Alexander Thaddeus John Horbowy

4 Telephone

5. E-mail address

(850) 565-7333

Benito830strong@gmail.com

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

1113 Old Bumpy Rd
Tallahassee FL 32317

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

Senate District 3

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 Republican Party candidate.

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

10. Name of Treasurer or Deputy Treasurer

Tracy Sysk

11. Mailing Address

308 10th Ave West

12. Telephone

(850) 509 0311

13. City

Havana

14. County

Gadsden

15. State

FL

16. Zip Code

32333

17. E-mail address

tracymbssse@gmail.com

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

19. Name of Bank TC Federal bank

20. Address

2915 Kerry Forest Pkwy,

21. City

Tallahassee

22. County

Leon

23. State

Florida

24. Zip Code

32308

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

11/14/19

26. Signature of Candidate

X 

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

I, Tracy Sysk do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer

11/14/19
Date

X 
Signature of Campaign Treasurer or Deputy Treasurer



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

November 15, 2019

Tracy Sysk, Treasurer
308 10th Avenue West
Havana, Florida 32333

Dear Ms. Sysk:

Your appointment as campaign treasurer for Benjamin Alexander Thaddeus John Horbowy was filed in this office on November 14, 2019. Enclosed is your confidential pin number to access the Division's Electronic Filing System (EFS) for submitting campaign treasurer's reports.

All of the Division's publications and reporting forms are available on the Division of Elections' website at <https://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.

If you have questions concerning the EFS, you may call the Help Desk at (850) 245-6280.

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

KRW/gm

Enclosure

pc: Benjamin Alexander Thaddeus John Horbowy (74245)

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)



**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 19-588**

Respondent: Benjamin Alexander Thaddeus J. Horbowy

Complainant: Division of Elections

1. **Date and time:** February 10, 2020

Name: Respondent

Phone #: (850) 565-9333

Summary: I called Mr. Horbowy to review the three legal sufficiency letters filed against him. I was unable to make contact with the client and left a general voicemail at the number provided. There was no confirmation that this was Mr. Horbowy's number.

Memo to File? No

Entered by: Brian Ayres

2. **Date and time:** February 10, 2020 @ 12:20 pm

Name: Respondent

Phone #: (850) 565-9333

Summary: Mr. Horbowy called me back after receiving my voicemail. We discussed the Legal sufficiency letters he has received as well as the procedures of my investigation. I explained what each case will be looking into.

Mr. Horbowy stated he has read the Treasurer's Handbook with his treasurer, but will do so again soon so they both can be on the same page. I referred Mr. Horbowy to the Division website that stores information on campaign filing and financial activity. Mr. Horbowy was notified an affidavit was being sent to his address for additional information with specific questions pertaining to the investigation.

Memo to File? No

Entered by: Brian Ayres

3. **Date and time:** March 17, 2020 @ 8:59 a.m.

Name: Respondent

Phone #: (850) 565-9333

Summary: I called Mr. Horbowy to notify him I will move forward with my investigation as I do not have his affidavit that was sent on February 10, 2020. I left a generic voicemail with the number to have Respondent call me back as the voicemail message did not indicate if it was Respondent's solely or not.

Memo to File? No

Entered by: Brian Ayres

4. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:



Florida Elections Commission

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



February 6, 2020

Benjamin Alexander Thaddeus John Horbowy
1113 Old Bumpy Road
Tallahassee, FL 32317

RE: Case No.: FEC 19-588; Respondent: Benjamin Alexander Thaddeus John Horbowy

Dear Mr. Horbowy:

On December 6, 2019, the Florida Elections Commission received a complaint alleging that you violated Florida's election laws. I have reviewed the complaint and find that it contains one or more **legally sufficient allegations**. The Commission staff will investigate the following alleged violation:

Section 106.07(2)(b)1., Florida Statutes: Respondent, a 2020 candidate for State Senator, District 3, failed to timely make necessary amendments to the 2019 M8 campaign treasurer report, as alleged in the complaint.

