

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Frank Artiles

Case No.: FEC 15-232

TO: Frank Artiles
P.O. Box 570726
Miami, FL 33257

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

NOTICE OF HEARING (MOTION FOR RECONSIDERATION AND AUTOMATIC FINE)

A hearing will be held in this case before the Florida Elections Commission on, **February 17, 2016 at 9:00 am, or as soon thereafter as the parties can be heard**, at the following location: **Florida State Conference Center, 555 West Pensacola Street, Room #108, Tallahassee, Florida 32306.**

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

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

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

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

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

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

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

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

See further instructions on the reverse side.

Amy McKeever Toman
Executive Director
Florida Elections Commission
February 2, 2016

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.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Frank Artiles

Case No.: FEC 15-232

MOTION FOR RECONSIDERATION

COMES NOW, Petitioner, Florida Elections Commission ("Commission") by and through the undersigned counsel, and files this Motion for Reconsideration and in support thereof states as follows:

1. On February 23, 2015, Frank Artiles filed an appeal with the Commission, pursuant to Section 106.07(8)(c), Florida Statutes, disputing the imposition of a fine by the Division of Elections.

2. On November 16, 2015, Respondent emailed a request for continuance to the Commission.

3. On November 17, 2015, the Commission held a hearing in this matter and found that Respondent's reason for his failure to file the report on the designated due date did not amount to unusual circumstances, and ordered that the assessed fine be upheld.

4. Respondent's request for continuance was not considered by the Commission as the undersigned counsel was unaware of the request due to an Internet outage that took place on November 16, 2015.

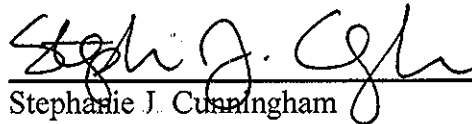
5. Respondent's request for continuance was made pursuant to Section 11.111, Florida Statutes.

6. Section 11.111, Florida Statutes, provides for a mandatory continuance in this matter as the hearing was scheduled within 15 days subsequent to the conclusion of a session of the Legislature.

Therefore, I request the Commission reconsider this matter as the Commission would have been statutorily required to grant the requested continuance in this matter had it been made aware of the request.

WHEREFORE, based upon the foregoing, the undersigned counsel requests this matter be reconsidered by the Commission at its next available meeting.

Respectfully submitted on December 1, 2015 by:



Stephanie J. Cunningham
Fla. Bar No.: 71389
Assistant General Counsel
Florida Elections Commission
107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399-1050
Phone Number: (850) 922-4539
Fax Number: (850) 921-0783
Stephanie.Cunningham@myfloridalegal.com;
FEC@myfloridalegal.com

Copies furnished to:
Stephanie J. Cunningham, Assistant General Counsel
Frank Artiles, Respondent
Division of Elections, Filing Officer



Rep. Artiles - FEC 15-232
Arana, Grace
to:
'fec@myfloridalegal.com'
11/16/2015 12:19 PM
Show Details

History: This message has been forwarded.

1 Attachment



0387_001.pdf

Good afternoon,

Hope this email finds you well. Please see the attached letter from Representative Artiles.

Thank you,

GRACE MARIE ARANA

Representative Frank Artiles – District 118

District Secretary

District: (305) 252-4300

Capitol: (850) 717-5118

Grace.Arana@myfloridahouse.gov

District Office:
13501 SW 128th Street
Suite 115
Miami, FL 33186
305-252-4300 • 305-252-4333 (Fax)



Tallahassee Office:
204 House Office Building
402 South Monroe Street
Tallahassee, FL 32399
(850) 717-5118

Florida House of Representatives

Representative Frank Artiles

District 118

November 16th, 2015

Amy McKeever Toman
Division of Election
500 S Bronough Street
Room 316
Tallahassee, FL 32399

Re. Case No.: FEC 15-232

Dear Mrs. McKeever Toman,

First and foremost, please accept my apologies for the short notice on this matter. I would like to request a continuance on my case for the next meeting of the Florida Elections Commission. Legislative business prevents me from attending the meeting scheduled for November 17th.

Your assistance on this matter is greatly appreciated.

