

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Valion Joyce**

**Case No.: FEC 19-202**

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**TO:** Valion Joyce  
228 Dixie Drive, # 1702  
Tallahassee, FL 32304

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 August 26, 2020 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 Meeting ID 602-468-659, or via teleconference by dialing (866) 901-6455 and entering the meeting access code 515-462-864, when prompted. If you wish to speak before the Commission, you will need to appear by webcam and will be sworn in remotely. Please be advised that the Commission will consider multiple cases, so you will need to wait until your case is considered. If you have any questions, please contact Commission staff at (850) 922-4539.

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

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

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

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

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

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

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

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

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

**Tim Vaccaro**

Executive Director  
Florida Elections Commission  
August 13, 2020

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

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

If this is a **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 32399-1050

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

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



## **Commission Meeting August 26, 2020 at 8:30AM via GoToWebinar and OpenVoice**

In order to participate in the public portion of the August 26, 2020, Florida Elections Commission meeting, please follow the instructions below:

- A. GoToWebinar – Remote Video Conferencing
  1. Open your web browser and search GoToWebinar or enter [www.gotowebinar.com](http://www.gotowebinar.com)
  2. Select Join A Webinar in the upper right corner of the website
  3. Enter the 9-digit Webinar ID: 602-468-659  
And your email address
  4. Register your name and email address
  5. You will automatically join to the meeting as an attendee. Attendees are muted and can choose to their webcam.
  
- B. OpenVoice - Teleconference
  1. Call 1-866-901-6455
  2. Enter Audio Access Code 515-462-864
  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) when contacting our office.

Thank you,

Commission Staff

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Valion Joyce**

**Case No.: FEC 19-202**

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**TO:** Valion Joyce  
228 Dixie Drive, # 1702  
Tallahassee, FL 32304

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 August 26, 2020 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 conference only. Prior to the meeting, the Commission office will send you a set of participant instructions, which will include login information for the meeting. Please be advised that the Commission will consider multiple cases that day, so you will need to wait until your case is considered. If you have questions, please contact Commission staff at (850) 922-4539.**

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**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.

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

***Tim Vaccaro***  
Executive Director  
Florida Elections Commission  
July 28, 2020

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

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

If this is a **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.

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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: Valion Joyce**

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**Case No.: FEC 19-202**

**TO:** Valion Joyce  
228 Dixie Drive, # 1702  
Tallahassee, FL 32304

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

**NOTICE OF CANCELLATION OF HEARING (INFORMAL HEARING)**

You are hereby notified that the previously scheduled **hearing for March 24-25, 2020 is cancelled**. It is anticipated that your case will be heard at the next regularly scheduled meeting, which is currently set for May 2020. A Notice of Hearing will be mailed approximately 14 days prior to the hearing date indicating the exact date, time, and location.

***Tim Vaccaro***

Executive Director  
Florida Elections Commission  
March 12, 2020

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Valion Joyce**

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**Case No.: FEC 19-202**

**TO:** Valion Joyce  
228 Dixie Drive, # 1702  
Tallahassee, FL 32304

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 24, 2020 at 1:00 p.m., or as soon thereafter as the parties can be heard**, at the following location: **House Office Building, 404 South Monroe Street, Room 28-H, Tallahassee, Florida 32399**. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

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

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

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

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

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

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

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

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

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

***Tim Vaccaro***

Executive Director  
Florida Elections Commission  
March 9, 2019

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

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

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

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

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

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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.



FILED

19 DEC -9 AM 10:45

STATE OF FLORIDA  
ELECTIONS COMMISSION

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,  
Petitioner,**

**Case No.: FEC 19-202**

v.

**Valion Joyce,  
Respondent.**

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**ORDER OF PROBABLE CAUSE**

**THIS MATTER** was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on November 19, 2019, in Tallahassee, Florida.

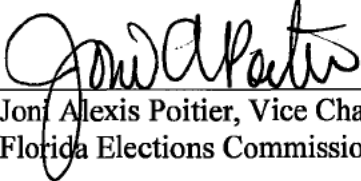
On October 8, 2019, Staff recommended to the Commission that there was probable cause to believe that the Florida Election Code was violated. The facts articulated in Staff's Recommendation are adopted by reference and incorporated herein. Based on the Complaint, Report of Investigation, Staff's Recommendation, 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):

**THIS SPACE INTENTIONALLY LEFT BLANK**

**Count 1:**

On or about February 4, 2019, Valion Joyce violated Section 106.07(7), Florida Statutes, when he failed to notify the filing officer in writing on the prescribed reporting date that he would not be filing his 2018 Termination Report.

**DONE AND ORDERED** by the Florida Elections Commission on November 19, 2019.

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

Copies furnished to:  
Michael T. McGuckin, Assistant General Counsel  
Valion Joyce, 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: Valion Joyce**

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**Case No.: FEC 19-202**

**TO:** Valion Joyce  
228 Dixie Drive, # 1702  
Tallahassee, FL 32304

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 19, 2019 at 9:00 am, or as soon thereafter as the parties can be heard**, at the following location: **Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399**. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

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***Tim Vaccaro***

Executive Director  
Florida Elections Commission  
November 1, 2019

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**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Valion Joyce**

**Case No.: FEC 19-202**

**STAFF RECOMMENDATION FOLLOWING INVESTIGATION**

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the referral in this case recommending that there is **probable cause** to charge Respondent with violating **Section 106.07(7), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on September 23, 2019, the following facts and law support this staff recommendation:

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

2. Respondent was a 2018 candidate for State Representative, District 61. (ROI Exhibit 10)<sup>1</sup>

3. By letter dated June 4, 2019, the Executive Director notified Respondent that Commission staff would investigate the following statutory provision:

**Section 106.07(7), Florida Statutes:** As alleged in the complaint, Respondent, a 2018 candidate for State Representative, District 61, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the 2018 termination reporting period.

4. By letter dated June 6, 2018, Kristi Reid Willis, Chief, Bureau of Election Records, sent Respondent a letter acknowledging that the Division had received his Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form. (ROI Exhibit 2, page 1)

5. The acknowledgment letter advised Respondent that all of the Division’s publications and reporting forms were available on its website and directed Respondent to print out the *Calendar of Reporting Dates* as well as other relevant documents. (ROI Exhibit 2, page 2)

6. Pursuant to Section 106.07(7), Florida Statutes, in any reporting period during which a candidate has not received funds, made any contributions, or expended any reportable

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

funds, the filing of the required report for that period is waived. However, the candidate is required to notify the filing officer in writing on the prescribed reporting date that no report is being filed on that date.

