

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Charlie Lynch

Case No.: FEC 22-237

TO: Charlie Lynch
11472 Waterford Village Drive
Ft. Myers, FL 33913

Division of Elections
500 South 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 15, 2023 at 8:30 a.m.**, or as soon thereafter as the parties can be heard, at the following location: **Virtual Meeting via GoTo Webinar:**

WEB PARTICIPATION: <https://attendee.gotowebinar.com/register/4391393799096818270>

AUDIO PARTICIPATION: 1 877 309 2074 **ATTENDEE ACCESS CODE:** 424-284-031

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
August 1, 2023

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**

**Florida Elections Commission,
Petitioner,**

Case No.: FEC 22-237

v.

**Charlie Lynch,
Respondent.**

_____ /

ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission (“Commission”) at its regularly scheduled meeting on May 16, 2023, in Tallahassee, Florida.

On April 14, 2023, 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 violations:

Count 1:

On or about December 4, 2020, Charlie Lynch violated Section 106.07(5), Florida Statutes, when he certified his 2020 Termination Report was true, correct, and complete when it was not.

Count 2:

On or about December 4, 2020, Charlie Lynch violated Section 106.141(1), Florida Statutes, when he filed a 2020 Termination Report that failed to accurately reflect the disposition of all remaining campaign funds.

Count 3:

On or about December 4, 2020, Charlie Lynch violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106, Florida Statutes, on his 2020 Termination Report.

DONE AND ORDERED by the Florida Elections Commission on May 16, 2023.



Tim Vaccaro, J.D., Executive Director
For Joni Alexis Poitier, Vice Chair
Florida Elections Commission

Copies furnished to:
Mattie T. Clay, Assistant General Counsel
Charlie Lynch, 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 thirty (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 thirty (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 thirty (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 West 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: Charlie Lynch

Case No.: FEC 22-237

TO: Charlie Lynch
11472 Waterford Village Drive
Ft. Myers, FL 33913

Division of Elections
500 South 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, **May 16, 2023 at 8:30**, or as soon thereafter as the parties can be heard, at the following location: **Join Zoom Meeting:**

[https://us06web.zoom.us/meeting/register/tZMpduMuqTsqGt1MNuVpQBO15XPapAI_9zfC](https://us06web.zoom.us/join/https://us06web.zoom.us/meeting/register/tZMpduMuqTsqGt1MNuVpQBO15XPapAI_9zfC)

Audio Participation:
Dial: 1 301 715 8592

Meeting ID:
874 1067 0009

Passcode:
772737

After registering, you will receive a confirmation email containing information about joining the meeting.

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

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

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

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

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

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

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

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

See further instructions on the reverse side.

Tim Vaccaro

Executive Director
Florida Elections Commission
May 2, 2023

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: Charlie Lynch

Case No.: FEC 22-237

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the referral in this case recommending that there is **probable cause** to charge Respondent with violating **Sections 106.07(5), 106.141(1), and 106.19(1)(c), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on February 27, 2023, the following facts and law support this staff recommendation:

1. On August 29, 2022, the Florida Elections Commission (“Commission”) received a referral from the Department of State, Division of Elections (“Division”), alleging that Charlie Lynch (“Respondent”) violated Chapter 106, Florida Statutes.

2. Respondent was a 2020 candidate for State Representative, District 78. (ROI, page 1, ¶1)¹ He was defeated in the primary election. *Id.* Respondent was a first-time candidate. *Id.*

3. By letter dated September 29, 2022, the Executive Director notified Respondent that Commission staff would investigate the following statutory provisions:

Section 106.07(5), Florida Statutes: Respondent, a 2020 candidate for State Representative, District 78, may have certified one or more campaign treasurer reports were true, correct, and complete when they were not, based upon an apparent surplus balance after the 2020 TR was filed, as alleged in the complaint.

Section 106.141(1), Florida Statutes: Respondent, a 2020 candidate for State Representative, District 78, filed a 2020 TR that may have failed to accurately reflect the disposition of all remaining campaign funds, based upon an apparent surplus balance after the 2020 TR was filed, as alleged in the complaint.

Section 106.19(1)(c), Florida Statutes: Respondent, a 2020 candidate for State Representative, District 78, may have falsely reported or deliberately failed to include information in one or more campaign treasurer reports, as required by Chapter 106, Florida Statutes, based upon an apparent surplus balance after the 2020 TR was filed, as alleged in the complaint.

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

4. On December 9, 2019, Respondent filed an Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form (“DS-DE 9”) appointing Richard Chapman as treasurer for Respondent’s campaign. (ROI Exhibit 1)

5. On December 9, 2019, Respondent filed a Statement of Candidate form (“DS-DE 84”) in which Respondent certified he had been provided access to read and understand Chapter 106, Florida Statutes. (ROI Exhibit 2)

6. By letter dated December 10, 2019, Kristi Reid Willis, Chief, Bureau of Election Records, sent Respondent a letter acknowledging that the Division had received the DS-DE 9 & DS-DE 84 and that Respondent’s name was placed on the 2020 active candidate list. (ROI Exhibit 3, page 1)

7. The acknowledgement letter advised Respondent that all candidates who file reports with the Division are required to use the electronic filing system (“EFS”) and provided Respondent with a user identification number and initial password to grant access to the EFS. (ROI Exhibit 3, page 1)

8. The acknowledgement letter further advised Respondent that each 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 3, page 2)

9. Respondent’s 2020 Termination Report (“TR”) was due on November 16, 2020. (ROI, page 2, ¶9). Respondent filed it on December 4, 2020. *Id.*

10. A subpoena was issued to Respondent’s designated campaign depository to ascertain whether any financial activity occurred during the relevant reporting period, August 14, 2020 – November 16, 2020. (ROI, page 2, ¶7, n.1; ROI, page 2, ¶9)

11. During the 2020 TR reporting period, Respondent reported a \$48.07 expenditure to PayPal, yet no such bank record existed — Respondent later stated he had combined all PayPal transaction fees accrued during the campaign and reported them in the 2020 TR as this single entry. (ROI, page 2, ¶9, n.4; ROI Exhibit 5; ROI Exhibit 6, page 3; ROI Exhibit 8, page 2) In the 2020 TR, Respondent neglected to report a \$172.35 expenditure to Staples Direct and a \$140.00 expenditure via check to Respondent himself. (ROI, page 2, ¶9; ROI Exhibits 5 & 6)

12. At the time the reporting period closed, the account’s balance was \$12.74. (ROI, page 2, ¶7, n.1; ROI Exhibit 5, page 7). The Division’s records showed the account’s balance as \$535.83. (Referral, page 5)

13. Respondent, in his response to the referral, stated that “the monies in question in the case were dispersed funds of monies left after the election.” (ROI Exhibit 7, page 1)

14. “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).