Sincerely,

A handwritten signature in blue ink, appearing to read "Frank Artiles".

Frank Artiles
State Representative
District 118

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Frank Artiles

Case No.: FEC 15-232

TO: Frank Artiles
P.O. Box 570726
Miami, FL 33257

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

NOTICE OF HEARING (AUTOMATIC FINE)

A hearing will be held in this case before the Florida Elections Commission on, **November 17, 2015 at 8:30 AM, or as soon thereafter as the parties can be heard**, at the following location: **Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, FL 32399.**

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

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

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

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

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

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

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

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

See further instructions on the reverse side.

Amy McKeever Toman
Executive Director
Florida Elections Commission
November 2, 2015

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

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

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

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

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

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

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

FILED

15 SEP 15 PM 10:17

STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Frank Artiles

Case No.: FEC 15-232

ORDER CONTINUING CASE

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on August 26, 2015, in Tallahassee, Florida.

Respondent requested that the matter be continued.

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

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

DONE AND ORDERED by the Florida Elections Commission on August 26, 2015.



M. Scott Thomas, Chairman
Florida Elections Commission

Copies furnished to:
Stephanie J. Cunningham, Assistant General Counsel
Frank Artiles, Respondent
Division of Elections, Complainant



Fw: Request for Continuance
Florida Elections Commission to: Stephanie Cunningham
Cc: frankartiles

08/25/2015 04:09 PM

Stephanie,

Mr. Artiles is requesting his appeal be continued until next meeting due to the special session. Thanks.

Donna Ann

----- Forwarded by Florida Elections Commission/OAG on 08/25/2015 04:08 PM -----

From: "Artiles, Frank" <Frank.Artiles@myfloridahouse.gov>
To: "'fec@myfloridalegal.com'" <fec@myfloridalegal.com>
Date: 08/25/2015 02:10 PM
Subject: Request for Continuance

Good afternoon,

Due to special session, I will be unable to attend the hearing scheduled for August 26th, 2015, regarding case number FEC 15-232.

I apologize for the inconvenience and late notice.

Please keep me advised during the rescheduling process.

Frank Artiles
Florida Representative- District 118
District: (305) 252- 4300
Capitol: (850) 717- 5118
Frank.Artiles@myfloridahouse.gov

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

In Re: Frank Artiles

Case No.: FEC 15-232

TO: Frank Artiles
P.O. Box 570726
Miami, FL 33257

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

NOTICE OF HEARING (AUTOMATIC FINE)

A hearing will be held in this case before the Florida Elections Commission on **August 26, 2015, at 8:30 am**, or as soon thereafter as the parties can be heard, at the following location: **Senate Office Building, Room 110-S, 404 South Monroe Street, Tallahassee, FL 32399.**

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

This hearing will be conducted pursuant to Section 106 25, Florida Statutes, which governs your participation as follows:

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

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

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

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

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

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

See further instructions on the reverse side.

Amy McKeever Toman
Executive Director
Florida Elections Commission
August 11, 2015

FILED

15 JUN 16 PM 9:32

STATE OF FLORIDA
ELECTIONS COMMISSION

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

In Re: Frank Artiles

Case No.: FEC 15-232

ORDER CONTINUING CASE

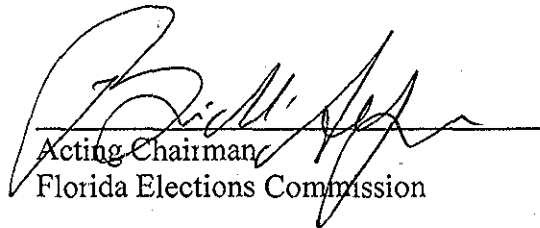
THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on May 20, 2015, in Tallahassee, Florida.

Respondent requested that the matter be continued.

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

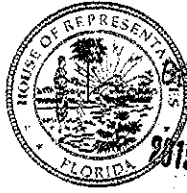
THIS MATTER is continued until the next available meeting of the Florida Elections Commission.

DONE AND ORDERED by the Florida Elections Commission on May 20, 2015.