7. The *Candidate & Campaign Treasurer Handbook* references the statutory requirement regarding written notification and directs candidates to notify the Division by way of the Division's electronic filing system. (ROI Exhibit 3, page 2) The *Candidate EFS User's Guide* shows the process through which to notify the Division. The user's guide instructs candidates to select the relevant reporting period and place a checkmark in a box titled "Waiver" to indicate the lack of reportable financial activity. (ROI Exhibit 4, pages 2-3)

8. Respondent failed to notify the filing officer on the prescribed reporting date that no report would be filed for the following reporting period, as set forth in the table below. (ROI Exhibit 5)

Report	Report Cover Period	Date Notification Due	Date Notification Filed	No. of Days Late
2018 TR	11/2/2018 – 2/4/2019	2/4/2019	4/8/2019	63

9. Respondent stated that he was a full-time college student at the time of the campaign. (ROI Exhibit 11, page 1)

10. "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).


11. The facts set forth above show that Respondent was a 2018 candidate for State Representative, District 61. Respondent failed to notify the filing officer on the prescribed reporting date that no report would be filed for the 2018 Termination reporting period.

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

**Count 1:**

On or about February 4, 2019, Valion Joyce violated Section 106.07(7), Florida Statutes, when he failed to notify the filing officer in writing on the prescribed reporting date that he would not be filing his 2018 Termination Report.

Respectfully submitted on October 8, 2019.



---

Stephanie J. Cunningham  
Assistant General Counsel

I reviewed this Staff Recommendation this 8<sup>th</sup> day of October 2019.



---

Tim Vaccaro  
Executive Director



## FLORIDA ELECTIONS COMMISSION

### Report of Investigation for Failure to Notify Filing Officer

**Case Number: FEC 19-202**

**Respondent: Valion Joyce**

Section 106.07(7), Florida Statutes, failure of a candidate who did not receive any contributions or make any expenditures during a reporting period to notify timely the filing officer, in writing, that no report is being filed

**Complainant: Division of Elections**

**Respondent Type:**

Candidate

Political Committee

**I. Preliminary Information:**

1. An appointment of Campaign Treasurer and Designation of Campaign Depository form DS-DE 9 was filed on June 5, 2018. (Exhibit 1)

2. An acknowledgement letter was mailed to the address provided on Respondent's DS-DE 9 on June 6, 2018 advising 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. (Exhibit 2)

3. The acknowledgement letter also states, "An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports" and provides the telephone number for the Division's EFS Help Desk.

4. The *Candidate and Campaign Treasurer Handbook*, discusses filing a notice-of-no-activity when there is no activity to disclose on page 45. (Exhibit 3)

5. Pages 12, 13, 45 and 46 of the *Candidate EFS User's Guide* discuss how to notify the Division on the prescribed reporting date that no report will be filed using the EFS. Specifically, page 13 instructs the user to click the box next to "waiver" if there is no activity to disclose. (Exhibit 4)

6. In a telephone interview on April 2, 2014, Kristi Reid-Bronson clarified that once the waiver box is chosen and a new report is opened as shown on page 12, the only available option on the report summary screen will be "Go To File Report" as shown on page 13. Choosing "Go To File Report" will take the user directly to the screens where the candidate/treasurer PINS are entered as shown on pages 45 and 46.

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

7. Respondent's filing history reflects the untimely filed notification summarized below. (Exhibit 5)

Report	Report Cover Period	Date Notification Due	Date Notification Filed	No. of Days Late
TR	11/2/2018 – 2/4/2019	2/4/2019	4/8/2019	63

8. Respondent was interviewed by telephone on July 25, 2019. During the phone interview, Respondent did not provide a specific reason or circumstance for filing his 2018 TR notice late. He said that he was a full-time student at FSU at the time of this campaign. Respondent was aware of publications for chapters 104 and 106, Florida Statutes. (Exhibit 7)

9. On July 29, 2019 I called Respondent to verify his e-mail address and mailing address. I then e-mailed the letter of Legal Sufficiency and the complaint from the Division for his records. Respondent did not respond to the emails. I mailed a questionnaire-affidavit on August 2, 2019 to the confirmed mailing address. (Exhibit 8)

10. On September 4, 2019 Respondent called. During the phone call he notified me of his new address in Tallahassee. I resent the questionnaire to Respondent's new confirmed address on September 5, 2019. As of September 23, 2019, the questionnaire has not been returned. (Exhibit 9)

**III. FEC History:**

11. Respondent has no history with the commission prior to this case.

**Conclusion:**

12. Respondent was a write-in candidate. On July 25, 2019 he acknowledged he was aware of Chapter 106, Florida Statutes, and the *Candidate & Treasurer Handbook*. The Statement of Candidate form was filed on June 5, 2018 by Respondent (Exhibit 10).

13. The Investigative Phone Log is included with this report. (Exhibit 11)

**SIGNATURE OF INVESTIGATOR:**

*Blayes*

**Date:**

9/23/2019



HAND DELIVERED

APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY FOR CANDIDATES (Section 106.021(1), F.S.)

(PLEASE PRINT OR TYPE)

RECEIVED DEPARTMENT OF STATE 2018 JUN -5 AM 11:13

DIVISION OF ELECTIONS

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)

Valion D. Joyce

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

4704 East Sligh Ave Tampa Florida 33610

4. Telephone

(813) 703-5632

5. E-mail address

Joycevalion60@gmail.com

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

House of Representatives District 61

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 Party candidate.

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

10. Name of Treasurer or Deputy Treasurer

Valion Joyce

11. Mailing Address

4704 East Sligh Ave.

12. Telephone

(813) 703-5632

13. City

Tampa

14. County

Hillsborough

15. State

FL

16. Zip Code

33610

17. E-mail address

Joycevalion60@gmail.com

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

19. Name of Bank

BANK OF AMERICA

20. Address

9385 N 56th St

21. City

Temple Terrace Tampa

22. County

Hillsborough

23. State

Florida

24. Zip Code

33617

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

25. Date

06/04/18

26. Signature of Candidate

[Signature]

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

I, Valion Joyce, do hereby accept the appointment (Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer.