When we conclude the investigation, a copy of the Report of Investigation (ROI) will be mailed to you at the above address. Based on the results of the investigation, a staff attorney will prepare and present a written Staff Recommendation (SR) to the Commission as to whether there is probable cause to charge you, the Respondent, with violating Chapters 104 or 106, Florida Statutes. You will have an opportunity to respond to both the ROI and the SR. The Commission will then hold one or more hearings to determine whether the alleged violation occurred and, if so, the amount of the fine to be imposed upon you. Notice will be mailed to you and the Complainant at least 14 days before any hearing at which your case is to be considered.

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

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

Pursuant to Section 106.25, Florida Statutes, complaints, investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 or 106, Florida Statutes, are confidential until the Commission finds probable cause or no probable cause, unless the

Benjamin Alexander Thaddeus John Horbowy
February 6, 2020
Page 2
FEC 19-588

Respondent files a written waiver of confidentiality with the Commission. The confidentiality provision does not apply to the Complainant or the Respondent.

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

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

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Tim Vaccaro", with a long horizontal flourish extending to the right.

Tim Vaccaro
Executive Director

TV/med

**DIVISION OF ELECTIONS
FEC NOTICE FORM**

To FEC from Division of Elections

Candidate: Benjamin Alexander Thaddeus John Horbowy
Account Number: 74245
Treasurer: Benjamin Alexander Thaddeus John Horbowy

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

2019 M8

- Benjamin Alexander Thaddeus John Horbowy (74245) is a 2020 candidate for the office of State Senator.
- On April 5, 2019, Benjamin Alexander Thaddeus John Horbowy filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division appointing Nancy Horbowy as treasurer.
- On September 6, 2019, Mr. Horbowy appointed himself as treasurer.
- On October 18, 2019, the Division mailed Mr. Horbowy notification that one or more campaign treasurer's reports were incomplete.
- On November 4, 2019, the Division mailed Mr. Horbowy notification that one or more campaign treasurer's reports were incomplete.
- On November 18, 2019, the Division mailed Mr. Horbowy final notification with delivery confirmation that one or more campaign treasurer's reports were incomplete. (See attached letter and delivery confirmation.)
- As of December 5, 2019, one or more campaign treasurer's reports remain incomplete.

Sent By: Kristi Reid Willis
Date: December 5, 2019

ejr

REC'D: ELECTIONS COM
SECTION 106.07(2)(b)1



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

FINAL NOTICE

Delivery Confirmation:

USPS TRACKING# & CUSTOMER RECEIPT **9114 9023 0722 4427 0794 83**
For Tracking or Inquiries go to USPS.com
or call 1-800-222-1811.

November 18, 2019

Benjamin Alexander Thaddeus John Horbowy
1113 Old Bumpy Road
Tallahassee, FL 32317

Re: CAN 74245

Dear Mr. Horbowy:

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

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

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

Attachment

Error Report

Candidate: Benjamin Alexander Thaddeus John Horbowy

Office: STS

Report: 2019 M8 (5) Covering Period: 8/1/19 - 8/31/19

Account: 74245

Contributions

Contributor

Contribution

<u>Seq</u>	<u>Date</u>	<u>Name</u>	<u>Address</u>	<u>City/State/Zip</u>	<u>Type</u>	<u>Occupation</u>	<u>Type</u>	<u>Amount</u>	<u>InKind</u>	<u>Descrip</u>	<u>Amend</u>
1		MAUREEN SOLLBERGER	3454 HARBORWAY LN. OH 45241-2730	CINCINNATI, OH 4-5241	I	RETIRED	CHE	\$26.27			

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

Expenditures

<u>Seq</u>	<u>Date</u>	<u>Name</u>	<u>Address</u>	<u>City/State/Zip</u>	<u>Type</u>	<u>Expenditure Purpose</u>	<u>Amount</u>	<u>Amend</u>
1					X		\$0.00	

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

*Invalid Expenditure Type

*Amount is Zero

*No Value Provided For Last Name Field

*No Address Was Provided

*No City Was Provided In The Address

*No State Was Provided In The Address

*Missing Expenditure Purpose

Fund Transfers

Other Distributions

USPS Tracking®

[FAQs >](#)

[Track Another Package +](#)

Tracking Number: 9114902307224427079483

[Remove X](#)

Your item was delivered in or at the mailbox at 1:56 pm on November 19, 2019 in TALLAHASSEE, FL 32317.