15. The facts set forth above show that Respondent was a 2020 candidate for State Representative, District 78. Given the above-stated expenditures, Respondent certified his 2020 TR was true, correct, and complete when it was not. It also appears that Respondent's 2020 TR failed to accurately reflect his campaign depository's balance after the 2020 TR was filed. It further appears Respondent deliberately failed to include information in his 2020 TR in violation of the requirements of Chapter 106, Florida Statutes.

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 around December 4, 2020, Charlie Lynch violated **Section 106.07(5), Florida Statutes** when he certified his 2020 Termination Report was true, correct, and complete when it was not.

Count 2:

On or around December 4, 2020, Charlie Lynch violated **Section 106.141(1), Florida Statutes** when he filed a 2020 Termination Report that failed to accurately reflect the disposition of all remaining campaign funds.

THIS SPACE INTENTIONALLY LEFT BLANK

Count 3:

On or around December 4, 2020, Charlie Lynch violated **Section 106.19(1)(c), Florida Statutes** when he deliberately failed to include information required by Chapter 106, Florida Statutes, on his 2020 Termination Report.

Respectfully submitted on APRIL 14, 2023.



Todd Smith-Schoenwalder, J.D.

I reviewed this Staff Recommendation this 14th day of April 2023.



Stephanie J. Cunningham
General Counsel

FLORIDA ELECTIONS COMMISSION

Report of Investigation for Apparent Surplus in Campaign Account

Case Number: FEC 22-237

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

Sections 106.07(5) and 106.19(1)(c), Florida Statutes, a candidate certified campaign treasurer report(s) as true, correct, and complete when they were not and falsely reported or deliberately failed to include all information required by Chapter 106, F.S., in campaign treasurer report(s).

Respondent: Charlie Lynch

Respondent’s Atty: N/A

Division of Elections (Division)

Referral Filed: August 29, 2022

Respondent Type: Candidate

I. Preliminary Information:

1. Respondent was a 2020 candidate for State Representative, District 78; he was defeated in the primary election held on August 18, 2020. Respondent was a first-time candidate.

2. An Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9) was filed on December 9, 2019. Richard S. Chapman was appointed as campaign treasurer. To review the DS-DE 9, refer to Exhibit 1.

3. Respondent filed a Statement of Candidate with the Division on December 9, 2019 in which Respondent certified he had been provided access to read and understand Chapter 106, F.S. To review the Statement of Candidate, refer to Exhibit 2.

4. An acknowledgement letter was mailed to the address provided on the DS-DE 9 on December 10, 2019. The letter advised Respondent that all candidates filing reports with the Division are required to file by means of the Division’s electronic filing system (EFS). Respondent was provided with a user identification number and initial password allowing access to the EFS.

5. The acknowledgement letter also advised Respondent that all of the Division’s publications and reporting forms are available on their website, including Chapter 106, Florida Statutes, the *Candidate and Campaign Treasurer Handbook* and the *Calendar of Reporting Dates*. The letter further advised that it was Respondent’s responsibility to read, understand, and follow the requirements of Florida’s election laws. To review the acknowledgement letter, refer to Exhibit 3.

II. Alleged Violation of Section 106.141(1), Florida Statutes:

6. I investigated whether Respondent violated this section of the election laws by not disposing of all remaining campaign funds within 90 days of being eliminated. To review Respondent’s filing history, refer to Exhibit 4.

7. On the date the 2020 TR was due, campaign account records reflect that the balance was \$12.74.¹ To review the relevant bank statement, refer to Exhibit 5, page 7.

III. Alleged Violation of Sections 106.07(5), 106.141(1), and 106.19(1)(c), Florida Statutes:

8. I investigated whether Respondent violated these sections of the election laws by certifying that one or more campaign treasurer report(s) were true, correct, and complete when they were not, falsely reporting or deliberately failing to include information in one or campaign treasurer report(s), and failing to accurately reflect disposition of all remaining campaign funds in a termination report due to an apparent surplus balance after the TR was filed.

9. I reviewed bank records from the designated campaign depository and compared them with the campaign treasurer report covering the following reporting period: 2020 TR.² The results of my review are reflected in the table below. To review the bank records, refer to Exhibit 5. To review the campaign treasurer report, refer to Exhibit 6. To review Respondent’s filing history, refer to Exhibit 4.

Comparison of Campaign Treasurer Report with Bank Records

Report & Dates Due/Filed	Reporting Period & Document Filed	Information on Report	Information from Bank
2020 TR 11/16/20 12/4/20 ³	8/14/20 – 11/16/20 Report	Not Reported \$48.07 expenditure to PayPal on 8/19/20 ⁴ Not Reported	\$172.35 expenditure to Staples Direct on 8/19/20 No Record Found \$140.00 expenditure via check to Respondent on 9/3/20

10. Respondent did respond to the referral. Regarding the alleged surplus, he states: “The monies in question in this case were dispersed funds of monies left after the election.” Additionally, he suggested that former candidates are unable to amend CTRs, as they “are locked out of the EFS system.” To review Respondent’s response, refer to Exhibit 7.

THIS SPACE INTENTIONALLY LEFT BLANK

¹ I subpoenaed campaign account records from the designated campaign depository. Account records show a \$12.74 check to SWF Horse Rescue dated November 16, 2020, which was the TR due date; the check was deposited and drawn on Respondent’s campaign account on December 10, 2020, at which time the campaign account was closed.

² The review was reflective of original reports filed and applicable bank records of deposits, debits, bank fees, and checks drawn on the campaign account, but it did not reflect activity associated with online contribution platforms where the investigation was unable to obtain records itemizing the sources of such contributions.

³ Respondent filed the 2020 TR 18 days late; an automatic fine in the amount of \$58.95 was imposed for the late-filed report. To review the filing history, refer to Exhibit 4.

⁴ Respondent explained that he combined all PayPal transaction fees accrued during the campaign and reported them in the 2020 TR as a single entry.

11. On November 29, 2022, I called Respondent for the purpose of providing an opportunity to discuss the allegations made in the referral. Respondent explained that he used his own campaign software, Campaign ToolBox, to track his campaign finances; he anticipated being able to use this software in tandem with the Division's EFS. Respondent indicated that inconsistencies between the programs caused data entry errors. Respondent stated that he does not recall reviewing Chapter 106, F.S., or the *Candidate and Campaign Treasurer Handbook*, although he was originally provided links to the items on the Division's acknowledgment letter dated December 10, 2019 (Ex. 3). To review the phone log, refer to Exhibit 8.