06/05/18 Date

[Signature] Signature of Campaign Treasurer or Deputy Treasurer



## FLORIDA DEPARTMENT OF STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

June 6, 2018

Valion D. Joyce  
4704 East Sligh Avenue  
Tampa, Florida 33610

Dear Mr. Joyce:

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 June 5, 2018. Your name has been placed on the 2018 active candidate list.

### Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **June 29, 2018**. The report will cover the period of June 1-22, 2018 (2018 P1). 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:** 71589

### 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

Valion Joyce  
June 6, 2018  
Page Two

of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

Any candidate failing to file a report on the designated due date shall be subject to a fine of \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for reports immediately preceding each primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

### **Electronic Receipts**

The person submitting the report on the EFS will be issued an electronic receipt indicating and verifying the report was filed. Each campaign treasurer's report filed by means of the EFS is considered to be under oath by the candidate and campaign treasurer and such persons are subject to the provisions of Section 106.07(5), Florida Statutes.

### **Instructions and Assistance**

An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports. The Division of Elections will also provide assistance to all users by contacting the EFS Help Desk at (850) 245-6280.

All of the Division's publications and reporting forms are available on the Division of Elections' website at <http://dos.myflorida.com/elections/>. It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapters 104 and 106, Florida Statutes, *Candidate and Campaign Treasurer Handbook*, *Calendar of Reporting Dates*, and Rule 1S-2.017, Florida Administrative Code.

Please let me know if you need additional information.

Sincerely,



Kristi Reid Willis, Chief  
Bureau of Election Records

KRW/jcs

Enclosures

EXHIBIT 2 page 2 of 2

# Candidate & Campaign Treasurer Handbook

**FLORIDA**  
★ DIVISION OF ★  
**ELECTIONS**

Florida Department of State  
Division of Elections  
R. A. Gray Building, Room 316  
500 South Bronough Street  
Tallahassee, FL 32399-0250  
850.245.6240

(Rev. 09/11/2018)

EXHIB

3 page 1 of 2

An individual seeking a publicly elected position on a political party executive committee who receives a contribution or makes an expenditure must file a single report of all contributions and expenditures on the 4th day immediately preceding the primary election. (*See Chapter 18, Reporting for Individuals Seeking a Publicly Elected Position on a Party Executive Committee.*)

Unless the electronic filing requirements of Section 106.0705, Florida Statutes, apply, reports shall be filed no later than 5 p.m. of the day designated. A report postmarked by the U.S. Postal Service no later than midnight of the day designated is deemed timely filed. A report received by the filing officer within 5 days after the designated due date that was delivered by the U.S. Postal Service is deemed timely filed unless it has a postmark indicating the report was mailed after the designated due date. A certificate of mailing obtained from and dated by the U.S. Postal Service at the time of mailing or a receipt from an established courier company, which bears a date on or before the date on which the report is due, is proof of mailing in a timely manner.

Reports filed with the Division through the Electronic Filing System (EFS) are due no later than midnight, Eastern Time, of the due date.

(Sections 106.07, 106.0705 and 106.141, F.S.; Chapter 19, Electronic Filing of Campaign Reports)

### Penalty for Late Filing

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 three days late

and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding the primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

For a candidate's termination report, the fine shall be \$50 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater for the period covered by the late report. All fines must be paid from the candidate's **personal funds** – not campaign funds.

(Section 106.07(2) and (8), F.S.)

### Notice of No Activity

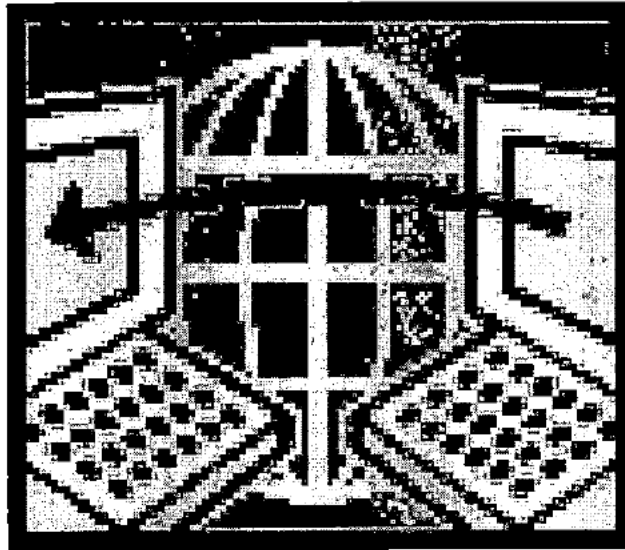
In any reporting period during which a candidate has not received funds or made any expenditures, the filing of the required report for that period is waived. **However, the candidate must notify the filing officer in writing on or before the prescribed reporting date that no report is being filed on that date.** (A notice of no activity filed with the Division must be filed electronically using the EFS.) The next report filed must specify that the report covers the entire period between the last submitted report and the report being filed.

(Section 106.07, F.S.)



Department of State  
Division of Elections

# Candidate EFS User's Guide



Florida Department of State  
Division of Elections  
R.A. Gray Building, Room 316  
500 S Bronough Street  
Tallahassee, FL 32399-0250