Acting Chairman
Florida Elections Commission

Copies furnished to:
Stephanie J. Cunningham, Assistant General Counsel
Frank Artiles, Respondent
Division of Elections, Complainant

District Office:
13501 SW 128th Street
Suite 115
Miami, FL 33186
305-252-4300 • 305-252-4333 (Fax)



RECEIVED
DEPARTMENT OF STATE

2015 MAY 26 AM 9:33

DIVISION OF ELECTIONS
TALLAHASSEE, FL

Tallahassee Office:
204 House Office Building
402 South Monroe Street
Tallahassee, FL 32399
(850) 717-5118

Florida House of Representatives

Representative Frank Artiles

District 118

May 18, 2015

State of Florida
Florida Elections Commission
Division of Elections
500 S Bronough Street Rm 316
Tallahassee, FL 32399

STATE OF FLORIDA
ELECTIONS COMMISSION

2015 MAY 21 P 12:58

RECEIVED

Re. Notice of Hearing Re: Frank Artiles, Case Number FEC 15-232

To whom it may concern:

In the matter of referred above I would like to respectfully request a continuance to your next meeting in August 2015. I am a sitting State Representative and I understand that I am available a "Mandatory Continuance" due to the Special Session scheduled in 2015.

Should you have questions or concerns, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank Artiles".

Frank Artiles
State Representative - District 118

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

In Re: Frank Artiles

Case No.: FEC 15-232

TO: Frank Artiles
P.O. Box 570726
Miami, FL 33257

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

NOTICE OF HEARING (AUTOMATIC FINE)

A hearing will be held in this case before the Florida Elections Commission on **May 20, 2015, at 8:30 am, or as soon thereafter as the parties can be heard**, at the following location: **Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee FL 32399.**

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

This hearing will be conducted pursuant to Section 106 25, Florida Statutes, which governs your participation as follows:

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

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

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

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

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

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

See further instructions on the reverse side.

Amy McKeever Toman
Executive Director
Florida Elections Commission
May 5, 2015

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
CASE REPORT**

Case Number: **FEC-15-232**

NAME: FRANK ARTILES

DATE APPEAL RECEIVED: 03/06/15

DATE HEARING REQUEST RECEIVED: N/A

DATE REPORT DUE: 02/02/15 (2015 TR)

DATE OF ELECTRONIC RECEIPT: 02/07/15

DATE FILING OFFICER RECEIVED REPORT: 02/07/15

NUMBER OF DAYS LATE: 5

AMOUNT OF FINE: \$250.00

FINE BASED ON: (X) NUMBER OF DAYS (..) 25% OF RECEIPTS (..) 25% OF EXPENDITURES

TOTAL RECEIPTS FOR REPORTING PERIOD: \$0

TOTAL EXPENDITURES FOR REPORTING PERIOD: \$45,830.00

DATE OF FIRST NOTIFICATION: 02/03/15

SUMMARY: Frank Artiles was a candidate for State Representative, District 118 in the 2014 elections. Carlos Trueba was his treasurer.

State Representative Frank Artiles is appealing the fine claiming that the report had been completed since January 2015, but inadvertently was not "linked" with the Bureau by the due date. According to Representative Artiles, although it was a complete oversight on their part, they believe it falls under the exemptions provided by 2B-1.0055(1)(e)- "computer or equipment failure". Representative Artiles respectfully requests consideration of their technical challenge and oversight. He also states that they have never been late in filing any other reports.

- The 2015 TR Report covers the period from 10/31/14-02/02/15; it was due on 02/02/15
- The 2015 TR Queued Transaction report reflects that the report was created on 11/21/14 and filed on 02/7/15 at 1:22pm
- Representative Artiles reported receiving 0 contributions, while making 19 expenditures.
- The Division of Elections does not have any notes pertaining to the 2015 TR report

PRIOR CASES: 02-397 (AF- UC Zero Fine)

CANDIDATE [X]	STATE [X]
PC []	DISTRICT []
CCE []	COUNTY []
POLITICAL PARTY []	CITY []

District Office:
13501 SW 128th Street
Suite 115
Miami, FL 33186
305-252-4300 • 305-252-4333 (Fax)



Tallahassee Office:
317 The Capitol
402 South Monroe Street
Tallahassee, FL 32399
(850) 717-5118

Florida House of Representatives

Representative Frank Artiles

District 118

February 27th, 2015

Kristi Reid Bronson, Chief
Bureau of Elections Records
The RA Gray Building – Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Re: Honorable Frank Artiles (CAN 60164)
Candidate for State Representative, District 118

Dear Ms. Reid Bronson,

We are in receipt of your letters dated February 3, 2015 and February 10, 2015. We respectfully apologize for the delay. The report in question was filed immediately upon receipt of your letter on February 3, 2015.