SIGNATURE OF INVESTIGATOR:

Date: February 27, 2023

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Charlie Lynch -- FEC 22-237

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	DS-DE 9
Exhibit 2	Statement of Candidate
Exhibit 3	Acknowledgment Letter
Exhibit 4	Filing History
Exhibit 5	Bank Records
Exhibit 6	2020 TR
Exhibit 7	Response
Exhibit 8	Phone Log

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

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

(PLEASE PRINT OR TYPE)

RECEIVED
DEPARTMENT OF
2019 DEC -9 AM 9:39
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)
Charles M. Lynch

3. Address (include post office box or street, city, state, zip code)
11472 Waterford Village Drive
Fort Myers, Florida 33913

4. Telephone (203) 464-3409 5. E-mail address charleslynch3409@gmail.com

6. Office sought (include district, circuit, group number)
Florida State Representative District 78

7. If a candidate for a nonpartisan office, check if applicable:
 My intent is to run as a Write-In candidate.

8. If a candidate for a partisan office, check block and fill in name of party as applicable: My intent is to run as a
 Write-In No Party Affiliation Republican Party candidate.

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

10. Name of Treasurer or Deputy Treasurer
Richard S. Chapman

11. Mailing Address
11472 Waterford Village Drive

12. Telephone
(203) 464-3409

13. City Fort Myers 14. County Lee 15. State Florida 16. Zip Code 33913 17. E-mail address aleclynch@comcast.net

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

19. Name of Bank Sanibel Captiva Community Bank 20. Address 111691 Gateway Blvd.

21. City Fort Myers 22. County Lee 23. State Florida 24. Zip Code 33913

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 12-05-2019 26. Signature of Candidate

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

I, Richard S. Chapman, do hereby accept the appointment
 (Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer.

12/05/2019
 Date Signature of Campaign Treasurer or Deputy Treasurer

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

RECEIVED
DEPARTMENT OF
STATE

2019 DEC -9 AM 9:39

FLORIDA
DIVISION OF ELECTIONS

I, Charlie Lynch,

candidate for the office of District 78 State Representative ;

have been provided access to read and understand the requirements of

Chapter 106, Florida Statutes.

X

Charlie Lynch
Signature of Candidate

12/05/2019

Date

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



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

December 10, 2019

Charles M. Lynch
11472 Waterford Village Drive
Fort Myers, Florida 33913

Dear Mr. Lynch:

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 December 9, 2019. Your name has been placed on the 2020 active candidate list.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **January 10, 2020**. The report will cover the period of December 1-31, 2019 (2019 M12). 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. Enclosed are your confidential, filing credentials.

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

Identification Number: 74807

Timely Filing

All reports filed must be completed and filed through the EFS no later than midnight, Eastern Standard Time, of the due date. Reports not filed by midnight of the due date are late filed and subject to the penalties in Section 106.07(8), Florida Statutes. In the event that the EFS is inoperable on the due date, the report will be accepted as timely filed if filed no later than midnight of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

Division of Elections

**R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6240 • 850.245.6260 (Fax) • [DOS.MyFlorida.com/elections](https://dos.myflorida.com/elections)**



Charles M. Lynch
December 10, 2019
Page Two

Any candidate failing to file a report on the designated due date shall be subject to a fine of \$50 per day for the first three 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 <https://dos.myflorida.com/elections>. It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapters 104 and 106, Florida Statutes, *Candidate and Campaign Treasurer Handbook*, *Calendar of Reporting Dates*, and Rule 1S-2.017, Florida Administrative Code.

Please let me know if you need additional information.

Sincerely,



Kristi Reid Willis, Chief
Bureau of Election Records

KRW/gm

Enclosures

pc: Richard S. Chapman, Treasurer



search | directory | contact us | 411 | subscribe | tour | help

Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Candidate Name: **Charlie Lynch**

Name: **lynch**

Account: **74807**

Election:

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
11/16/2020	TR	12/4/2020	CLO	18	\$58.95		\$58.95	\$58.95
8/14/2020	P7	8/13/2020						
8/7/2020	P6	8/7/2020						
7/31/2020	P5	7/31/2020						
7/24/2020	P4	7/22/2020						
7/17/2020	P3	7/17/2020						
7/3/2020	P2	7/2/2020						
6/19/2020	P1	6/18/2020						
6/10/2020	M5	6/10/2020						
5/11/2020	M4	5/10/2020						
4/10/2020	M3	4/10/2020						
3/10/2020	M2	3/5/2020						
2/10/2020	M1	2/10/2020						
1/10/2020	M12	1/6/2020						

Acct: **74807**

Type: **Candidate**

Account Number: [REDACTED]

ADDRESS SERVICE REQUESTED

CHARLIE FOR FLORIDA
 CHARLES M LYNCH CAMPAIGN ACCT
 11472 WATERFORD VILLAGE DR
 FORT MYERS FL 33913-7912

Managing Your Accounts

 Branch Name Gateway Office
 Phone Number (239) 274-6210
 Mailing Address 11691 Gateway Blvd.
 Suite 100
 Fort Myers, FL 33913
 Website www.sancapbank.com

Let's get social! We're ready to connect with you on Facebook, Twitter and LinkedIn.

Summary of Accounts

As a nonconventional bank, our foundation is built on people and relationships. We empower and support our neighbors, team and community through local decision-making. Thank you for choosing Sanibel Captiva Community Bank to be your banking partner.

Account Type	Account Number	Ending Balance
BUSINESS CHECKING	[REDACTED]	\$327.74

BUSINESS CHECKING [REDACTED]

Account Summary

Date	Description	Amount
08/01/2020	Beginning Balance	\$500.09
	0 Credit(s) This Period	\$0.00
	1 Debit(s) This Period	\$172.35
08/31/2020	Ending Balance	\$327.74

Other Debits

Date	Description	Amount
08/19/2020	Signature POS Debit 08/18 MA 800-3333330 STAPLES DIRECT SEQ# 047045 8479	\$172.35

Daily Balances

Date	Amount
08/19/2020	\$327.74

Overdraft and Returned Item Fees

	Total for this period	Total year-to-date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

Account Number: [REDACTED]

ADDRESS SERVICE REQUESTED

CHARLIE FOR FLORIDA
CHARLES M LYNCH CAMPAIGN ACCT
11472 WATERFORD VILLAGE DR
FORT MYERS FL 33913-7912

Managing Your Accounts

	Branch Name	Gateway Office
	Phone Number	(239) 274-6210
	Mailing Address	11691 Gateway Blvd. Suite 100 Fort Myers, FL 33913
	Website	www.sancapbank.com

Let's get social! We're ready to connect with you on Facebook, Twitter and LinkedIn.

Summary of Accounts

As a nonconventional bank, our foundation is built on people and relationships. We empower and support our neighbors, team and community through local decision-making. Thank you for choosing Sanibel Captiva Community Bank to be your banking partner.