EFS HELP LINE: 850-245-6280

January 2011

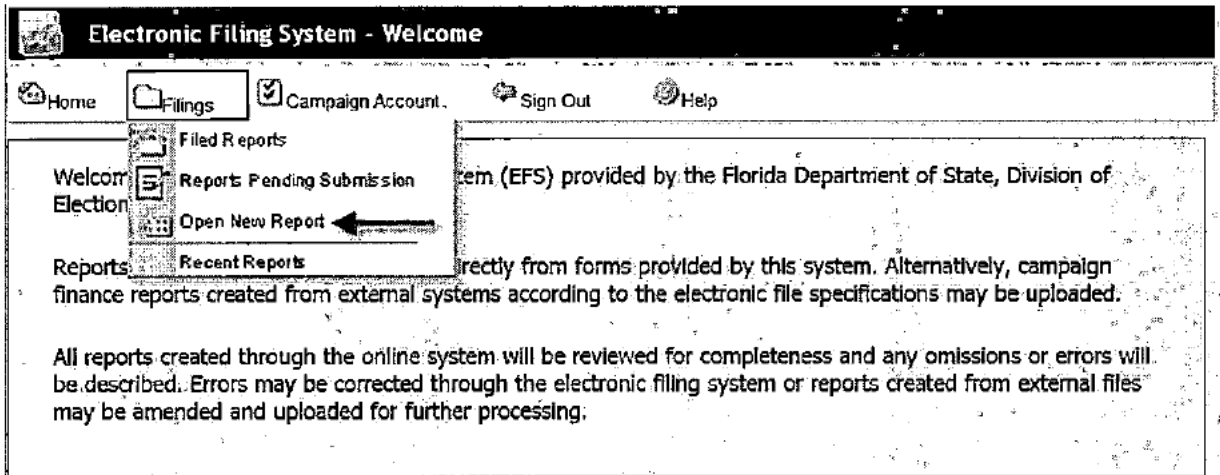
Rule 1S-2.017, F.A.C.

DS-DE 110A (eff. 01/11)

EXHIBIT 4 page 1 of 5

# Create a New Report by Data Entry

From the Welcome Screen, click  Filings and then  Open New Report



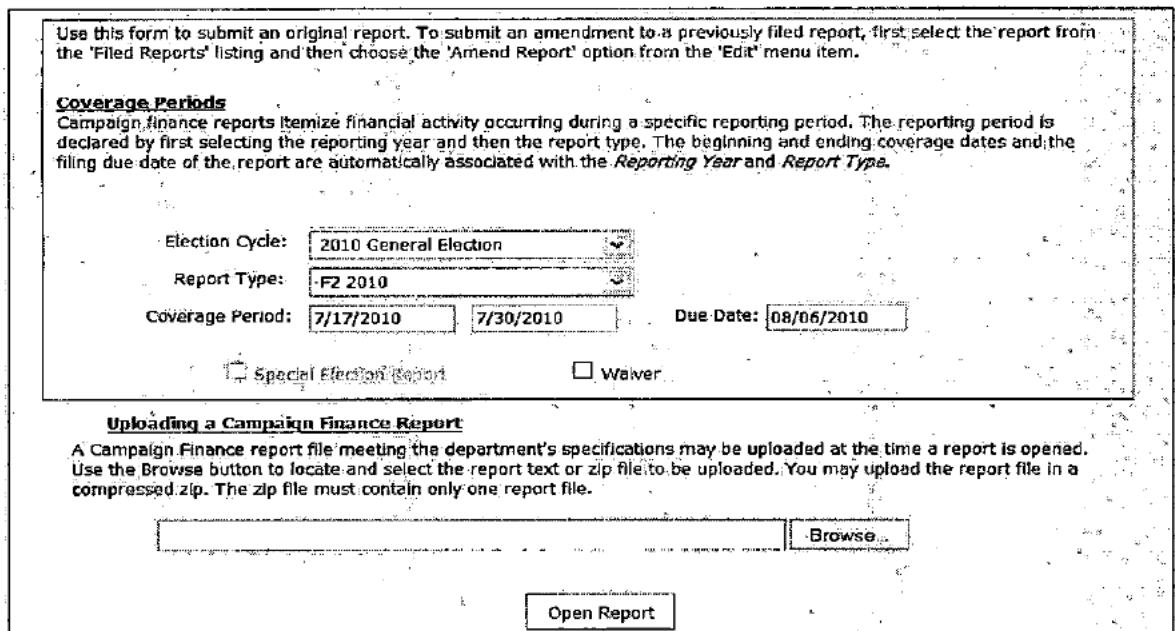
**Electronic Filing System - Welcome**

Home Filings Campaign Account Sign Out Help

Filed Reports  
Reports Pending Submission  
**Open New Report**  
Recent Reports

Welcome to the Electronic Filing System (EFS) provided by the Florida Department of State, Division of Election Administration. The EFS is designed to allow campaign finance reports to be filed directly from forms provided by this system. Alternatively, campaign finance reports created from external systems according to the electronic file specifications may be uploaded.

All reports created through the online system will be reviewed for completeness and any omissions or errors will be described. Errors may be corrected through the electronic filing system or reports created from external files may be amended and uploaded for further processing.



Use this form to submit an original report. To submit an amendment to a previously filed report, first select the report from the 'Filed Reports' listing and then choose the 'Amend Report' option from the 'Edit' menu item.


**Coverage Periods**  
Campaign finance reports itemize financial activity occurring during a specific reporting period. The reporting period is declared by first selecting the reporting year and then the report type. The beginning and ending coverage dates and the filing due date of the report are automatically associated with the *Reporting Year* and *Report Type*.


Election Cycle: 2010 General Election  
Report Type: F2 2010  
Coverage Period: 7/17/2010 7/30/2010 Due Date: 08/06/2010

Special Election Report  Waiver

**Uploading a Campaign Finance Report**  
A Campaign Finance report file meeting the department's specifications may be uploaded at the time a report is opened. Use the Browse button to locate and select the report text or zip file to be uploaded. You may upload the report file in a compressed zip. The zip file must contain only one report file.

Browse...  
Open Report

Click  arrow next to **Election Cycle**. Scroll to the cycle associated with the report you are entering.

Click  arrow next to **Report Type** and select the report type that corresponds to the appropriate cover period and due date.

The **Cover Period** dates will automatically fill in based on the **Calendar of Election and Reporting Dates**. The end date can be changed for candidate termination reports.

The Due Date will automatically fill in based on the Calendar of Election and Reporting Dates.

\*\*\*\*NOTE\*\*\*\*

If this report is a waiver of report (no activity), click the  box next to Waiver.

Election Cycle: 2010 General Election  
Report Type: P2 2010  
Coverage Period: 7/17/2010 7/30/2010 Due Date: 08/05/2010  
 Special Election Report  Waiver

Click  at the bottom of the screen. A Report Detail screen (view only) will appear. This screen will not indicate any activity until individual detail data is entered, saved and a review is performed.