We respectfully request abatement of the penalties under Florida Administrative Code Section 2B-1.005. The report had been completed since January 2015, but inadvertently was not "linked" with the Bureau by the due date, although this was an oversight on our part, we believe this to fall under the exemptions provided by 2B-1.0055 (1)(e) – "computer or equipment failure".

We respectfully request your consideration of our technical challenge and oversight and the fact that we have never been late in filing a report in this campaign previously. Please contact me at your earliest convenience if you have any questions. We thank you in advance for your assistance and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank Artiles", written in a cursive style.

Frank Artiles
State Representative
District 118

RECEIVED
DEPARTMENT OF STATE

2015 MAR -6 AM 10:14

DEPARTMENT OF STATE
DIVISION OF ELECTIONS

RECEIVED

15 FEB 13 PM 12:56

**Frank Artiles Campaign
State Representative, District 118
1985 NW 88th Court, Suite 101
Doral, Florida 33172
(305) 593-2644**

**Division of ELECTIONS
SECRETARY OF STATE**

February 12, 2015

Kristi Reid Bronson, Chief
Bureau of Elections Records
The RA Gray Building - Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Re: Honorable Frank Artiles (CAN 60164)
Candidate for State Representative, District 118

Dear Ms Reid Bronson,

We are in receipt of your letters dated February 3, 2015 and February 10, 2015. We respectfully apologize for the delay. The report in question was filed immediately upon receipt of your letter on February 3, 2015.

We respectfully request abatement of the penalties under Florida Administrative Code Section 2B-1.005. The report had been completed since January 2015, but inadvertently was not "linked" with the Bureau by the due date, although this was an oversight on our part, we believe this to fall under the exemptions provided by 2B-1.0055 (1)(e) -- "computer or equipment failure".

We respectfully request your consideration of our technical challenge and oversight and the fact that we have never been late in filing a report in this campaign previously. Please contact me at your earliest convenience if you have any questions. We thank you in advance for your assistance and consideration.

Sincerely,



Carlos M. Irueba
Treasurer

cc: Frank Artiles



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

February 10, 2015

Frank Artiles
Candidate for State Representative, District 118
Post Office Box 570726
Miami, FL 33257-3257

Re: CAN 60164

Dear Representative Artiles:

Your termination report, which was due February 2, 2015, was not filed until February 7, 2015. Accordingly, you are fined in the amount of \$250.00. The fine must be paid to the Division of Elections within 20 days of receipt of this notice unless appealed to the Florida Elections Commission. Please note that as a candidate, the fine is not an allowable campaign expenditure and must be paid from personal funds.

If you wish to appeal the fine, you must submit a notice of appeal to the Commission within 20 days of the date of the receipt of this notice. (See Rules 2B-1.005 and 2B-1.0055, Florida Administrative Code.) The Florida Elections Commission's address is 107 West Gaines Street, Suite 224, Tallahassee, Florida 32399-0100.

Please send a copy of your notice of appeal to the Bureau of Election Records at the address listed below. If you have any questions, please contact us at (850) 245-6240.

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

February 3, 2015

Frank Artiles

Candidate for State Representative, District 118

Post Office Box 570726

Miami, FL 33257-3257

Re: CAN 60164

Dear Representative Artiles:

Your campaign treasurer's report, which was due February 2, 2015, has not been received.

Section 106 07(8)(b), Florida Statutes, requires that the filing officer immediately notify you of the failure to file said report. The fine for termination reports for candidates, shall be \$50 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.

Once your report is filed, this office will notify you of the specific amount of your fine. Fines must be paid to the filing officer within 20 days of receipt of the payment due notice.