Account Type	Account Number	Ending Balance
BUSINESS CHECKING	[REDACTED]	\$12.74

BUSINESS CHECKING [REDACTED]

Account Summary

Date	Description	Amount
09/01/2020	Beginning Balance	\$327.74
	0 Credit(s) This Period	\$0.00
	3 Debit(s) This Period	\$315.00
09/30/2020	Ending Balance	\$12.74

Checks Cleared

Check Nbr	Date	Amount	Check Nbr	Date	Amount
1011	09/15/2020	\$50.00	1017*	09/03/2020	\$140.00
1012	09/11/2020	\$125.00			

* Indicates skipped check number

Daily Balances

Date	Amount	Date	Amount	Date	Amount
09/03/2020	\$187.74	09/11/2020	\$62.74	09/15/2020	\$12.74

BUSINESS CHECKING (continued)**Overdraft and Returned Item Fees**

	Total for this period	Total year-to-date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

CHARLIE FOR FLORIDA
 CHARLES M LYNCH CAMPAIGN ACCOUNT
 11472 WATERFORD VILLAGE DR
 FORT MYERS FL 33913
 03-1528/870 1011
 DATE: 9-8-2020

PAY TO THE ORDER OF: Jewish Fed. of Res. & Assn. Co. \$ 50.00
 Fifty dollars

Sanibel Captiva COMMUNITY BANK
 FOR: Donate Campaign Funds *Richard Clark*

#1011 09/15/2020 \$50.00

CHARLIE FOR FLORIDA
 CHARLES M LYNCH CAMPAIGN ACCOUNT
 11472 WATERFORD VILLAGE DR
 FORT MYERS FL 33913
 63-1628/870 1012
 DATE: 9-8-2020

PAY TO THE ORDER OF: Community Cooperative \$ 125.00
 One hundred twenty five 00/100

Sanibel Captiva COMMUNITY BANK
 FOR: Donate Campaign Funds *Richard Clark*

#1012 09/11/2020 \$125.00

CHARLIE FOR FLORIDA
 CHARLES M LYNCH CAMPAIGN ACCOUNT
 11472 WATERFORD VILLAGE DR
 FORT MYERS FL 33913
 63-1528/870 1017
 DATE: 9/2/20

PAY TO THE ORDER OF: Charles Lynch \$ 140.00
 One hundred forty 00/100

Sanibel Captiva COMMUNITY BANK
 FOR: Reimb. Campaign Software *Richard Clark*

#1017 09/03/2020 \$140.00

ADDRESS SERVICE REQUESTED

CHARLIE FOR FLORIDA
 CHARLES M LYNCH CAMPAIGN ACCT
 11472 WATERFORD VILLAGE DR
 FORT MYERS FL 33913-7912

Managing Your Accounts

	Branch Name	Gateway Office
	Phone Number	(239) 274-6210
	Mailing Address	11691 Gateway Blvd. Suite 100 Fort Myers, FL 33913
	Website	www.sancapbank.com

Let's get social! We're ready to connect with you on Facebook, Twitter and LinkedIn.

Summary of Accounts

As a nonconventional bank, our foundation is built on people and relationships. We empower and support our neighbors, team and community through local decision-making. Thank you for choosing Sanibel Captiva Community Bank to be your banking partner.

Account Type	Account Number	Ending Balance
BUSINESS CHECKING	[REDACTED]	\$12.74

BUSINESS CHECKING [REDACTED]

Account Summary

Date	Description	Amount
10/01/2020	Beginning Balance	\$12.74
	0 Credit(s) This Period	\$0.00
	0 Debit(s) This Period	\$0.00
10/30/2020	Ending Balance	\$12.74

Overdraft and Returned Item Fees

	Total for this period	Total year-to-date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

ADDRESS SERVICE REQUESTED

CHARLIE FOR FLORIDA
 CHARLES M LYNCH CAMPAIGN ACCT
 11472 WATERFORD VILLAGE DR
 FORT MYERS FL 33913-7912

Managing Your Accounts

	Branch Name	Gateway Office
	Phone Number	(239) 274-6210
	Mailing Address	11691 Gateway Blvd. Suite 100 Fort Myers, FL 33913
	Website	www.sancapbank.com

SanCap Bank GIVES BACK

We're here for you.

This year, we've donated more than 1,000 volunteer hours and nearly \$300,000 to local causes. But it's about more than numbers to us. There is no greater reward for us than giving back and making a difference in the lives of our neighbors and friends. Thank you for your trust, support and business.



Let's get social! We're ready to connect with you on Facebook, Twitter and LinkedIn.

Summary of Accounts

As a nonconventional bank, our foundation is built on people and relationships. We empower and support our neighbors, team and community through local decision-making. Thank you for choosing Sanibel Captiva Community Bank to be your banking partner.

Account Type	Account Number	Ending Balance
BUSINESS CHECKING	[REDACTED]	\$12.74

BUSINESS CHECKING**Account Summary**

Date	Description	Amount
10/31/2020	Beginning Balance	\$12.74
	0 Credit(s) This Period	\$0.00
	0 Debit(s) This Period	\$0.00
11/30/2020	Ending Balance	\$12.74

Overdraft and Returned Item Fees

	Total for this period	Total year-to-date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

ADDRESS SERVICE REQUESTED

CHARLIE FOR FLORIDA
 CHARLES M LYNCH CAMPAIGN ACCT
 11472 WATERFORD VILLAGE DR
 FORT MYERS FL 33913-7912

Managing Your Accounts

	Branch Name	Gateway Office
	Phone Number	(239) 274-6210
	Mailing Address	11691 Gateway Blvd. Suite 100 Fort Myers, FL 33913
	Website	www.sancapbank.com

SanCap Bank GIVES BACK

We're here for you.

This year, we've donated more than 1,000 volunteer hours and nearly \$300,000 to local causes. But it's about more than numbers to us. There is no greater reward for us than giving back and making a difference in the lives of our neighbors and friends. Thank you for your trust, support and business.



Let's get social! We're ready to connect with you on Facebook, Twitter and LinkedIn.

Summary of Accounts

As a nonconventional bank, our foundation is built on people and relationships. We empower and support our neighbors, team and community through local decision-making. Thank you for choosing Sanibel Captiva Community Bank to be your banking partner.