Delivered

November 19, 2019 at 1:56 pm
Delivered, In/At Mailbox
TALLAHASSEE, FL 32317

[Feedback](#)

[Get Updates](#) 

Text & Email Updates 

Tracking History 

Product Information 

[See Less](#) 

Queued Items for 2019-M8

Account: 74245

STS 003 Benjamin Alexander Thaddeus John Horbowy

Rpt Seq: 5

<i>ProcessDescription</i>	<i>Status</i>	<i>Submitter</i>	<i>Created</i>	<i>LastUpdate</i>
Create Pending Report	Processing Complete	74245	8/12/2019 4:23:55 PM	8/12/2019 4:23:55 PM
Review Pending Report	Processing Complete	74245	9/16/2019 4:03:19 PM	9/16/2019 4:03:19 PM
Recalc Pending Report Total	Processing Complete	74245	9/16/2019 4:03:32 PM	9/16/2019 4:03:32 PM
Recalc Pending Report Total	Processing Complete	74245	9/16/2019 4:13:39 PM	9/16/2019 4:13:39 PM
File Pending Report	Processing Complete	74245	9/16/2019 4:14:07 PM	9/16/2019 4:14:07 PM
Review Filed Report	Processing Complete	74245	11/8/2019 4:27:46 PM	11/8/2019 4:27:46 PM

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

(1) Benjamin Alexander Thaddeus John Horbowy (2) 74245
 Candidate, Committee or Party Name I.D. Number

(3) 1113 Old Bumpy Road Tallahassee FL 32317
 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 08/01/2019 To 08/31/2019 Report Type: M8

Original Amendment Special Election Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks	\$26.27
Loans	\$0.00
<i>Total Monetary</i>	\$26.27
In-Kind	\$0.00

(7) EXPENDITURES THIS REPORT

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

(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

Name: Benjamin Alexander Thaddeus Johnson

Report: 2019 M8

Period: 08/01/2019 to 08/31/2019

**** 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
* 1	MAUREEN, SOLLBERGER 3454 HARBORWAY LN , OH 45241-2730 CINCINNATI, OH 45241	I	RETIRED	\$26.27
		CHE		

Name: Benjamin Alexander Thaddeus Johnson Orbowy

Report: 2019 M8

Period: 08/01/2019 to 08/31/2019

** Records in Filed Report **

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Type	Purpose	Amount
* 1		X		\$0.00

ID:

CAMPAIGN TREASURER'S REPORT – ITEMIZED FUND TRANSFERS

Name: Benjamin Alexander Thaddeus Johnson Orbowy

Report: 2019 M8

Period: 08/01/2019 to 08/31/2019

**** 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: Benjamin Alexander Thaddeus Johnson Orbowy

Report: 2019 M8

Period: 08/01/2019

to 08/31/2019

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

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

Account/Seq 74245 1

Election/Type
20201103-GEN
CAN

Benjamin Alexander Thaddeus John Horbowy

Status/Reviewer	Mailed	Type/Recd	R E S P O N S E
SN ejrowlette	1st: 10/18/2019	AUT	
11/18/19 8:12 am	2nd: 11/4/2019	11/19/2019	
	3rd: 11/18/2019		