Report: 2010 - G4 - 27 2010 General Election Covers: 10/16/2010-10/26/2010 Due: 10/29/2010

Amendment  Waiver Complete Status: Incomplete Detail Records  
File Date: Review Status: Not Reviewed  
Status: Data Entry Last Review:

# of Transactions: 0

Contributions		Total Amount	Expenditures		Total Amount
Cash and Checks:		0.00	Monetary:		0.00
Loans:		0.00	Transfers to Off Acct:		0.00
Total Monetary:		0.00	Total Monetary:		0.00
In-Kind:		0.00	Other Distributions:		0.00

Review Messages

Created: 10/26/2010 11:41:25 AM By: 50552 Revised: 10/26/2010 11:41:25 AM By: 50552

If there is more than one treasurer, click on the drop down and select the treasurer that is filing the report.

Campaign Treasurer:  


The treasurer enters his or her PIN and then clicks

Report: 2010 - F3 - 26      Coverage Period: 8/7/2010-8/19/2010      Due: 8/20/2010

Review Status:        Original     Amended

Campaign Treasurer:        Waiver

PIN for specified Treasurer:


To Edit Report Again Select Cancel:         

**IMPORTANT NOTE:** If changes need to be made after a candidate enters his PIN, the treasurer must undo the candidate's PIN validation before the system will allow changes. See page 48 for instructions.

# Print a File Receipt

After a report is filed, click

**Print Filing Receipt**

Report: 2009 - Q4 - 25		Coverage Period: 10/1/2009-12/31/2009	
Election: 2010 General Election		Due: 1/11/2010	
<p>Select the Division of Elections forms to be generated. Each requested form will be generated as Adobe Acrobat PDF files. The Adobe Acrobat Reader is required to view and print selected forms and may be downloaded from <a href="#">Adobe</a>.</p>			
Select	Report Form	View	
	Summary Sheet (DS-DE 12)		  <input type="button" value="Print Filing Receipt"/> ←  <input type="button" value="View Filed Reports"/>
	Contributions (DS-DE 13)		
	Expenditures (DS-DE 14)		
	Fund Transfers (DS-DE 94)		
	Other Distributions		
<p>Refresh screen until a 'View' link appears for each report selected. Click on the 'View' link to open report in Adobe.</p>			

To print this screen, right click your mouse and select "Print." Save this screen as your filing receipt.

ID: [REDACTED]		Name: [REDACTED]	
Report: 2009 - Q4 - 25		Print Date: 8/19/2010 4:46:32 PM	
Election: 2010 General Election			
Covers: 10/1/2009-12/31/2009		<input type="checkbox"/> Amended <input type="checkbox"/> Waiver	
Due: 1/11/2010			
Filed: 8/19/2010 4:41:08 PM		File Status: Filed Report	
Reviewed: 8/19/2010		Review Status: Reviewed	
Detail Complete: Incomplete Detail Records			
File Method: Web Filed		<b>Number of Detail Records</b>	
Entry Method: Web Data Entry		Contributions: 0	
		Expenditures: 3	
		Fund Transfers: 1	
Pending Queued Items: 0		Distributions: 4	
To Print Report: Right Click Mouse and Select 'Print'			



Florida Department of State - Division of Elections

Florida Election System Reports

**Candidate/Committee Lookup**

Name: Valion

Election:

Acct: 71589

Type: Candidate

Candidate Name: Valion Joyce  
Account: 71589

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
2/4/2019	TR	4/8/2019	CLO	63	\$0.00		\$0.00	\$0.00
11/2/2018	G7	11/7/2018	FEC	5	\$0.00		\$0.00	\$0.00
10/26/2018	G6	10/30/2018	FEC	4	\$0.00		\$0.00	\$0.00
10/25/2018	G4	10/30/2018	FEC	5	\$0.00		\$0.00	\$0.00
10/19/2018	G5	10/30/2018	FEC	11	\$0.00		\$0.00	\$0.00
10/5/2018	G3	10/30/2018	FEC	25	\$0.00		\$0.00	\$0.00
9/21/2018	G2	10/30/2018	FEC	39	\$0.00		\$0.00	\$0.00
9/7/2018	G1	10/30/2018	FEC	53	\$0.00		\$0.00	\$0.00
8/24/2018	P7	10/30/2018	FEC	67	\$0.00		\$0.00	\$0.00
8/17/2018	P6	10/30/2018	FEC	74	\$0.00		\$0.00	\$0.00
8/10/2018	P5	10/30/2018	FEC	81	\$0.00		\$0.00	\$0.00
8/3/2018	P4	10/30/2018	FEC	88	\$0.00		\$0.00	\$0.00
7/27/2018	P3	10/30/2018	FEC	95	\$0.00		\$0.00	\$0.00
7/13/2018	P2	10/30/2018	FEC	109	\$0.00		\$0.00	\$0.00
6/29/2018	P1	10/30/2018	FOI	123	\$0.00		\$0.00	\$0.00



**FLORIDA ELECTIONS COMMISSION**

**107 W. Gaines Street  
Collins Building, Suite 224  
Tallahassee, Florida 32399-1050  
Telephone: (850) 922-4539  
Fax: (850) 921-0783  
[www.fec.state.fl.us](http://www.fec.state.fl.us); [fec@myfloridalegal.com](mailto:fec@myfloridalegal.com)**

August 14, 2019

Valion Joyce  
4704 East Sligh Avenue  
Tampa, FL 33610

**RE: Case No.: FEC 19-364; Respondent: Valion Joyce**

Dear Mr. Joyce:

On June 11, 2019, the Florida Elections Commission received a complaint alleging that you violated Florida's election laws. I have reviewed the complaint and find that it contains one or more legally sufficient allegations. The Commission staff will investigate the following alleged violation(s):

**Section 106.07(7), Florida Statutes:** As alleged in the complaint, Respondent, a 2018 candidate for State Representative, District 61, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the following reporting periods:

- 2018 P1
- 2018 P2
- 2018 P3
- 2018 P4
- 2018 P5
- 2018 P6
- 2018 P7
- 2018 G1
- 2018 G2
- 2018 G3
- 2018 G4
- 2018 G5
- 2018 G6
- 2018 G7

However, prior to an investigation, you have the option to **resolve your case now by** signing a minor violation consent order and **paying a fine of \$700**, per Rule 2B-1.003, Florida Administrative Code, **rather than the potential \$1,000 per violation** provided for in Section 106.265, Florida Statutes.