Account Type	Account Number	Ending Balance
BUSINESS CHECKING	[REDACTED]	\$0.00

BUSINESS CHECKING

Account Summary

Date	Description	Amount
12/01/2020	Beginning Balance	\$12.74
	0 Credit(s) This Period	\$0.00
	1 Debit(s) This Period	\$12.74
12/31/2020	Ending Balance	\$0.00

Checks Cleared

Check Nbr	Date	Amount
1024	12/10/2020	\$12.74

* Indicates skipped check number

Daily Balances

Date	Amount
12/10/2020	\$0.00

Overdraft and Returned Item Fees

	Total for this period	Total year-to-date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

CHARLIE FOR FLORIDA		63-1528/670	1024
CHARLES M LYNCH CAMPAIGN ACCOUNT			
11472 WATERFORD VILLAGE DR			
FORT MYERS FL 33913			
	DATE	11-16-2020	
PAY TO THE ORDER OF	SWF Horse Rescue	\$12.74	
	Twelve Dollars & 74/100	DOLLARS	
Sanibel Captiva COMMUNITY BANK			
FOR Donation of Funds			
	[Signature]		
#1024	12/10/2020		\$12.74

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

(1) Charlie Lynch (2) 74807
 Candidate, Committee or Party Name I.D. Number

(3) 11472 Waterford Village Drive Fort Myers FL 33913
 Address (number and street) City State Zip Code

Check box if address has changed since last report

(4) Check appropriate box(es):

Candidate (office sought):
 Political Committee Check If PC has DISBANDED
 Committee of Continuous Existence Check If CCE has DISBANDED
 Party Executive Committee

(5) REPORT IDENTIFIERS

Cover Period: From 08/14/2020 To 11/16/2020 Report Type: TR

Original Amendment Special Election Report

(6) CONTRIBUTIONS THIS REPORT		(7) EXPENDITURES THIS REPORT	
Cash & Checks	\$0.00	Monetary Expenditures	\$235.81
Loans	\$0.00	Transfers to Office Account	\$0.00
<i>Total Monetary</i>	\$0.00	<i>Total Monetary</i>	\$235.81
In-Kind	\$0.00	(8) Other Distributions	

Certification

It is a first degree misdemeanor for any person to falsify a public record (ss.839.13, F.S.)

<p>I certify that I have examined this report and it is true, correct and complete</p> <p>_____ Name of <input type="checkbox"/> Treasurer <input type="checkbox"/> Deputy Treasurer</p> <p><u>X</u> _____ Signature</p>	<p>I certify that I have examined this report and it is true, correct and complete</p> <p>_____ Name of <input checked="" type="checkbox"/> Candidate <input type="checkbox"/> Chairman (PC/PTY Only)</p> <p><u>X</u> _____ Signature</p>
--	---

ID:

CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

Name: Charlie Lynch

Report: 2020 TR

Period: 08/14/2020 to 11/16/2020

** Records in Filed Report **

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

Name: Charlie Lynch

Report: 2020 TR

Period: 08/14/2020 to 11/16/2020

** Records in Filed Report **

Seq #	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip)	Type	Purpose	Amount
Date				Amend
1	PAYPAL 2211 NORTH FIRST STREET SAN JOSE, CA 95131	MON	STATE HOUSE	\$48.07
08/19/2020				
2	COMMUNITY COOPERTIVE AND SOUP KITCHEN 3429 MARTIN LUTHER KING BLVD #4403 FORT MYERS, FL 33916	MON	STATE HOUSE	\$125.00
09/11/2020				
3	JEWISH FEDERATION OF LEE AND CHARLOTTE COUNTY 9701 COMMERCE CENTER FORT MYERS, FL 33908	MON	STATE HOUSE	\$50.00
09/15/2020				
4	SOUTHWEST FLORIDA HORSE RESCURE 14811 SR 31 PUNTA GORDA, FL 33982	MON	STATE HOUSE	\$12.74
11/16/2020				

ID:

CAMPAIGN TREASURER'S REPORT – ITEMIZED FUND TRANSFERS

Name: Charlie Lynch

Report: 2020 TR

Period: 08/14/2020 to 11/16/2020

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

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

ID:

CAMPAIGN TREASURER'S REPORT - ITEMIZED DISTRIBUTIONS

Name: Charlie Lynch

Report: 2020 TR

Period: 08/14/2020 to 11/16/2020

** Records in Filed Report **

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

Sept 12, 2022


Ref case FEC 22-237

In reference to the above case

The monies in question in the case were dispersed funds of monies left after the election.

On the detailed report that was sent with Account 74807 page one of one this details that the findings were explained and cleared. The problem being that I cannot correct this report as former candidates are locked out of the EFS system.

Thanks ,



Charlie Lynch

11472 Waterford Village Drive

Fort Myers, Florida 33913

Attached Detailed Report.

Report Detail

Account/Seq 74807 2

Election/Type
20201103-GEN
CAN

Charlie Lynch

Status/Reviewer	Mailed	Type/Recd	RESPONSE
SN stbaker	1st: 3/31/2022	AUT	WRI 5/13/2022
8/24/22 11:29 am	2nd: 4/28/2022	5/16/2022	
	3rd: 5/13/2022		

NOTES: 8/24/22 - Had to remove the 2020 M1, 2020 P2, and 2020 P3 due to not being enforceable due to 2 year timeframe. The 2020 TR was filed on 12/04/2020 and will be referred to the FEC. -stb

5/13/22 - Received a letter of explanation stating clear purposes for the expenditure errors listed on this audit. however, no changes were made in the EFS system and there still remains a balance reflected. sending final notice. -stb

4/2/22 - No changes made, sending 2nd notice. -stb

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 22-237**

Respondent: Charlie Lynch

Complainant: Division of Elections

1. **Date and time:** October 19, 2022
Name: Sanibel Captiva Community Bank Representative
Phone #: Not Recorded
Summary: I Called R's campaign depository to find out how to send a subpoena. They accept certified mail to their Bridge branch with attention to Lana Morgan-Hollier
Entered by: Brian

2. **Date and time:** 11/29/22 @ 3:16pm
Name: Charlie Lynch (Resp)
Phone #: 203-464-3409
Summary: I called and left a detailed VM for Respondent. I provided our office number, the case number, and explained that I wanted to speak about the 2020 Termination Report (and the surplus). In the VM, I explained that I only anticipated needing about 10 minutes to ask a few questions.
Entered by: CHS

3. **Date and time:** 11/29/22 @ 4:05pm
Name: Charlie Lynch (Resp)
Phone #: 203-464-3409
Summary: Resp returned my call and I conducted a brief phone interview about the case and 2020 Termination Report (see memo below).
Entered by: CHS

4. **Date and time:**
Name:
Phone #:
Summary:
Entered by:

RESPONDENT INTERVIEW MEMO – Call details at #[203-464-3409]

- Have you ever run for public office? If so, please name each office you ran for and state what year each election occurred.
 - No; Respondent has never been previously involved in an election or candidacy.
- Have you ever been appointed to act as a campaign treasurer for a candidate? If so, please name each such candidate, the office each ran for, and state what year each election occurred.
 - No
- Have you ever held the office of chairperson, treasurer, or other similar position for a political committee or electioneering communications organization? If so, please name each committee, state the office you held for each, and state when you held each office.