NOTES: 12/3/19 - Errors not corrected. Recommending an FEC referral. Ejr

HISTORY NOTES
Benjamin Alexander Thaddeus John Horbowy - 74245

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
66545	9/12/2019 2:24:00 PM		dlhoward
09/12/2019 - Upon request and with the assistance of Malcolm Chellman, I released an updated password to Mr. Horbowy who arrived at this office front lobby area. DLH			
66544	9/12/2019 2:23:00 PM		mcchellman
Re hand deliver CRF, created new PWD and gave it to Can 2:20pm. Advised he be sure to write down the new PWD.			
66537	9/11/2019 4:26:00 PM		ejrowlette
Re: Credential Request Received a credential request via elecrec email. Attempted to reach Mr. Horbowy but he did not answer. I left the message we had his credential request and were attempting to reach him. I told him to please call back. Ejr 4:28pm			
66500	9/9/2019 4:35:00 PM		jcsoria
Re: Treasurer PIN I spoke to candidate and released his PIN in view of his appointment as treasurer for his own campaign.			
66461	9/6/2019 4:33:00 PM		dlhoward
09/06/019 - I attempted to make contact with Benjamin Alexander Thaddeus John Horbowy to release his Confidential Treasurer's Pin Number over the phone. I only got his google voice mail. Therefore, I had to leave a voice message requesting a call back. DLH			
66403	9/5/2019 8:06:00 AM	9/16/2019 12:26:34 PM	dlhoward
RE: Treasurer Removal 9/4/2019 I attempted to make contact with Benjamin Alexander Thaddeus John Horbowy. On September 4, 2019, this office received a letter removing Nancy Horbowy as treasurer and signed by the Candidate, Mr. Horbowy. I called to inform the candidate that a new DSDE 9 form is needed in this office as soon as possible to appoint himself as treasurer as requested in the same letter. Since I did not get an answer, I had to leave a voice message. Per Dsb, I sent an email to Mr. Horbowy at <CEO@SmartGreenIndustries.com> informing him that a new DSDE 9 form (attachment) must be submitted to this office to appoint himself as treasurer. -DLH, 9/5/2019			
66145	8/12/2019 2:08:00 PM		ejrowlette
Re: Contact from treasurer Ms. Horbowy emailed me to call her. I called her back and she asked if all the reports were good. I told her that none of the reports have been filed. I told her there were 4 months of reports that have not been filed, sitting in pending. I looked over each report and several were showing errors. She asked if I could give her the password. I told her that it had been given to her son and he would have changed it to something easier to remember. She said she wanted to be removed from this campaign. I told her that all she would need to do is to send us something in writing with her signature explaining that she resigned from this campaign. However, I pointed out that once she did that, he would not be able to file any reports as she was the only treasurer. I suggested she call the candidate, get his pin # and the password. Call me back so we can correct the errors in the reports and file these. (M4, M5, M6, and M7 all in pending.) I told her that the campaign has already been referred to the FEC for failure to file reports. I told her that unfortunately, since she is the treasurer, she will be part of the referral. She said she will hang up and attempt to contact him to get the pin and password. I will send her a credential request form in the event she can't reach the candidate. Ejr			
66053	8/8/2019 10:41:00 AM	8/9/2019 1:31:46 PM	mcchellman
Re CRF, 10:40 am I called the candidate. He requested that I call him back at 1:30pm, that he was currently walking around neighborhoods (campaigning I assume.) I asked him to call me when it was convenient and he said he had our number. Called at 2:30pm, left a Vmmessage for Can to call me back. He called back 8/09/19 1:30pm and I gave him his new PWD.			
65902	7/24/2019 4:16:00 PM	7/26/2019 10:52:00 AM	mcchellman
Re CRF received 7/3/19, called and left detailedVM 7/23/19 3:30 pm, and then again on 7/24/19 at 4:15. I told him I was awaiting his call back at this point. I called back again on 7/26/19 at 10:50 am and gave the new PWD to the Can.			

HISTORY NOTES

Benjamin Alexander Thaddeus John Horbowy - 74245

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
65794	7/10/2019 8:37:00 AM	7/10/2019 9:42:31 AM	mcchellman
<p>Re CRF, called 8:35 am and left message for Can to call me. Called again at 9:30 am and said I was awaiting his call. He called back a couple minutes later, I created a PWD, gave it to him, encouraged him to log in soon in case there is an issue with the PWD. I told him it was a filing day, someone would be here until 6:00 pm.</p>			
65762	7/3/2019 3:53:00 PM		dsbrown
<p>RE: Credential Request Form</p> <p>Reset Mr. Horbowy's password and made sure he could sign into EFS before getting off of the call.</p>			
64479	4/8/2019 2:15:00 PM		dlihoward
<p>04/08/2019 - I attempted to make contact with Mr. Horbowy to inform him that his name, due to its length, will not fit on the Division of Elections Web Site. Since I did not get an answer, I had to leave a voice message, requesting a return call. DLH</p>			