**EXHIBIT** 6 page 1 of 2

Valion Joyce  
August 14, 2019  
Page 2  
FEC 19-364

If you sign the consent order, you would not be required to admit or deny the allegation(s) in the complaint, but you would be required to immediately correct the violation, if feasible.

The signed consent order would then be considered by the Commission at its next available meeting, and would constitute final action by the Commission once it is accepted and approved by the Commission.

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

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

Sincerely,

Tim Vaccaro  
Executive Director

TV/med

EXHIBIT 6 page 2 of 2



**From:** [Brian Ayres](mailto:Brian.Ayres@myfloridalegal.com)  
**To:** [joycevalon60@gmail.com](mailto:joycevalon60@gmail.com)  
**Subject:** RE: Florida Elections Commission - Case Correspondence 19-202  
**Date:** Monday, July 29, 2019 4:01:00 PM  
**Attachments:** [2019-04-01 Referral.pdf](#)

---

Mr. Joyce,

This is the attached complaint referenced in the previous letter. Please review and again, if you have any question please let me know.

## Brian Ayres

Investigation Specialist II  
Florida Elections Commission  
107 W Gaines St., #224  
(850) 992-4539 Ext 124  
[Brian.Ayres@myfloridalegal.com](mailto:Brian.Ayres@myfloridalegal.com)

---

**From:** Brian Ayres  
**Sent:** Monday, July 29, 2019 3:55 PM  
**To:** [joycevalon60@gmail.com](mailto:joycevalon60@gmail.com)  
**Subject:** Florida Elections Commission - Case Correspondence 19-202

*\*\*Please confirm the receipt of this email:*

Good Afternoon Mr. Joyce,

Attached is a copy of the Minor Violation Consent Order (MVCO) letter sent to the address: 4704 East Sligh Avenue, Tampa, FL 33610-3610 on June 4, 2019. Please read over the document and if you have any questions do not hesitate to ask. Should you choose to follow through with the MVCO please notify Stephanie Cunningham listed in the letter to begin the consent order agreement process. Should you decide to request an investigation to this violation please expect to receive additional correspondence and documents needed for my investigation.

Thank you,

## Brian Ayres

Investigation Specialist II  
Florida Elections Commission  
107 W Gaines St., #224  
(850) 922-4539 Ext 124  
[Brian.Ayres@myfloridalegal.com](mailto:Brian.Ayres@myfloridalegal.com)

EXHIBIT 7 page 1 of 1



**FLORIDA ELECTIONS COMMISSION**

**The Collins Building  
107 West Gaines Street, Suite 224  
Tallahassee, Florida 32399-1050  
Telephone: (850) 922-4539  
Fax: (850) 921-0783**

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

August 2, 2019

Valion Joyce  
4704 East Sligh Avenue  
Tampa, FL 33610-3610

**RE: Case No.: FEC 19-202**

Dear Mr. Joyce:

The Florida Elections Commission needs additional information concerning the complaint filed against you with the Commission. Therefore, please complete the enclosed questionnaire, have it notarized, and return it to me by August 23, 2019.

Section 106.26, Florida Statutes, provides the Commission with the power to subpoena witnesses and documents. However, your cooperation in responding to these questions will eliminate the need to subpoena you for deposition at this time.

Thank you for your cooperation in this matter. Please let me know if you have any questions. My extension number is 110, or I may be reached by e-mail at [brian.ayres@myfloridalegal.com](mailto:brian.ayres@myfloridalegal.com).

Sincerely,

Brian Ayres  
Investigation Specialist

Enclosure: Affidavit of Background Information

EXHIBIT 8 page 1 of 3

**AFFIDAVIT OF BACKGROUND INFORMATION**  
**Case Number: FEC 19-202**

**STATE OF FLORIDA**  
**County of Hillsborough**

**Valion Joyce, being duly sworn, says:**

1. This affidavit is made upon my personal knowledge.
2. I am of legal age and competent to testify to the matters stated herein. I am currently employed by \_\_\_\_\_ as \_\_\_\_\_.
3. Did you receive the acknowledgement letter containing your Electronic Filing System (EFS) PIN and password, and instructing you to print Chapter 106, Florida Statutes, the *Candidate and Campaign Treasurer Handbook*, and the Calendar of Reporting Dates from the Division of Elections' website?  
 Yes  No
4. Did you print Chapter 106, Florida Statutes, per the instructions in the acknowledgement letter?  
 Yes  No
5. Did you read Chapter 106, Florida Statutes, per the instructions in the acknowledgement letter?  
 Yes  No
6. Did you print the *Candidate and Campaign Treasurer Handbook*, per the instructions in the acknowledgement letter?  
 Yes  No
7. Did you read the *Candidate and Campaign Treasurer Handbook*, per the instructions in the acknowledgement letter?  
 Yes  No
8. Did you print the Calendar of Reporting Dates, per the instructions in the acknowledgement letter?  
 Yes  No
9. Did you read and/or print the *EFS User's Guide*?  
 Yes  No

10. Did you read any other campaign related materials?

Yes  No

11. If yes, please list the items below with a brief description of the information you received from these documents:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12. The 2018 TR campaign treasurer's report, covering the period of November 2, 2018 through February 4, 2019, was due on February 4, 2019. The notification that your campaign had no financial activity was filed on April 8, 2019. What was the reason that the notice-of-no-activity was filed 63 days late?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**I HEREBY SWEAR OR AFFIRM THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.**

\_\_\_\_\_  
**Signature of Affiant**

Sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
**Signature of Notary Public - State of Florida**

**Print, Type, or Stamp Commissioned Name of Notary Public**

Personally Known \_\_\_\_\_ or Produced Identification \_\_\_\_\_

Type of Identification Produced: \_\_\_\_\_

Case Investigator: B.A.



**FLORIDA ELECTIONS COMMISSION**

**The Collins Building  
107 West Gaines Street, Suite 224  
Tallahassee, Florida 32399-1050  
Telephone: (850) 922-4539  
Fax: (850) 921-0783**

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

September 5, 2019

Valion Joyce  
228 Dixie Dr., Apt #1702  
Tallahassee, FL 32304

**RE: Case No.: FEC 19-202 & 19-364**

Dear Mr. Joyce:

The Florida Elections Commission needs additional information concerning the complaint filed against you with the Commission. Therefore, please complete the enclosed questionnaire, have it notarized, and return it to me by September 19, 2019.