- No
- Have you ever prepared or signed a campaign treasurer's report? If so, please state the name of the candidate or committee whose report you prepared or signed.
 - No
- Do you possess a copy of Chapter 106, Florida Statutes? If so, when did you first obtain it? Have you read it?
 - Respondent did not recall; however, he filed his qualifying documents back in December 2019 and received the LS letter in September 2022.
- Do you possess a copy of the *Candidate and Campaign Treasurer Handbook*? If so, when did you first obtain it? Have you read it?
 - Again, Respondent is not 100% sure. However, he did recall receiving a password and link to access materials via the Division's acknowledgment letter.
- Did you receive any other materials from your filing officer? If so, please describe them.
 - Respondent doesn't recall.
- After you were notified by the Division about outstanding errors in the 2020 TR, did you (or your treasurer) log-in via EFS and amend the reports?
 - After receiving notice from the Division (May 2022), Respondent did not log-in to EFS to file reports. It appears Respondent called the Division and was advised that too much time had lapsed since the reports were originally filed (2+ years), that he would be unable to amend them.
- Who completed and filed the 2020 TR with EFS?
 - Respondent filed the 2020 TR.
- Who completed and filed the majority of campaign treasurer reports?
 - Respondent completed and filed the CTRs.
- Did anyone, besides yourself and your campaign treasurer, have access to the campaign depository?
 - No
- Did you accept any contributions using an online platform?
 - Yes; Respondent utilized PayPal as an online contribution platform.
- Did you ever use the account for any non-campaign-related expenses?
 - No. Respondent reiterated that anything left over was given to charity.
- Do you have anything else to add for the Commission's consideration regarding the charges specified in the letter of legal sufficiency in this case?
 - Respondent experienced multiple difficulties using the Division's EFS program for completing and filing CTRs. Additionally, Respondent used his own campaign software, Campaign ToolBox, in tandem with EFS. Initially, it appeared that entries made in one program would carry over into the other program. This was not the case and inconsistencies between the 2 (very different) programs caused many data entry errors.
 - Also, Respondent provided information about \$48.07 attributed to PayPal in the 2020 TR reporting period. He explained that he added all PayPal fees from the entire campaign and added them *only* to the 2020 TR report.



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-6596

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

FEC@myfloridalegal.com · www.fec.state.fl.us



September 29, 2022

Charlie Lynch
11472 Waterford Village Drive
Fort Myers, FL 33913

RE: Case No.: FEC 22-237; Respondent: Charlie Lynch

Dear Mr. Lynch:

On August 29, 2022, the Florida Elections Commission received a complaint alleging that you violated Florida's election laws. I have reviewed the complaint and find that it contains one or more **legally sufficient allegations**. The Commission staff will investigate the following alleged violations:

Section 106.07(5), Florida Statutes: Respondent, a 2020 candidate for State Representative, District 78, may have certified one or more campaign treasurer's reports were true, correct, and complete when they were not, based upon an apparent surplus balance after the 2020 TR was filed, as alleged in the complaint.

Section 106.141(1), Florida Statutes: Respondent, a 2020 candidate for State Representative, District 78, filed a 2020 TR report that may have failed to accurately reflect the disposition of all remaining campaign funds, based upon an apparent surplus balance after the 2020 TR report was filed, as alleged in the complaint.

Section 106.19(1)(c), Florida Statutes: Respondent, a 2020 candidate for State Representative, District 78, may have falsely reported or deliberately failed to include information in one or more campaign treasurer reports, as required by Chapter 106, Florida Statutes, based upon an apparent surplus balance after the 2020 TR report was filed, as alleged in the complaint.

When we conclude the investigation, a copy of the Report of Investigation (ROI) will be mailed to you at the above address. Based on the results of the investigation, a staff attorney will prepare and present a written Staff Recommendation (SR) to the Commission as to whether there is probable cause to charge you, the Respondent, with violating Chapters 104 or 106, Florida Statutes. You will have an opportunity to respond to both the ROI and the SR. The Commission will then hold one or more hearings to determine whether the alleged violations occurred and, if

Charlie Lynch
September 29, 2022
Page 2
FEC 22-237

so, the amount of the fine to be imposed upon you. Notice will be mailed to you and the Complainant at least 14 days before any hearing at which your case is to be considered.

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

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

Pursuant to Section 106.25, Florida Statutes, complaints, investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 or 106, Florida Statutes, are confidential until the Commission finds probable cause or no probable cause, unless the Respondent files a written waiver of confidentiality with the Commission. The confidentiality provision does not apply to the Complainant or the Respondent.

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

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

If you have additional questions, please contact **Brian Ayers**, the investigator assigned to this case, by phone at (850) 922-4539 or by email at Brian.Ayres@myfloridalegal.com.

Sincerely,



Tim Vaccaro
Executive Director

TV/jd

Sept 12, 2022

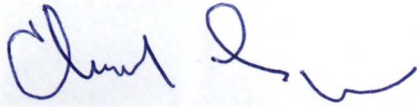
Ref case FEC 22-237

In reference to the above case

The monies in question in the case were dispersed funds of monies left after the election.

On the detailed report that was sent with Account 74807 page one of one this details that the findings were explained and cleared. The problem being that I cannot correct this report as former candidates are locked out of the EFS system.

Thanks ,



Charlie Lynch

11472 Waterford Village Drive

Fort Myers, Florida 33913

Attached Detailed Report.

Report Detail

Account/Seq 74807 2

Election/Type
20201103-GEN
CAN

Charlie Lynch

Status/Reviewer	Mailed	Type/Recd	R E S P O N S E
SN stbaker	1st: 3/31/2022	AUT	WRI 5/13/2022
8/24/22 11:29 am	2nd: 4/28/2022	5/16/2022	
	3rd: 5/13/2022		

NOTES: 8/24/22 - Had to remove the 2020 M1, 2020 P2, and 2020 P3 due to not being enforceable due to 2 year timeframe. The 2020 TR was filed on 12/04/2020 and will be referred to the FEC. -stb

5/13/22 - Received a letter of explanation stating clear purposes for the expenditure errors listed on this audit. however, no changes were made in the EFS system and there still remains a balance reflected. sending final notice. -stb

4/2/22 - No changes made, sending 2nd notice. -stb

C. Lynch
11472 Wattenford Village
Font Myers, FL 33913

FT MYERS FL 339

16 SEP 2022 PM 1 1



REC'D: FL ELECTIONS COM
23 SEP '22 PM4:26

Florida Elections Comm.
107 West Gaines Street
Suite 224
Tallahassee, Florida 32399-6596

DIVISION OF ELECTIONS FEC NOTICE FORM

To FEC from Division of Elections

Candidate: Charlie Lynch
Account Number: 74807
Treasurer: Richard Chapman

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

2020 TR

- Charlie Lynch (74807) was a 2020 candidate for the office of State Representative.
- On December 9, 2019, Mr. Lynch filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division appointing Richard Chapman as treasurer.
- On March 31, 2022, the Division mailed Mr. Chapman notification that one or more campaign treasurer's reports were incomplete.
- On April 28, 2022, the Division mailed Mr. Chapman notification that one or more campaign treasurer's reports were incomplete.
- On May 13, 2022, the Division mailed Mr. Chapman final notification with delivery confirmation that one or more campaign treasurer's reports were incomplete. (See attached letter and delivery confirmation.)
- As of August 25, 2022, one or more campaign treasurer's reports remain incomplete.