Please be advised, however, that failure to file a campaign treasurer's report may constitute a violation of Chapter 106, Florida Statutes, independent of the automatic fine violation referenced above. Therefore, if you fail to file a report, the division will turn the matter over to the Florida Elections Commission.

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

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records

cc: Carlos Trueba, Treasurer

Filed Campaign Treasurer's Report

Frank Artiles
60164 - STR 118

Elect ID: 20141104-GEN

From: 10/31/201

Amd: N

Wvr: N

Filed: FIL 2/7/2015 1:22:31 PM

Report: 2015 TR (27)

To: 2/2/2015

Cmplt: COM

Reviewed: AUD 2/7/2015 1:21:19 PM

Original Report

Submitted: 2/7/2015 1:22:31 PM

EXPENDITURES

<i>Seq Date</i>	<i>Name</i>	<i>Address</i>	<i>Type</i>	<i>Office Purpose</i>	<i>Errors Amd</i>	<i>Amount</i>
1 11/1/2014	CITY NATIONAL BANK	13780 SW 88TH STREET MIAMI FL 331860000	MON	CHECKS	0	\$138.37
2 11/4/2014	GYACA GROUP	14010 SW 108TH STREET MIAMI FL 331860000	MON	PRINTING	0	\$3,600.00
3 11/4/2014	AURORA SYSTEMS	13501 SW 128TH STREET, SUITE #205 MIAMI FL 331860000	MON	OFFICE RENT	0	\$160.00
4 11/4/2014	VISION CONCEPTS, INK.	8953 NW 23RD STREET DORAL FL 331720000	MON	PRINTING & POSTAGE	0	\$6,761.00
5 11/4/2014	VISION CONCEPTS, INK.	8953 NW 23RD STREET DORAL FL 331720000	MON	ELECTION DAY HANDOUTS & SIGNS	0	\$7,900.00
6 11/4/2014	ANASSERRI SHIA	430 S DIXIE HIGHWAY, #212 CORAL GABLES FL 331460000	MON	ELECTION DAY OPERATIONS	0	\$1,500.00
7 11/4/2014	RIMAR CONSULTANT, INC.	1655 NE 33RD ROAD, #107 HOMESTEAD FL 330330000	MON	ELECTION DAY OPERATIONS	0	\$6,680.00
8 11/7/2014	PAKTOLUS ITS, LLC	12973 SW 112TH STREET SUITE 255 FL 331860000	MON	IT SERVICES / WEB THANK YOU	0	\$2,500.00
9 11/7/2014	RODRIGUEZ TRUEBA & COMPAN	1985 NW 88TH COURT, SUITE #101 DORAL FL 331720000	MON	ACCOUNTING & REPORTING SERVICES	0	\$3,725.00
10 11/11/2014	AT & T	PO BOX #105262 ATLANTA GA 303480000	MON	INTERNET & TELEPHONE SERVICES	0	\$158.17
11 11/11/2014	THE BOYS & GIRLS CLUB	2805 SW 32ND STREET MIAMI FL 331330000	DIS	DONATION	0	\$1,000.00
12 11/11/2014	VETERANS OF FOREIGN WARS OF	PO BOX #941535 MIAMI FL 331940000	DIS	DONATION	0	\$1,000.00
13 11/11/2014	UNITED CEREBRAL PALSY ASSOC	2700 W 81ST STREET HIALEAH FL 330160000	DIS	DONATION	0	\$1,000.00
14 11/19/2014	FIU FOUNDATION	11200 SW 8TH STREET MIAMI FL 331990000	DIS	DONATION	0	\$4,500.00

Filed Campaign Treasurer's Report

Frank Artiles
60164 - STR 118

Elect ID: 20141104-GEN
Report: 2015 TR (27)

From: 10/31/201 Amd: N Wvr: N Filed: FIL 2/7/2015 1:22:31 PM
To: 2/2/2015 Cmpit: COM Reviewed: AUD 2/7/2015 1:21:19 PM