Section 106.26, Florida Statutes, provides the Commission with the power to subpoena witnesses and documents. However, your cooperation in responding to these questions will eliminate the need to subpoena you for deposition at this time.

Thank you for your cooperation in this matter. Please let me know if you have any questions. My extension number is 110, or I may be reached by e-mail at [brian.ayres@myfloridalegal.com](mailto:brian.ayres@myfloridalegal.com).

Sincerely,

Brian Ayres  
Investigation Specialist

Enclosure: Affidavit of Background Information

EXHIBIT 9 page 1 of 5

**AFFIDAVIT OF BACKGROUND INFORMATION**  
**Case Number: FEC 19-202 & FEC 19-364**

**STATE OF FLORIDA**  
**County of Hillsborough**

**Valion Joyce, being duly sworn, says:**

1. This affidavit is made upon my personal knowledge.
2. I am of legal age and competent to testify to the matters stated herein. I am currently employed by \_\_\_\_\_ as \_\_\_\_\_.
3. Did you receive the acknowledgement letter containing your Electronic Filing System (EFS) PIN and password, and instructing you to print Chapter 106, Florida Statutes, the *Candidate and Campaign Treasurer Handbook*, and the Calendar of Reporting Dates from the Division of Elections' website?  
 Yes     No
4. Did you print Chapter 106, Florida Statutes, per the instructions in the acknowledgement letter?  
 Yes     No
5. Did you read Chapter 106, Florida Statutes, per the instructions in the acknowledgement letter?  
 Yes     No
6. Did you print the *Candidate and Campaign Treasurer Handbook*, per the instructions in the acknowledgement letter?  
 Yes     No
7. Did you read the *Candidate and Campaign Treasurer Handbook*, per the instructions in the acknowledgement letter?  
 Yes     No
8. Did you print the Calendar of Reporting Dates, per the instructions in the acknowledgement letter?  
 Yes     No
9. Did you read and/or print the *EFS User's Guide*?  
 Yes     No

EXHIBIT 9 page 2 of 5

10. Did you read any other campaign related materials?

Yes  No

11. If yes, please list the items below with a brief description of the information you received from these documents:

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12. According to the Division of Election's referral, your 2018 P1, P2, P3, P4, P5, P6 P7, G1, G2, G3, G4, G5, G6, and G7 campaign treasurer reports were all filed on October 30<sup>th</sup>, 2018, making all the campaign treasurer reports/waivers between 4 days late (2018 G7) and 123 days late (2018 P1). Please explain the late filing of these waivers.

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13. According to the Division of Election's referral, failure to file letters were sent on 7/2/2018, 7/26/2018, 8/14/2018, 10/8/2018, 10/22/2018, 11/3/2018, 2/5/2019, 2/13/2019, 3/1/2019 to the address 4704 East Sligh Avenue, Tampa, FL 33610. Please explain if any correspondence to the address listed above was received.

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EXHIBIT 9 page 3 of 5

14. The 2018 TR campaign treasurer's report, covering the period of November 2, 2018 through February 4, 2019, was due on February 4, 2019. Your campaign's 2018 TR report was filed on April 8, 2019. What was the reason the campaign treasurer report/waiver for the 2018 Termination Report (TR) was filed 63 days late?

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15. Were you in contact with the Division of Elections before, during, or immediately after your campaign regarding any of the previously mentioned subjects or subjects not covered?

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**-SPACE LEFT INTENTIONALLY BLANK-**

EXHIBIT 9 page 4 of 5



I HEREBY SWEAR OR AFFIRM THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

\_\_\_\_\_  
**Signature of Affiant**

Sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
**Signature of Notary Public - State of Florida**

**Print, Type, or Stamp Commissioned Name of Notary Public**

Personally Known \_\_\_\_\_ or Produced Identification \_\_\_\_\_  
Type of Identification Produced: \_\_\_\_\_

Case Investigator: B.A.

EXHIBIT 9 page 5 of 5

RECEIVED  
OFFICE USE ONLY  
DEPARTMENT OF STATE  
2018 JUN -5 AM 11:14  
DIVISION OF ELECTIONS

**STATEMENT OF  
CANDIDATE**

(Section 106.023, F.S.)  
(Please print or type)

I, Valion Soyce,  
candidate for the office of House District 61;

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

X [Signature]  
Signature of Candidate

06/04/18  
Date

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

**FLORIDA ELECTIONS COMMISSION  
PHONE LOG  
FEC 19-202**

**Respondent:** Valion Joyce

**Complainant:** Division of Elections

1. **Date and time:** 7/25/2019 – 3:00pm

**Name:** Valion Joyce

**Phone #:** (813) 703-5632

**Summary:** I reached out to Respondent via phone. Respondent answered and stated he was not aware of any case or investigation to his campaign. He said that when he filed his termination report there was no issue with the Division, and he was not notified of any problems. Respondent states he was a full-time student with “one of his hardest semesters at FSU [at the time of the campaign]” and could not keep up with everything needed. Caller was interested but did not decide on the MVCO (Minor Violation Consent Order). I went over MVCO letter. Respondent states this letter was never seen as the mailing address is to his family’s home. He asked to know if there were any more cases to his name at the Commission. I will investigate how many cases may be active in CMS. I referenced Stephanie Cunningham as the point of contact from the letter of MVCO sent June 4, 2019.

I asked Respondent if he had read chapters 104 or 106, Florida Statutes, or if they were given to him when he started his campaign. He did not specifically state he had read all publications and sections of 106, Florida Statutes. Respondent did say he was given information where to find the publications and materials from the Division. He referenced the large number of documents that was involved with his filing. I told Respondent to reference Ch 106, 104 as well as the electronic submission guide provided by the Division of Elections

I notified Respondent about process of investigation and presenting facts of his case to the commission if he decides to deny the CO agreement, in which he can face a maximum amount of \$1,000 per violation as the commission sees fit based on facts accrued by the investigation and that if he had any questions, to reach out the myself, as well as reference the handbooks and chapters 106, F.S. I will call again to see if MVCO is agreed upon, or if materials may be emailed to Respondent as well as re-mailed.