Sent By: Donna S. Brown *DSB*
Date: August 25, 2022
stb



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

FINAL NOTICE

Delivery Confirmation:

USPS TRACKING # **9114 9022 0078 9689 7756 82**
& CUSTOMER RECEIPT For Tracking or inquiries go to USPS.com
or call 1-800-222-1811

May 13, 2022

Richard S. Chapman, Treasurer for
Candidate Charlie Lynch
11472 Waterford Village Drive
Fort Myers, FL 33913

Re: CAN 74807

Dear Mr. Chapman:

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

Pursuant to Section 106.07(2), Florida Statutes, you have 7 days from receipt of this letter to correct errors or provide missing information. If the audit states that a written explanation is required, provide the division with a signed letter of explanation addressing the errors noted in the report(s). Your explanation should (1) reference the specific error(s) that occurred; (2) describe how you corrected the errors (example: refunded excess contribution and reported the refund in 2021 M8 report); and (3) list the report(s) and sequence number(s) that were amended to reflect the corrections. Please be advised that if you fail to comply with this request, the Division will forward this matter to the Florida Elections Commission for further action. Section 106.265(1), Florida Statutes, authorizes the Florida Elections Commission to impose civil penalties of up to \$1,000 per violation.

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

Sincerely,

Donna S. Brown, Chief
Bureau of Election Records

Attachment

cc: Charlie Lynch, Candidate

Compliance Report

Candidate: Charlie Lynch

Office: STR

Report: 2020 M1 (2) Covering Period: 1/1/20 - 1/31/20

Account: 74807

~~Trail~~~~Contributions~~~~Expenditures~~

----- Expenditure -----

<u>Statute</u>	<u>FAC</u>	<u>Description</u>	<u>Seq</u>	<u>Date</u>	<u>Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
106.07, FS		Purpose not specific	3	1/21/2020	BUILDA SIGN		MON	\$188.92

~~Id Transfers~~~~or Distributions~~

Report: 2020 P2 (8) Covering Period: 6/13/20 - 6/26/20

Account: 74807

~~Trail~~~~Contributions~~~~Expenditures~~

----- Expenditure -----

<u>Statute</u>	<u>FAC</u>	<u>Description</u>	<u>Seq</u>	<u>Date</u>	<u>Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
106.07, FS		Purpose not specific	1	6/18/2020	FLORIDA DEPARTMENT OF STATE		MON	\$1,781.82

~~Id Transfers~~~~or Distributions~~

Report: 2020 P3 (9) Covering Period: 6/27/20 - 7/10/20

Account: 74807

~~Trail~~~~Contributions~~~~Expenditures~~

----- Expenditure -----

<u>Statute</u>	<u>FAC</u>	<u>Description</u>	<u>Seq</u>	<u>Date</u>	<u>Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
106.07, FS		Purpose not specific	1	6/29/2020	SPEEDY SIGNS		MON	\$271.46

~~Id Transfers~~~~or Distributions~~

Report: 2020 TR (14) Covering Period: 8/14/20 - 11/16/20

Account: 74807

~~Trail~~

<u>Statute</u>	<u>FAC</u>	<u>Description</u>
----------------	------------	--------------------

Compliance Report

Candidate: Charlie Lynch

Office: STR

Report: 2020 TR (14) Covering Period: 8/14/20 - 11/16/20

Account: 74807

<u>Statute</u>	<u>FAC</u>	<u>Description</u>
106.141, F		Reflects balance after termination report filed - written explanation re

Contributions

Expenditures

<u>Statute</u>	<u>FAC</u>	<u>Description</u>	<u>Seq</u>	<u>Date</u>	<u>Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
106.07, FS		Purpose not specific	1	8/19/2020	PAYPAL		MON	\$48.07
106.07, FS		Purpose not specific	2	9/11/2020	COMMUNITY COOPERTIVE AND SOUP KITCHEN		MON	\$125.00
106.07, FS		Purpose not specific	3	9/15/2020	JEWISH FEDERATION OF LEE AND CHARLOTTE COUNTY		MON	\$50.00
106.07, FS		Purpose not specific	4	11/16/2020	SOUTHWEST FLORIDA HORSE RESCUE		MON	\$12.74

Other Transfers

Other Distributions

Sum of Contributions vs Expenditures

5/12/2022 4:29:06 PM

Charlie Lynch

74807

Date of last Contribution: 7/13/20

0 After 10/30/20

Year	Report	Contributions	Expenditures	Running Total
2019	M12	\$1,800.00	\$0.00	\$1,800.00
2020	M1	\$830.00	\$375.08	\$2,254.92
	M2	\$145.00	\$0.00	\$2,399.92
	M3	\$10.00	\$0.00	\$2,409.92
	M4	\$160.00	\$0.00	\$2,569.92
	M5	\$10.00	\$0.00	\$2,579.92
	P1	\$200.00	\$0.00	\$2,779.92
	P2	\$0.00	\$1,781.82	\$998.10
	P3	\$35.00	\$271.46	\$761.64
	P4	\$10.00	\$0.00	\$771.64
	P5	\$0.00	\$0.00	\$771.64
	P6	\$0.00	\$0.00	\$771.64
	P7	\$0.00	\$0.00	\$771.64
	TR	\$0.00	\$235.81	\$535.83
Campaign Total:		\$3,200.00	\$2,664.17	

Expenditure Purposes

Account: 74807 Charlie Lynch

Election: 20201103-GEN

<u>Expenditure Purpose</u>	<u>Type</u>	<u>Expenditure To</u>	<u>Date</u>	<u>Amount</u>	<u>Report</u>	<u>Seq</u>	<u>Line</u>
ADVERTISING	MON	BELINCUSA	1/21/2020	\$144.16	2020 - M1	2	2
ADVERTISING	MON	FIVERR	1/13/2020	\$42.00	2020 - M1	2	1
STATE HOUSE	MON	BUILDA SIGN	1/21/2020	\$188.92	2020 - M1	2	3
STATE HOUSE	MON	COMMUNITY COOPERTIVE AND SOUP KITCHEN	9/11/2020	\$125.00	2020 - TR	14	2
STATE HOUSE	MON	FLORIDA DEPARTMENT OF STATE	6/18/2020	\$1,781.82	2020 - P2	8	1
STATE HOUSE	MON	JEWISH FEDERATION OF LEE AND CHARLOTTE COUNT	9/15/2020	\$50.00	2020 - TR	14	3
STATE HOUSE	MON	PAYPAL	8/19/2020	\$48.07	2020 - TR	14	1
STATE HOUSE	MON	SOUTHWEST FLORIDA HORSE RESCURE	11/16/2020	\$12.74	2020 - TR	14	4
STATE HOUSE	MON	SPEEDY SIGNS	6/29/2020	\$271.46	2020 - P3	9	1

Sum of Contributions vs Expenditures

8/24/2022 11:25:54 AM

Charlie Lynch

74807

Date of last Contribution: 7/13/20

0 After 10/30/20

Year	Report	Contributions	Expenditures	Running Total
2019	M12	\$1,800.00	\$0.00	\$1,800.00
2020	M1	\$830.00	\$375.08	\$2,254.92
	M2	\$145.00	\$0.00	\$2,399.92
	M3	\$10.00	\$0.00	\$2,409.92
	M4	\$160.00	\$0.00	\$2,569.92
	M5	\$10.00	\$0.00	\$2,579.92
	P1	\$200.00	\$0.00	\$2,779.92
	P2	\$0.00	\$1,781.82	\$998.10
	P3	\$35.00	\$271.46	\$761.64
	P4	\$10.00	\$0.00	\$771.64
	P5	\$0.00	\$0.00	\$771.64
	P6	\$0.00	\$0.00	\$771.64
	P7	\$0.00	\$0.00	\$771.64
	TR	\$0.00	\$235.81	\$535.83
Campaign Total:		\$3,200.00	\$2,664.17	

Track Another Package +

Tracking Number: 9114902200789689775682

Remove X

Your item was delivered in or at the mailbox at 5:14 pm on May 16, 2022 in FORT MYERS, FL 33913.

USPS Tracking Plus[®] Available ∨

Delivered, In/At Mailbox

May 16, 2022 at 5:14 pm
FORT MYERS, FL 33913

Get Updates ∨

Text & Email Updates



Tracking History



USPS Tracking Plus[®]



Product Information



See Less ^

Queued Items for 2020-TR

Account: 74807

STR 078 Charlie Lynch

Rpt Seq: 14

<i>ProcessDescription</i>	<i>Status</i>	<i>Submitter</i>	<i>Created</i>	<i>LastUpdate</i>
Create Pending Report	Processing Complete	74807	12/4/2020 8:48:02 AM	12/4/2020 8:48:02 AM
Process Uploaded File	Processing Complete	74807	12/4/2020 8:48:02 AM	12/4/2020 8:48:02 AM
File Pending Report	Processing Complete	74807	12/4/2020 8:49:12 AM	12/4/2020 8:49:12 AM
Review Filed Report	Processing Complete	stbaker	8/24/2022 10:56:13 AM	8/24/2022 10:56:14 AM

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

(1) Charlie Lynch (2) 74807
 Candidate, Committee or Party Name I.D. Number

(3) 11472 Waterford Village Drive Fort Myers FL 33913
 Address (number and street) City State Zip Code

Check box if address has changed since last report

(4) Check appropriate box(es):

Candidate (office sought):
 Political Committee Check If PC has DISBANDED
 Committee of Continuous Existence Check If CCE has DISBANDED
 Party Executive Committee

(5) REPORT IDENTIFIERS

Cover Period: From 08/14/2020 To 11/16/2020 Report Type: TR

Original Amendment Special Election Report

(6) CONTRIBUTIONS THIS REPORT

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

(7) EXPENDITURES THIS REPORT

Monetary Expenditures	\$235.81
Transfers to Office Account	\$0.00
<i>Total Monetary</i>	\$235.81

(8) Other Distributions

Certification

It is a first degree misdemeanor for any person to falsify a public record (ss.839.13, F.S.)

I certify that I have examined this report and it is true, correct and complete

Name of Treasurer Deputy Treasurer

X
Signature

I certify that I have examined this report and it is true, correct and complete

Name of Candidate Chairman (PC/PTY Only)

X
Signature

ID:

CAMPAIGN TREASURER'S REPORT – ITEMIZED CONTRIBUTIONS

Name: Charlie Lynch

Report: 2020 TR

Period: 08/14/2020 to 11/16/2020

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

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

Name: Charlie LynchReport: 2020 TRPeriod: 08/14/2020 to 11/16/2020**** Records in Filed Report ****

Seq #	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Type	Purpose	Amount
Date				Amend
1	PAYPAL 2211 NORTH FIRST STREET SAN JOSE, CA 95131	MON	STATE HOUSE	\$48.07
08/19/2020				
2	COMMUNITY COOPERTIVE AND SOUP KITCHEN 3429 MARTIN LUTHER KING BLVD #4403 FORT MYERS, FL 33916	MON	STATE HOUSE	\$125.00
09/11/2020				
3	JEWISH FEDERATION OF LEE AND CHARLOTTE COUNTY 9701 COMMERCE CENTER FORT MYERS, FL 33908	MON	STATE HOUSE	\$50.00
09/15/2020				
4	SOUTHWEST FLORIDA HORSE RESCURE 14811 SR 31 PUNTA GORDA, FL 33982	MON	STATE HOUSE	\$12.74
11/16/2020				

ID:

CAMPAIGN TREASURER'S REPORT – ITEMIZED FUND TRANSFERS

Name: Charlie Lynch

Report: 2020 TR

Period: 08/14/2020 to 11/16/2020

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

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

ID:

CAMPAIGN TREASURER'S REPORT – ITEMIZED DISTRIBUTIONS

Name: Charlie Lynch

Report: 2020 TR

Period: 08/14/2020 to 11/16/2020

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

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

Report Detail

Account/Seq 74807 2

Election/Type

20201103-GEN

Charlie Lynch

CAN

Status/Reviewer	Mailed	Type/Recd	R E S P O N S E
SN stbaker	1st: 3/31/2022	AUT	WRI 5/13/2022
8/24/22 11:29 am	2nd: 4/28/2022	5/16/2022	
	3rd: 5/13/2022		

NOTES: 8/24/22 - Had to remove the 2020 M1, 2020 P2, and 2020 P3 due to not being enforceable due to 2 year timeframe. The 2020 TR was filed on 12/04/2020 and will be referred to the FEC. -stb

5/13/22 - Received a letter of explanation stating clear purposes for the expenditure errors listed on this audit, however, no changes were made in the EFS system and there still remains a balance reflected. sending final notice. -stb

4/2/22 - No changes made, sending 2nd notice. -stb