Original Report

Submitted: 2/7/2015 1:22:31 PM

EXPENDITURES

Seq Date	Name	Address	Type	Office Purpose	Errors Amd	Amount
15	ARTILES	PO BOX #570726	RMB		0	\$2,262.96
11/19/2014	FRANK	MIAMI FL 332570000		TRAVEL & OFFICE EXPENSES		
16	TRUEBA	185 SW 7TH STREET, #3802	RMB		0	\$597.89
11/19/2014	VALERIE	MIAMI FL 331300000		TRAVEL & OFFICE EXPENSES		
17	ANGEL SHARE	9690 SW 119TH COURT	DIS		0	\$1,200.00
11/19/2014		MIAMI FL 331860000		DONATION		
18	SAINT VINCENT DE PAUL	10205 W FLAGLER STREET	DIS		0	\$1,000.00
11/19/2014		MIAMI FL 331740000		DONATION		
19	RODRIGUEZ TRUEBA & COMPAN	1985 NW 88TH COURT, SUITE #101	MON		0	\$146.61
11/19/2014		DORAL FL 331720000		ACCOUNTING SERVICES		

OTHER DISTRIBUTIONS

Seq Date	Name	Address	Recipient Type	Office Purpose	Errors Amd	Amount
1	JW MARRIOTT	4040 CENTRAL FLORIDA PARKWAY	C	STR 118	0	\$190.13
11/19/2014		ORLANDO FL 328370000	RMB	HOTEL		
2	GOVERNORS CLUB, INC.	202 ? SOUTH ADAMS STREET	C	STR 118	0	\$425.06
11/19/2014		TALLAHASSEE FL 323020000	RMB	FUNDRAISER FOOD & BEVERAGES		
3	DENNY'S	12000 N KENDALL DR	C	STR 118	0	\$37.27
11/19/2014		MIAMI FL 331860000	RMB	FOOD		
4	DENNY'S	1150 S DIXIE HWY	C	STR 118	0	\$25.72
11/19/2014		CORAL GABLES FL 331460000	RMB	FOOD		
5	MORTON'S THE STEAKHOUSE	2333 PONCE DE LEON BLVD	C	STR 118	0	\$108.56
11/19/2014		CORAL GABLES FL 331340000	RMB	FOOD		
6	MORTON'S THE STEAKHOUSE	2333 PONCE DE LEON BLVD	C	STR 118	0	\$126.81
11/19/2014		CORAL GABLES FL 331340000	RMB	FOOD		
7	SPORTS GRILL	9090 SW 97TH AVE	C	STR 118	0	\$85.60
11/19/2014		MIAMI FL 331760000	RMB	FOOD		
8	LIME FRESH MEXICAN GRILL	1130 TOWNPARK AVE	C	STR 118	0	\$28.57
11/19/2014		LAKE MARY FL 327460000	RMB	FOOD		

Filed Campaign Treasurer's Report

Frank Artiles
60164 - STR 118

Elect ID: 20141104-GEN From: 10/31/201 Amd: N Wvr: N Filed: FIL 2/7/2015 1:22:31 PM
Report: 2015 TR (27) To: 2/2/2015 CmpIt: COM Reviewed: AUD 2/7/2015 1:21:19 PM