**Memo to File?** No

**Entered by:** B. Ayres

2. **Date and time:** 7/29/2019 – 3:55pm

**Name:** Valion Joyce

**Phone #:** (813) 703-5632

**Summary:** I called Respondent to confirm his email address and will forward legal sufficiency letter (“LS”) to Respondent detailing what was found. Email was confirmed at [joycevalion60@gmail.com](mailto:joycevalion60@gmail.com). A ‘delivery’ receipt and ‘read’ receipt was attached to email to show when he accesses the document. Two emails were sent, one with the LS letter, another with the referral document.

**Memo to File?** No

**Entered by:** B. Ayres

EXHIBIT 11 page 1 of 2

3. **Date and time:** 9/4/2019 1:27 PM

**Name:** Valion Joyce

**Phone #:** (813) 703-5632

**Summary:** I called and attempted to reach Respondent. The phone rang twice and went to a voicemail that was full. At this time no received affidavit of background information has been received.

**Memo to File?** No

**Entered by:** B. Ayres

4. **Date and time:** 9/4/2019 2:00 PM

**Name:** Valion Joyce

**Phone #:** (813) 703-5632

**Summary:** Respondent returned my call. Respondent states he never received affidavit but did see emails to from myself, but never replied. I confirmed the address on file with Respondent, and he mentioned he had recently moved. His new address was confirmed to be at 228 Dixie Dr, Apt 1702, Tallahassee, FL 32304 "Torchlight Townhomes." I will send affidavit to updated address on record.

**Memo to File?** No

**Entered by:** B. Ayres

EXHIBIT 11 page 2 of 2



**FLORIDA ELECTIONS COMMISSION**

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

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

June 4, 2019

Valion Joyce  
4704 East Sligh Avenue  
Tampa, FL 33610-3610

**RE: Case No.: FEC 19-202; Respondent: Valion Joyce**

Dear Mr. Joyce:

On April 1, 2019, the Florida Elections Commission received a complaint alleging that you violated Florida's election laws. I have reviewed the complaint and find that it contains one or more legally sufficient allegations. The Commission staff will investigate the following alleged violation(s):

**Section 106.07(7), Florida Statutes:** As alleged in the complaint, Respondent, a 2018 candidate for State Representative, District 61, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the 2018 termination reporting period.

However, prior to an investigation, you have the option to **resolve your case now by** signing a minor violation consent order and **paying a fine of \$50**, per Rule 2B-1.003, Florida Administrative Code, **rather than the potential \$1,000 per violation** provided for in Section 106.265, Florida Statutes.

If you sign the consent order, **you would not be required to admit or deny the allegation(s)** in the complaint, but you would be required to immediately correct the violation, if feasible.

The signed consent order would then be considered by the Commission at its next available meeting, and would constitute final action by the Commission once it is accepted and approved by the Commission.

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

Valion Joyce  
June 4, 2019  
Page 2  
FEC 19-202

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

Sincerely,

A handwritten signature in black ink, 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

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**Name:** Valion Joyce  
**Account Number:** 71589  
**Treasurer:** Valion Joyce

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The Division of Elections hereby provides this notice to the Florida Elections Commission pursuant to Sections 106.07(8)(d), 106.22(7) and 106.25, Florida Statutes. An apparent violation of Chapter 106, F.S., has occurred based upon the candidate's alleged failure to file a report after notice as required by section 106.07(8)(d), Florida Statutes, or failure to notify the filing officer on the prescribed reporting date that no report was to be filed as required by Section 106.07(7), Florida Statutes.

The following report or notice is outstanding after notification:

2018 TR

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**Sent By:** Kristi Reid Willis *KRW*  
**Date:** March 25, 2019

zjs

## AFFIDAVIT

STATE OF FLORIDA

County of Leon

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

1. I am the Chief of the Bureau of Election Records of the Division of Elections (Division). In that capacity, I oversee the Division's duties related to the filing of campaign finance reports.
2. This affidavit is made upon my personal knowledge, including information obtained from review of the attached records, of which I am the custodian.
3. I am of legal age and competent to testify to the matters stated herein.
4. Valion Joyce (71589) was a 2018 candidate for the office of State Representative.
5. On June 5, 2018, Mr. Joyce filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division.
6. The 2018 TR campaign treasurer's report was due on February 4, 2019. On February 5, 2019, the Division mailed Mr. Joyce notification that the 2018 TR treasurer's report had not been filed.
7. On February 13, 2019, the Division mailed Mr. Joyce notification that the 2018 TR treasurer's report had not been filed.
8. On March 1, 2019, the Division mailed Mr. Joyce final notification with delivery confirmation that the 2018 TR treasurer's report had not been filed. (See attached letter and delivery confirmation.)
9. Mr. Joyce did not notify the Division of Elections prior to or on the prescribed reporting date for the 2018 TR report that no report was to be filed.




10. As of March 25, 2019, Mr. Joyce has not filed the 2018 TR report.

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



Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 25th day of March, 2019.



Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known





FLORIDA DEPARTMENT OF STATE

Laurel M. Lee  
Secretary of State

DIVISION OF ELECTIONS

**Final Notice  
Delivery Confirmation:**

USPS TRACKING # **9114 9014 9645 1724 1561 42**  
& CUSTOMER RECEIPT For Tracking or Inquiries go to USPS.com  
or call 1-800-222-1811

March 1, 2019

Valion Joyce  
Candidate for State Representative, District 61  
4704 East Sligh Avenue  
Tampa, FL 33610-3610

CAN 71589

Dear Mr. Joyce:

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

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

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

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

Sincerely,

  
Krsti Reid Willis, Chief  
Bureau of Election Records

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

**Track Another Package +**

**Tracking Number:** 9114901496451724156142

Remove X

Your item was delivered in or at the mailbox at 2:45 pm on March 5, 2019 in TAMPA, FL 33610.

## **Delivered**

March 5, 2019 at 2:45 pm  
Delivered, In/At Mailbox  
TAMPA, FL 33610

Feedback

Get Updates v

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**Text & Email Updates**



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**Tracking History**



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**Product Information**



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See Less ^

## **Can't find what you're looking for?**

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