Original Report

Submitted: 2/7/2015 1:22:31 PM

OTHER DISTRIBUTIONS

Seq Date	Name	Address	Recipient Type	Office Purpose	Errors Amd	Amount
9 11/19/2014	ISLAS CANARIAS	13695 SW 26TH ST MIAMI FL 331750000	C RMB	STR 118 FOOD	0	\$52.20
10 11/19/2014	CASA LARIOS	5859 SW 73RD STREET SOUTH MIAMI FL 331430000	C RMB	STR 118 FOOD	0	\$14.76
11 11/19/2014	WHOLE FOODS MARKET	11701 S DIXIE HWY PINECREST FL 331560000	C RMB	STR 118 FOOD	0	\$35.82
12 11/19/2014	DUNKING DONUTS	17722 PINES BLVD PEMBROKE PINE FL 330290000	C RMB	STR 118 FOOD	0	\$7.39
13 11/19/2014	ROASTER & TOASTERS	9465 S DIXIE HWY MIAMI FL 331560000	C RMB	STR 118 FOOD	0	\$11.17
14 11/19/2014	MORTON'S THE STEAKHOUSE	2333 PONCE DE LEON BLVD CORAL GABLES FL 331340000	O RMB	STR 118 PARKING	0	\$20.00
15 11/19/2014	MORTON'S THE STEAKHOUSE	2333 PONCE DE LEON BLVD CORAL GABLES FL 331340000	C RMB	STR 118 PARKING	0	\$35.00
16 11/19/2014	SHELL	8701 NW 13TH TERRACE MIAMI FL 331720000	C RMB	STR 118 GAS	0	\$127.81
17 11/19/2014	TURNPIKE STA	12700 SW 120TH STREET MIAMI FL 331860000	C RMB	STR 118 GAS	0	\$150.00
18 11/19/2014	AT&T	7711 SW 40TH STREET MIAMI FL 331550000	C RMB	STR 118 CELL PHONES	0	\$781.09
19 11/19/2014	TAMIAMI BP	12795 SW 137TH AVE MIAMI FL 331860000	C RMB	STR 118 ICE	0	\$21.29
20 11/19/2014	KFC	2375 SW 8TH STREET MIAMI FL 331350000	C RMB	STR 118 FOOD	0	\$7.25
21 11/19/2014	LA CARRETA	MIA - CONCOURSE D MIAMI FL 331250000	C RMB	STR 118 FOOD	0	\$9.51
22 11/19/2014	SERGIOS RESTAURANT	13550 SW 120TH STREET MIAMI FL 331860000	C RMB	STR 118 FOOD	0	\$32.62
23 11/19/2014	EXPRESS PAY	12001 SW 117 AVENUE MIAMI FL 331860000	C RMB	STR 118 GAS	0	\$37.80

Filed Campaign Treasurer's Report

Frank Artiles
60164 - STR 118

Elect ID: 20141104-GEN

From: 10/31/201

Amd: N

Wvr: N

Filed: FIL 2/7/2015 1:22:31 PM

Report: 2015 TR (27)

To: 2/2/2015

Cmplt: COM

Reviewed: AUD 2/7/2015 1:21:19 PM

Original Report

Submitted: 2/7/2015 1:22:31 PM

OTHER DISTRIBUTIONS

<i>Seq Date</i>	<i>Name</i>	<i>Address</i>	<i>Recipient Type</i>	<i>Office Purpose</i>	<i>Errors Amd</i>	<i>Amount</i>
24	CAFE VIALETTA	4019 LEJEUNE ROAD	C	STR 118	0	\$10.00
11/19/2014		CORAL GABLES FL 331340000	RMB	PARKING		
25	OFFICE DEPOT STORE #35	8950 SW 137TH AVE	C	STR 118	0	\$187.24
11/19/2014		MIAMI FL 331860000	RMB	ELECTION DAY SUPPLIES		
26	GARNET	1500 APALACHEE PARKWAY	C	STR 118	0	\$263.29
11/19/2014		TALLAHASSEE FL 323010000	RMB	T-SHIRTS		
27	EDIBLE ARRANGEMENTS	13746 N KENDALL DRIVE	C	STR 118	0	\$28.89
11/19/2014		MIAMI FL 331860000	RMB	ELECTION DAY EVENT		

3/31/2015

Filed Campaign Treasurer's Report

Page 5

Frank Artiles
60164 - STR 118

Elect ID: 20141104-GEN From: 10/31/201 Amd: N Wvr: N Filed: **FIL** 2/7/2015 1:22:31 PM
Report: 2015 TR (27) To: 2/2/2015 Cmpl: **COM** Reviewed: **AUD** 2/7/2015 1:21:19 PM

Queued Items for 2015-TR

Account: 60164

STR 118 Frank Artiles

Rpt Seq: 27

<i>ProcessDescription</i>	<i>Status</i>	<i>Submitter</i>	<i>Created</i>	<i>LastUpdate</i>
Create Pending Report	Processing Complete	60164	11/21/2014 5:10:39 PM	11/21/2014 5:10:39 PM
Process Uploaded File	Processing Complete	60164	11/21/2014 5:10:39 PM	11/21/2014 5:10:39 PM
Delete Pending Report	Processing Complete	60164	11/21/2014 5:12:26 PM	11/21/2014 5:12:26 PM
Create Pending Report	Processing Complete	60164	11/21/2014 5:13:16 PM	11/21/2014 5:13:16 PM
Process Uploaded File	Processing Complete	60164	11/21/2014 5:13:16 PM	11/21/2014 5:13:16 PM
Review Pending Report	Processing Complete	60164	11/21/2014 5:13:25 PM	11/21/2014 5:13:25 PM
Append Uploaded File to Pe	Processing Complete	60164	11/21/2014 5:15:11 PM	11/21/2014 5:15:11 PM
Append Uploaded File to Pe	Processing Complete	60164	11/21/2014 5:45:53 PM	11/21/2014 5:45:53 PM
Review Pending Report	Processing Complete	60164	11/21/2014 5:46:30 PM	11/21/2014 5:46:30 PM
Append Uploaded File to Pe	Processing Complete	60164	2/7/2015 12:13:15 PM	2/7/2015 12:13:15 PM
Review Pending Report	Processing Complete	60164	2/7/2015 1:10:18 PM	2/7/2015 1:10:18 PM
Review Pending Report	Processing Complete	60164	2/7/2015 1:11:21 PM	2/7/2015 1:11:21 PM
Review Pending Report	Processing Complete	60164	2/7/2015 1:14:56 PM	2/7/2015 1:14:56 PM
Review Pending Report	Processing Complete	60164	2/7/2015 1:18:13 PM	2/7/2015 1:18:13 PM
Review Pending Report	Processing Complete	60164	2/7/2015 1:21:18 PM	2/7/2015 1:21:19 PM
File Pending Report	Processing Complete	60164	2/7/2015 1:22:31 PM	2/7/2015 1:22:32 PM



[search](#) | [directory](#) | [contact us](#) | [411](#) | [subscribe](#) | [tour](#) | [help](#)

Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Candidate Name: Frank Artiles

Name:

Account: 60164

Election:

Acct:

Type:

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
2/2/2015	TR	2/7/2015	APP	5	\$250 00		\$250 00	\$0 00
10/31/2014	G7	10/31/2014						
10/24/2014	G6	10/24/2014						
10/17/2014	G5	10/17/2014						
10/10/2014	G4	10/10/2014						
10/3/2014	G3	10/3/2014						
9/19/2014	G2	9/19/2014						
9/5/2014	G1	9/4/2014						
8/22/2014	P7	8/22/2014						
8/15/2014	P6	8/15/2014						
8/8/2014	P5	8/8/2014						
8/1/2014	P4	7/30/2014						
7/25/2014	P3	7/24/2014						
7/11/2014	P2	7/10/2014						
6/27/2014	P1	6/26/2014						
6/10/2014	M5	6/9/2014						
5/12/2014	M4	5/6/2014						
4/10/2014	M3	4/7/2014						
3/10/2014	M2	3/6/2014						
2/10/2014	M1	2/8/2014						
1/10/2014	M12	1/10/2014						
12/10/2013	M11	12/4/2013						
11/12/2013	M10	11/7/2013						
10/10/2013	Q3	10/7/2013						
7/10/2013	Q2	7/8/2013						
4/10/2013	Q1	4/5/2013						
1/10/2013	Q4	1/9/2013						

PHONE LOG

Case No.: 15-232

Respondent: Frank Artiles

1. **Date and time:** 4/8/15 1:31pm
Name: Frank Artiles
Phone #: 850-717-5118
Summary: I left a message for Mr. Artiles with the secretary at the Tallahassee office. She stated that Mr. Artiles was in session and would return my call as soon as possible.
Entered by: B. Wims
2. **Date and time:**
Name:
Phone #:
Summary:
Entered by:
3. **Date and time:**
Name:
Phone #:
Summary:
Entered by:
4. **Date and time:**
Name:
Phone #:
Summary:
Entered by:
5. **Date and time:**
Name:
Phone #:
Summary:
Entered by:
6. **Date and time:**
Name:
Phone #:
Summary:
Entered by:
7. **Date and time:**
Name:
Phone #:
Summary:
Entered by: