

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Jose N. Vazquez Figueroa**

**Case No.: FEC 15-011**

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**TO:** Jose N. Vazquez Figueroa  
718 Granite Road  
Brandon, FL 33510-3543

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

**NOTICE OF HEARING (INFORMAL HEARING)**

A hearing will be held in this case before the Florida Elections Commission on, **August 16, 2016 at 9:00 am, or as soon thereafter as the parties can be heard**, at the following location: **Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399**

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 1, 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.

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16 JUN -7 PM 2:10

STATE OF FLORIDA  
ELECTIONS COMMISSION

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Jose N. Vazquez Figueroa**

**Case No.: FEC 15-011**

**ORDER CONTINUING CASE**

**THIS MATTER** was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on May 18, 2016, in Tallahassee, Florida.

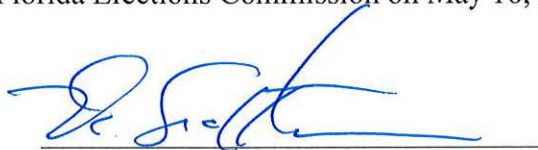
Respondent requested that the matter be continued.

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 18, 2016.



M. Scott Thomas, Chairman  
Florida Elections Commission

Copies furnished to:  
Stephanie J. Cunningham, Assistant General Counsel  
Jose N. Vazquez Figueroa, Respondent  
Division of Elections, Complainant

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Jose N. Vazquez Figueroa**

**Case No.: FEC 15-011**

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**TO:** Jose N. Vazquez Figueroa  
718 Granite Road  
Brandon, FL 33510-3543

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

**NOTICE OF HEARING (INFORMAL HEARING)**

A hearing will be held in this case before the Florida Elections Commission on, **May 18, 2016 at 9:00 am**, *or as soon thereafter as the parties can be heard*, at the following location: **Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399**

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.

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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 3, 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.

**FILED**

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STATE OF FLORIDA  
ELECTIONS COMMISSION

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,  
Petitioner,**

**Case No.: FEC 15-011**

v.

**Jose N. Vazquez Figueroa,  
Respondent.**

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**ORDER OF PROBABLE CAUSE**

**THIS MATTER** was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on February 18, 2016, in Tallahassee, Florida.

Based on the Complaint, Report of Investigation, Staff's Recommendation, and oral statements (if any) made at the probable cause hearing, the Commission finds that there is **probable cause** to charge Respondent with the following violation(s):

**Count 1:**

On or about July 25, 2014, Jose N. Vazquez Figueroa violated Section 106.07(7), Florida Statutes, when he failed to notify the filing officer in writing on the prescribed reporting date that he would not be filing his 2014 P3 Report

**Count 2:**

On or about August 1, 2014, Jose N. Vazquez Figueroa violated Section 106.07(7), Florida Statutes, when he failed to notify the filing officer in writing on the prescribed reporting date that he would not be filing his 2014 P4 Report.

**Count 3:**

On or about August 8, 2014, Jose N. Vazquez Figueroa violated Section 106.07(7), Florida Statutes, when he failed to notify the filing officer in writing on the prescribed reporting date that he would not be filing his 2014 P5 Report

**Count 4:**

On or about November 12, 2014, Jose N. Vazquez Figueroa violated Section 106.07(7), Florida Statutes, when he failed to notify the filing officer in writing on the prescribed reporting date that he would not be filing his 2014 Termination Report.

**DONE AND ORDERED** by the Florida Elections Commission on February 18, 2016.



M. Scott Thomas, Chairman  
Florida Elections Commission

Copies furnished to:  
Stephanie J. Cunningham, Assistant General Counsel  
Jose N. Vazquez Figueroa, Respondent  
Division of Elections, Complainant

**NOTICE OF RIGHT TO A HEARING**

As the Respondent, you may elect to resolve this case in several ways. First, you may elect to resolve this case by consent order where you and Commission staff agree to resolve the violation(s) and agree to the amount of the fine. The consent order is then presented to the Commission for its approval. To discuss a consent order, contact the FEC attorney identified in the Order of Probable Cause.

Second, you may request an informal hearing held before the Commission, if you do not dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to make written or oral arguments to the Commission concerning the legal issues related to the violation(s) and the potential fine. At the request of Respondent, the Commission will consider and determine willfulness at an informal hearing. Otherwise, live witness testimony is unnecessary.

Third, you may request a formal hearing held before an administrative law judge in the Division of Administrative Hearings (DOAH), if you dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to present evidence relevant to the violation(s) listed in this order, to cross-examine opposing witnesses, to impeach any witness, and to rebut the evidence presented against you.

If you do not elect to resolve the case by consent order or request a formal hearing at the DOAH or an informal hearing before the Commission within 30 days of the date this Order of Probable Cause is filed with the Commission, the case will be sent to the Commission for a formal or informal hearing, depending on whether the facts are in dispute. The date this order was filed appears in the upper right-hand corner of the first page of the order.

To request a hearing, please send a written request to the Commission Clerk, Donna Ann Malphurs. The address of the Commission Clerk is 107 W Gaines Street, Collins Building, Suite 224, Tallahassee, Florida 32399-1050. The telephone number is (850) 922-4539. The Clerk will provide you with a copy of Chapter 28-106, *Florida Administrative Code*, and other applicable rules upon request. No mediation is available.



**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Jose N. Vazquez Figueroa**

**Case No.: FEC 15-011**

**TO:** Jose N. Vazquez Figueroa  
718 Granite Road  
Brandon, FL 33510-3543

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

**NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)**

A hearing will be held in this case before the Florida Elections Commission on, **February 18, 2016 at 8:30 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.

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

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

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# V.E.M.S.

## Vazquez Enterprise Multiple Services

"Askme and I will tell you if I can do it!"

1916 N. 60 st. Tampa, FL 33604

PH# (813) 526 - 9920

Office Hours: Monday - Friday ..... 10:00 a.m. 1:00p.m.

# FAX

Company Name: Florida Elections Commission

Attention: Donna Ann Molphurs

Phone Number: (850) 922-4539 Fax Number: (850) 921-0783

From: Jose N. Vazquez

Regards to: Response TO STAFF Recommendation FEC-15-011

Phone: ( 813 ) 526-9920

**Comments:**

Based THIS office was closed ON 11/26 and 11/27  
PLEASE TO ACCEPT THIS RESPONSE timely filed. I Haved  
14 Days FROM DATE Letter and THAT DATE ~~is~~ Dec. 3, 2015

Number of Pages: 3 Urgent: Q Action Requested: \_\_\_\_\_

**State of Florida**  
**Florida Elections Commission**

RE: Jose N. Vazquez Figueroa /

Case No. FEC 15-011

Candidate Response to the Staff Recommendation

Before 6/25/2014, A filing officer from The Division of Elections contact Candidate Jose N. Vazquez, and report a letter with date of 6/23/2014 are not going to be on time for the candidate can receive his passwords to file timely the report 2014 p3. On that moment and with my best recall of the incident, Candidate request his passwords for access EFS, and the filing officer from the Division of Elections cant provide that information. After that the Candidate request by phone to that first report to be waived. The F.S.106.07 (7) States:

(7) Notwithstanding any other provisions of this chapter, in any reporting period during which a candidate, political committee, or committee of continuous existence has not received funds, made any contributions, or expended any reportable funds, the filing of the required report for that period is waived. However, the next report filed must specify that the report covers the entire period between the last submitted report and the report being filed, and any candidate, political committee, or committee of continuous existence not reporting by virtue of this subsection on dates prescribed elsewhere in this chapter shall notify the filing officer in writing on the prescribed reporting date that no report is being filed on that date.

The fact its without passwords, The candidate cant file the writing report using the EFS.

Events collected before received letter dated June 23, 2014

- Report 2014 P3 ( 7/12 - 7/18 ) due date 7/25/2014.

Was waived by phone when the filing officer from Division of Elections contactme

before the due date and explain password are not going to be on time for file the report due 7/25. The filing officer told me they cant not give me access because no one know my password.

**Facts of the filed reports after receive Candidate and Treasure pin for access EFS.**

- Report 2014 p4 (7/19 - 7/25/2014) due date 8/1/2014.

Was filed on 7/26/2014. (timely report) waiver no activity.

- Report 2014 P5 (7/26 - 8/1/2014) due date 8/8/2014.

Was filed on 8/3/2014. (timely report) waiver no activity.

- Report 2014 TR (8/9 - 11/12/2014) due date 11/12/2015.

Was filed on 8/9/2014. (timely report) waiver no activity.

- On 8/13/2014 Candidate withdraw.

**About the duplicated notification of 2014TR filed 12/1/2014.**

Was submitted by error, after the Division of Election send Notice about file a final report. Candidate find that final report was submitted on 8/9/2014 (2014TR), days later the Candidate withdraw (8/13) after file his last waiver report.

In resume, Jose Vazquez, cant filed any report before 6/23. (he not received an official document state he can conduct bussiness as a Campaing Treasurer) After the cortesy phone call from the filing officer from The Division of Elections, and receive the letter on 6/26, its when the candidate have his password and he can begining file (6/23) his EFS reports and timely waived reports. **The first electronic and writed submitted official report is 2014 p4** (filed timely on 6/26 up to last report 2014tr timely filed on 8/9). Because Candidate not received funds, made contributions or expended any reportable funds and Personal situations, On 8/13/2014 candidate decide withdraw from race. The Chapter 106. 07 (7) not apply in this case.

The Staff recomendation of November 3, 2015, state clear about the letter dated June 23, 2014 (page 1, fact 4) going to advise candidate about the 2014 calendar of reporting dates (page 2, fact 5). The filing officer of The Division of Elections contact candidate because the filling officer know the letter with the password not going to be

received before June 25, 2014. The letter with the passwords, was not received up to June 26, 2014. The report 2014p3 cover period from 7/12/14 up to 7/18/14; June 23, 2014 its the date division of election approved the forms and that date cover period is from 7/19 up to 7/25/14 (report 2014 p4).

Under this facts, we need to re-address this Investigation under FS. 104.051. The filing official who contact the candidate before 7/25, willfully neglects his duties of remove report 2014 p3.

F.S. 104.051 Violations; neglect of duty..... States:

(2) Any official who willfully refuses or willfully neglects to perform his or her duties as prescribed by this election code is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

In addition, the candidate respectfully request an investigation for a posible discrimination by filing officers against Mr. Jose N. Vazquez as a Democrat write in candidate for State House of Representatives. This Division disqualified him in 2008 and now the filing officer falsely accuse Jose N. Vazquez of not timely file reports and the filing officer neglects his duties of disqualified Jose N. Vazquez as write in candidate in 2014.

Candidate Jose N. Vazquez Figueroa acting as his Treasure, based on the facts stated, Respectfully request the dismissal of Case No. 15-0011 and the Staff Recommendation of probable cause of 4 counts in violation of section 106.07 (7) and open an investigation under Chapter 104.051. (2)

Submitted by fax on December 3, 2015

*J - N Vazquez*

Jose N. Vazquez Figueroa

Former Candidate and Treasure for State Representative (D), 2014

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Jose N. Vazquez Figueroa**

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**Case No.: FEC 15-011**

**STAFF RECOMMENDATION FOLLOWING INVESTIGATION**

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the referral in this case recommending that there is **probable cause** to charge Respondent with violating **Section 106.07(7), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on October 7, 2015, the following facts and law support this staff recommendation:

1. On January 5, 2015, the Florida Elections Commission (“Commission”) received a referral from the Department of State, Division of Elections (“Division”), alleging that Jose N. Vazquez Figueroa (“Respondent”) violated Chapter 106, Florida Statutes.

2. Respondent was a 2014 candidate for State Representative, District 58. (ROI Exhibit 7)<sup>1</sup>

3. By letter dated September 16, 2015, the Executive Director notified Respondent that Commission staff would investigate the following statutory provision:

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

- 2014 P3
- 2014 P4
- 2014 P5
- 2014 IR

4. By letter dated June 23, 2014, Kristi Reid Bronson, Chief, Bureau of Election Records, sent Respondent a letter acknowledging that the Division had received his Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form. (ROI Exhibit 2, page 1)

5. The acknowledgment letter advised Respondent that all of the Division’s publications and reporting forms were available on its website and directed Respondent to print

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

out the 2014 Calendar of Reporting Dates as well as other relevant documents. (ROI Exhibit 2, page 3)

6. Pursuant to Section 106.07(7), Florida Statutes, in any reporting period during which a candidate has not received funds, made any contributions, or expended any reportable funds, the filing of the required report for that period is waived. However, the candidate is required to notify the filing officer in writing on the prescribed reporting date that no report is being filed on that date.

7. The *Candidate & Campaign Treasurer Handbook* references the statutory requirement regarding written notification and directs candidates to notify the Division by way of the Division's electronic filing system. (ROI Exhibit 3, page 6) The *Candidate EFS User's Guide* shows the process through which to notify the Division. The user's guide instructs candidates to select the relevant reporting period and place a checkmark in a box titled "Waiver" to indicate the lack of reportable financial activity. (ROI Exhibit 4, pages 3-4)

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

Report	Report Cover Period	Date Notification Due	Date Notification Filed	No. of Days Late
2014 P3	7/12/14 – 7/18/14	7/25/14	7/26/14	1
2014 P4	7/19/14 – 7/25/14	8/1/14	8/3/14	2
2014 P5	7/26/14 – 8/1/14	8/8/14	8/9/14	1
2014 TR	8/9/14 – 11/12/14	11/12/14	12/1/14	19

9. Respondent stated that he does not understand why his notifications appear as if they were submitted late (ROI Exhibit 6, page 2)

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

11 The facts set forth above show that Respondent was a 2014 candidate for State Representative, District 58. Respondent failed to notify the filing officer on the prescribed reporting dates that no reports would be filed for the following reporting periods: 2014 P3, 2014 P4, 2014 P5, and 2014 TR

Based upon these facts and circumstances, I recommend that the Commission find



probable cause to charge Respondent with violating the following:

**Count 1:**

On or about July 25, 2014, Jose N. Vazquez Figueroa violated Section 106.07(7), Florida Statutes, when he failed to notify the filing officer in writing on the prescribed reporting date that he would not be filing his 2014 P3 Report.

**Count 2:**

On or about August 1, 2014, Jose N. Vazquez Figueroa violated Section 106.07(7), Florida Statutes, when he failed to notify the filing officer in writing on the prescribed reporting date that he would not be filing his 2014 P4 Report.

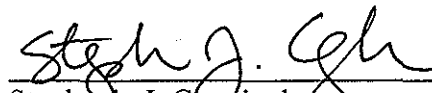
**Count 3:**

On or about August 8, 2014, Jose N. Vazquez Figueroa violated Section 106.07(7), Florida Statutes, when he failed to notify the filing officer in writing on the prescribed reporting date that he would not be filing his 2014 P5 Report.

**Count 4:**

On or about November 12, 2014, Jose N. Vazquez Figueroa violated Section 106.07(7), Florida Statutes, when he failed to notify the filing officer in writing on the prescribed reporting date that he would not be filing his 2014 Termination Report.

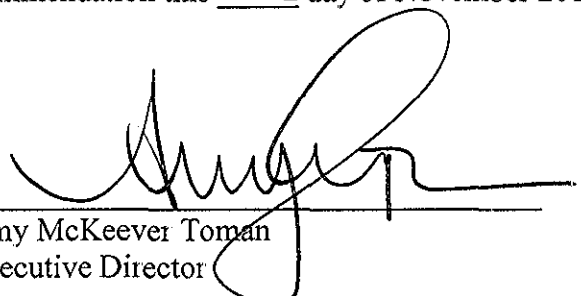
Respectfully submitted on November 3, 2015.



---

Stephanie J. Cunningham  
Assistant General Counsel

I reviewed this Staff Recommendation this 3rd day of November 2015.



Amy McKeever Toman  
Executive Director

# FLORIDA ELECTIONS COMMISSION

## Report of Investigation for Failure to Notify Filing Officer

<p><b>Case Number</b> FEC 15-011</p> <p>Section 106.07(7), Florida Statutes, failure of a candidate who did not receive any contributions or make any expenditures during a reporting period to notify timely the filing officer, in writing, that no report is being filed</p>	<p><b>Respondent:</b> Jose N. Vazquez Figueroa</p> <p><b>Complainant:</b> Division of Elections</p> <p><b>Respondent Type:</b></p> <p><input checked="" type="checkbox"/> Candidate</p> <p><input type="checkbox"/> Political Committee</p>
---	---

**I. Preliminary Information:**

- 1 An appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9) was filed on June 20, 2014 (Ex 1)
2. An acknowledgement letter was mailed to the address provided on Respondent's DS-DE 9 on June 23, 2014 advising Respondent that all of the Division's publications and reporting forms are available on their website, including Chapter 106, Florida Statutes, the *2014 Candidate and Campaign Treasurer Handbook*, and the Calendar of Reporting Dates. (Ex. 2)
- 3 The acknowledgement letter also states, "An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports" and provides the telephone number for the Division's EFS Help Desk.
4. The *2014 Candidate and Campaign Treasurer Handbook*, discusses filing a waiver when there is no activity to disclose on page 47. (Ex 3)
5. Pages 12, 13, 44, and 45 of the *Candidate EFS User's Guide* discuss how to notify the Division on the prescribed reporting date that no report will be filed using the EFS. Specifically, page 13 instructs the user to click the box next to "waiver" if there is no activity to disclose. (Ex. 4)
6. In a telephone interview on April 2, 2015, Kristi Reid-Bronson clarified that once the waiver box is chosen and a new report is opened as shown on Page 12, the only available option on the report summary screen will be "Go To File Report" as shown on Page 13. Choosing "Go To File Report" will take the user directly to the screens where the candidate/treasurer PINS are entered as shown on Pages 44 and 45

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

7 Respondent's filing history reflects the untimely filed notifications summarized below (Ex 5)

Report	Report Cover Period	Date Notification Due	Date Notification Filed	No. of Days Late
2014 P3	7/5/14 – 7/18/14	7/25/14	7/26/14	1
2014 P4	7/19/14 – 7/25/14	8/1/14	8/3/14	2
2014 P5	7/26/14 – 8/1/14	8/8/14	8/9/14	1
2014 TR	8/9/14 – 11/12/14	11/12/14	12/1/14	19

8 Respondent did not provide a written response to the referral

9. Respondent submitted a questionnaire dated September 29, 2015 in which he stated "I receive a phone call from Division of Elections and they told me my passwords are not to be available to file my first report. On that phone call I waivered my first report. So I not understand what happen. So when I filed all my reports look like I file behind. I not collect money I was running as write-in candidate to prove the corrupted are this system and I withdraw of the race. So I submit my report's the best I can without help of the Division I wish I can testified in front of all of you for you can investigated my allegations of discrimination against me as write in candidate back in 2008". (Ex. 6)

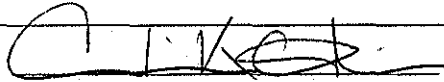
**III. FEC History:**

10. Respondent has had prior cases before the Commission. FEC #15-382; \$25.00 automatic fine default final order 13-204; no probable cause found for 106.07(2)(b)1. 13-011; \$100.00 automatic fine. Records from the FEC reflect that neither of these fines have been paid.

**Conclusion:**

11 Respondent stated in his questionnaire that he did not read Chapter 106, Florida Statutes and/or the *2014 Candidate and Campaign Treasurer Handbook*. Respondent signed his Statement of Candidate form on June 20, 2014. (Ex. 7)

SIGNATURE OF INVESTIGATOR:

 Date: 10/7/15

**FLORIDA ELECTIONS COMMISSION**  
**REPORT OF INVESTIGATION**  
**Jose N. Vazquez Figueroa -- FEC 15-011**

<b>LIST OF EXHIBITS</b>	
<b>Exhibits #s</b>	<b>Description of Exhibits</b>
Exhibit 1	Respondent's DS-DE 9 form
Exhibit 2	Acknowledgement Letter
Exhibit 3	Relevant pages from the 2013 Candidate and Campaign Treasurer Handbook
Exhibit 4	Relevant pages from the Candidate EFS User's Guide
Exhibit 5	Respondent's filing history
Exhibit 6	Respondent's questionnaire-affidavit
Exhibit 7	Statement of Candidate

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

(PLEASE PRINT OR TYPE)

RECEIVED  
DEPARTMENT OF STATE

14 JUN 20 AM 9:36

DIVISION OF ELECTIONS  
TALLAHASSEE, FL

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

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

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

2 Name of Candidate (in this order: First, Middle, Last)

JOSE N. VAZQUEZ FIGUEROA

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

8014 N. 11 ST  
TAMPA FL 33604

4 Telephone

(813) 526-9920

5 E-mail address

VAZQUEZD58@YAHOO.COM

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

Florida House of Representative  
DISTRICT 58

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     DEMOCRAT Party candidate

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

10 Name of Treasurer or Deputy Treasurer

JOSE N. VAZQUEZ FIGUEROA

11 Mailing Address

8014 N 11 ST

12 Telephone

(813) 526-9920

13 City

TAMPA

14 County

Hillsborough

15 State

FL

16 Zip Code

33604

17 E-mail address

VAZQUEZD58@YAHOO.COM

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

19 Name of Bank

GTE FINANCIAL

20 Address

N. Florida Ave

21 City

TAMPA

22 County

Hillsborough

23 State

FL

24 Zip Code

33

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

June 16, 2014

26 Signature of Candidate

X J-N VAND

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

JOSE N. VAZQUEZ FIGUEROA

do hereby accept the appointment

(Please Print or Type Name)

designated above as:

Campaign Treasurer

Deputy Treasurer

June 16, 2014

Date

X J-N VAND

Signature of Campaign Treasurer or Deputy Treasurer



## FLORIDA DEPARTMENT OF STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

June 23, 2014

Jose N Vazquez Figueroa  
8014 North 11 Street  
Tampa, FL 33604

Dear Mr. Figueroa:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of State Representative, which was placed on file in our office on June 20, 2014. Your name has been placed on the 2014 active candidate list.

### Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **June 27, 2014**. The report will cover the period of June 1-20, 2014 (P1). All candidates who file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

### Credentials and Sign-ons

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

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

Identification Number: 63423



Division of Elections  
R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399  
850.245.6200 • 850.245.6217 (Fax) [election.dos.state.fl.us](http://election.dos.state.fl.us)  
Promoting Florida's History and Culture [VivaFlorida.org](http://VivaFlorida.org)



EXHIBIT 2(10f3)

Jose N. Vazquez Figueroa  
June 23, 2014  
Page Two

### **Pin Numbers**

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

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

### **Timely Filing**

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

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

### **Electronic Receipts**

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

EXHIBIT 2(2 of 3)



Jose N. Vazquez Figueroa  
June 23, 2014  
Page Three

**Instructions and Assistance**

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

**All of the Division's publications and reporting forms are available on the Division of Elections' website at <http://elections.myflorida.com>. 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, 2014 Candidate and Campaign Treasurer Handbook, 2014 Calendar of Reporting Dates, and Rule 1S-2.017, Florida Administrative Code.**

Please let me know if you need additional information

Sincerely,



Kristi Reid Bronson, Chief  
Bureau of Election Records

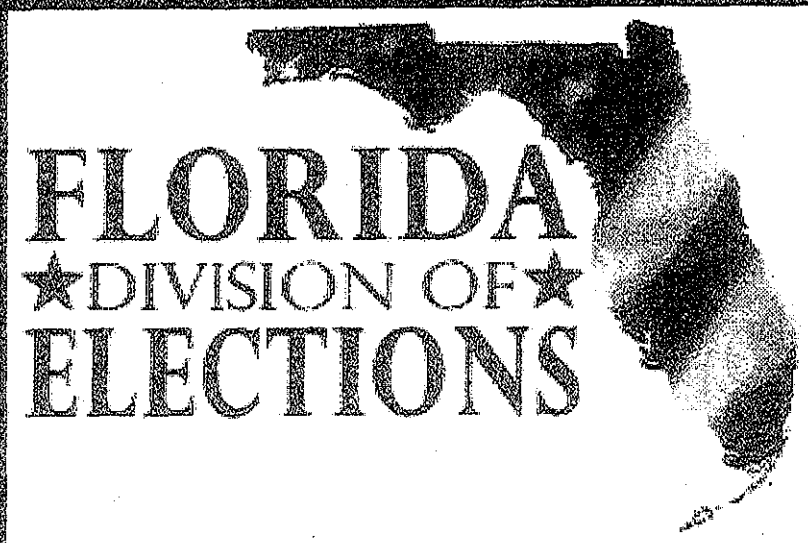
KRB/slb

Enclosures

EXHIBIT 2(3 of 3)

# Candidate & Campaign Treasurer Handbook

November 2013  
Florida Department of State  
Division of Elections  
R. A. Gray Building, Room 316  
500 South Bronough Street  
Tallahassee, FL 32399-0250  
(850) 245-6240



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This publication is available in alternate format upon request by contacting the Division of Elections at 850.245.6240.

day designated is deemed timely filed. A report received by the filing officer within 5 days after the designated due date that was delivered by the U.S. Postal Service is deemed timely filed unless it has a postmark indicating the report was mailed after the designated due date. A certificate of mailing obtained from and dated by the U.S. Postal Service at the time of mailing or a receipt from an established courier company, which bears a date on or before the date on which the report is due, is proof of mailing in a timely manner. Reports filed with the Division through the Electronic Filing System (EFS) are due no later than midnight, Eastern Time, of the due date.

*(Sections 106.07, 106.0705  
and 106.141, F.S.)*

#### **Penalty for Late Filing**

Any candidate failing to file a report on the designated due date shall be subject to a fine of \$50 per day for the first three days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding the primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. For a candidate's termination report, the fine shall be \$50 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater for the period covered by the late report. All fines must be paid from the candidate's personal funds – not campaign funds.

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

#### **Waiver of Report**

In any reporting period during which a candidate has not received funds or made any expenditures, the filing of the required report for that period is waived; however, the candidate must indicate there is no activity by filing a waiver of report on the prescribed due date. (Waivers filed with the Division must be filed using the EFS.) The next report filed must specify that the report covers the entire period between the last submitted report and the report being filed.

*(Section 106.07, F.S.)*

#### **Incomplete Reports**

If a campaign treasurer files a report that is deemed incomplete, it shall be accepted on a conditional basis. The campaign treasurer will be notified by the filing officer as to why the report is incomplete. The campaign treasurer must file an addendum to the incomplete report within seven days of notification. The addendum must include all necessary information to complete the report.

*(Section 106.07(2), F.S.)*

#### **Reporting Total Sums**

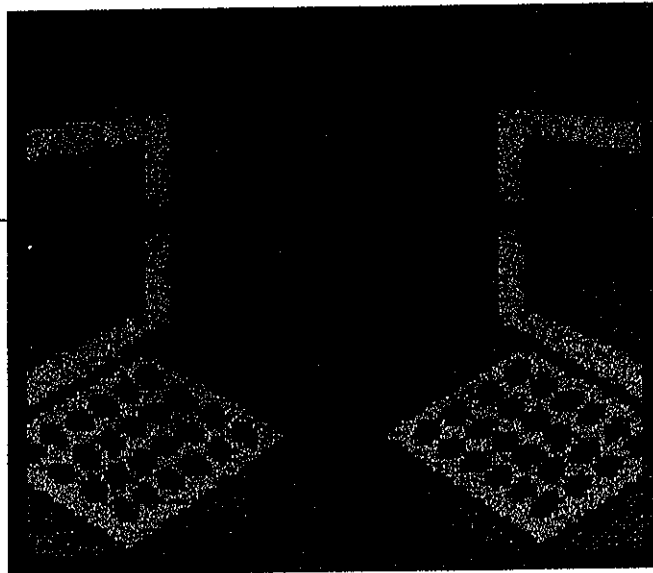
Each campaign treasurer's report required by Chapter 106, F.S., shall contain the total sums of all loans, in-kind contributions, and other receipts by or for such candidate, and total sums of all expenditures made by such candidate during the reporting period. The

reporting forms shall be designed to elicit separate totals for in-kind contributions, loans, and other receipts.

*(Section 106.07, F.S.)*

**Department of State  
Division of Elections**

# **Candidate EFS User's Guide**



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

**EFS HELP LINE: 850-245-6280**

**January 2011**

**EXHIBIT**

4 (1 of 6)

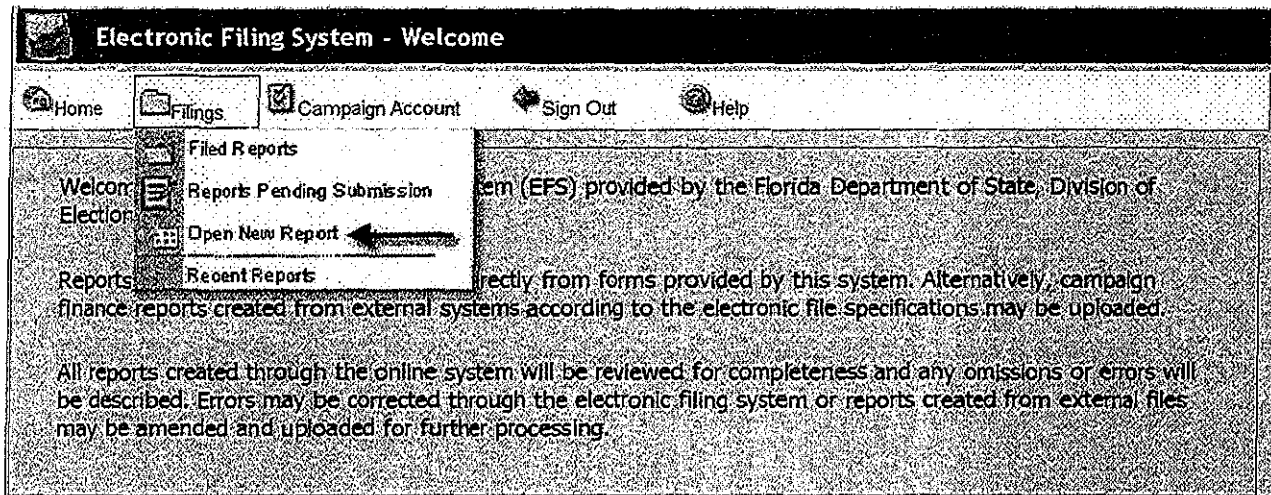


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# Create a New Report by Data Entry

From the Welcome Screen, click  and then  Open New Report



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

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


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


Special Election Report  Waiver

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

Browse

Open Report

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

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

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

EXHIBIT 4 (3 of 6)

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

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

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

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

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

Report: 2010 - G4 - 27 2010 General Election Covers: 10/16/2010-10/28/2010 Due: 10/29/2010

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

# of Transactions: 0

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

Review Messages

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

EXHIBIT 4(4 of 6)

# File the Report

If the **Review Status** is Updated Detail – Needs Review the report has not been reviewed since the last update (See page 38 for instructions on how to submit the report to the system for review.)

If the status of the report is Complete Detail Records, you are ready to file the report.

Report: 2010 - F3 - 26      2010 General Election      Covers: 8/7/2010-8/19/2010      Due: 8/20/2010

Amendment     Waiver      Complete Status: **Complete Detail Records** ←

File Date:       Review Status: **Reviewed**

Status: **Data Entry**      Last Review: **8/19/2010 3:56:42 PM**

# of Transactions:                        

Contributions		Total Amount	Expenditures		Total Amount
Cash and Checks:	<input type="text"/>	0.00	Monetary:	<input type="text"/>	51.00
Loans:	<input type="text"/>	0.00	Transfers to Off Acct:	<input type="text"/>	0.00
Total Monetary:	<input type="text"/>	0.00	Total Monetary:	<input type="text"/>	51.00
In-Kind:	<input type="text"/>	0.00	Other Distributions:	<input type="text"/>	0.00

Review Messages:

Created: 8/19/2010 2:01:35 PM    By: 50552    Revised: 8/19/2010 3:56:42 PM    By: 50552

Click on

The **candidate** enters his or her **PIN**, and then selects

**NOTE: A PIN is the same as your signature attesting to the validity of the report.**

Step 1: Enter the candidate/chairperson PIN.

Step 2: Select the 'Report Approved' button.

---

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

Review Status: **Reviewed**       Original     Amended

Waiver


PIN for Candidate/Chairperson:      ←

EXHIBIT 4 (5 of 6)

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

Campaign Treasurer:  

The treasurer enters his or her PIN and then clicks

Report: 2010 - F3 - 26	Coverage Period: 8/7/2010-8/19/2010	Due: 8/20/2010
Review Status: <input type="text" value="Reviewed"/>	<input checked="" type="radio"/> Original	<input type="radio"/> Amended
Campaign Treasurer: <input type="text" value="James Bond"/>	<input type="checkbox"/> Wave	
PIN for specified Treasurers: <input type="text"/>		
To Edit Report Again Select Cancel:	<input type="button" value="Cancel"/>	<input type="button" value="File Report"/> 

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

EXHIBIT 4 (6 of 6)



Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Name:

Election:

Acct:

Type:

Candidate Name: Jose N Vazquez Figueroa  
Account: 63423

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
11/12/2014	TR	12/1/2014	FEC	19	\$0 00		\$0 00	\$0 00
8/15/2014	P6	8/9/2014						
8/8/2014	P5	8/9/2014	FEC	1	\$0 00		\$0 00	\$0 00
8/1/2014	P4	8/3/2014	FEC	2	\$0 00		\$0 00	\$0 00
7/25/2014	P3	7/26/2014	FEC	1	\$0 00		\$0 00	\$0 00
7/11/2014	P2	7/10/2014						
6/27/2014	P1	6/27/2014						

EXHIBIT 5

AFFIDAVIT OF BACKGROUND INFORMATION

Case Number: FEC 15-011

STATE OF FLORIDA
County of Hillsborough

Jose N. Vazquez Figueroa, being duly sworn, says:

1. This affidavit is made upon my personal knowledge.
2. I am of legal age and competent to testify to the matters stated herein. I am currently employed by V.E.M.S as CEO.

3. Did you receive the acknowledgement letter containing your Electronic Filing System (EFS) PIN and password, and instructing you to print Chapter 106, Florida Statutes, the 2014 Candidate and Campaign Treasurer Handbook, and the Calendar of Reporting Dates from the Division of Elections' website?

[ ] Yes [X] No On time to Reviewed properly.

4. Did you read and/or print Chapter 106, Florida Statutes, per the instructions in the acknowledgement letter?

[ ] Yes [X] No On time to Reviewed properly

5. Did you read and/or print the 2014 Candidate and Campaign Treasurer Handbook, per the instructions in the acknowledgement letter?

[ ] Yes [X] No Aviable primary Language, and NO AVIABLE TO PRINT.

6. Did you print the Calendar of Reporting Dates, per the instructions in the acknowledgement letter?

[ ] Yes [X] No Aviable to Print.

7. Did you read and/or print the EFS Guide Book?

[ ] Yes [X] No Aviable to Print

8. Did you read and/or print any other campaign related materials?

[ ] Yes [X] No Aviable to Print

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

I Receive a phone call from Division of Elections and they told me my passwords are NOT TO BE AVIABLE TO FILE MY FIRST REPORT.

10. Please explain the reason(s) you failed to notify your filing officer on the prescribed due dates that there was no campaign finance activity to disclose; therefore, no report would be filed for the reporting periods listed below (use additional paper if necessary):

2014 P3

2014 P4

2014 P5

2014 TR

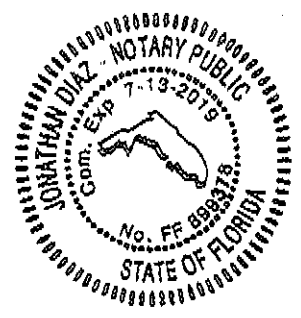
On THAT phone call I waiver my first Report. SO  
I NOT UNDERSTAND WHAT HAPPEN. SO WHEN I FILED .ALL  
MY REPORTS LOOK LIKE I FILE BEHIND. I NOT COLLECT  
MONEY. I WAS RUNNING AS WRITE-IN CANDIDATE TO  
PROVE THE CORRUPTED ARE THIS SYSTEM AND I WITH  
DRAW OF THE RACE. SO I SUMMIT MY REPORTS  
THE BEST I CAN WITHOUT HELP OF THE DIVISION. I  
WISH I CAN TESTIFIED IN FRONT OF ALL OF YOU FOR YOU  
CAN INVESTIGATED MY ALLEGATIONS OF DISCRIMINATION AGAINST ME.  
AS WRITE IN CANDIDATE BLACK IN 2008.

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

1 - N VAW  
Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 22<sup>nd</sup> day of September, 2015

[Signature]  
Signature of Notary Public - State of Florida  
Print, Type, or Stamp Commissioned Name of Notary Public



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

Case Investigator: CKO

EXHIBIT 6(2of2)



**STATEMENT OF  
CANDIDATE**

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

~~RECEIVED ONLY~~  
DEPARTMENT OF STATE

14 JUN 20 AM 9:36

DIVISION OF ELECTIONS  
TALLAHASSEE, FL

I, JOSE N. VAZQUEZ

candidate for the office of Florida House of Representative 58,

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

X

JOSE N. VAZQUEZ

Signature of Candidate

June 16, 2014

Date

Each candidate must file a statement with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository is filed. Willful failure to file this form is a first degree misdemeanor and a civil violation of the Campaign Financing Act which may result in a fine of up to \$1,000, (ss. 106 19(1)(c), 106 265(1), Florida Statutes)



**FLORIDA ELECTIONS COMMISSION**

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

September 16, 2015

Jose N Vazquez  
718 Granite Road  
Brandon, FL 33510-3543

**RE: Case No.: FEC 15-011; Respondent: Jose N. Vazquez**

Dear Mr. Vazquez:

On January 5, 2015, 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(7), Florida Statutes:** As alleged in the complaint, for each of the following reporting periods, Respondent failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the reporting periods:

- 2014 P3
- 2014 P4
- 2014 P5
- 2014 IR

You may respond to the allegations above by filing a notarized statement providing any information regarding the facts and circumstances surrounding the allegations. Your response will be included as an attachment to the investigator's report.

When we conclude the investigation, a copy of the Report of Investigation will be mailed to you at the above address. You may file a response to the report within 14 days from the date the report is mailed to you. Based on the results of the investigation, legal staff will make a written recommendation to the Commission on whether there is probable cause to believe you have violated Chapter 104 or 106, Florida Statutes. A copy of the Staff Recommendation will be mailed to you and you may file a response within 14 days from the date the recommendation is

mailed to you. Your timely filed response(s) will be considered by the Commission when determining probable cause.

The Commission will then hold a hearing to determine whether there is probable cause to believe you have violated Chapters 104 or 106, Florida Statutes. You and the complainant will receive a notice of hearing at least 14 days before the hearing. The notice of hearing will indicate the location, date, and time of your hearing. You will have the opportunity to make a brief oral statement to the Commission, but you will not be permitted to testify or call others to testify, or introduce any documentary or other evidence.

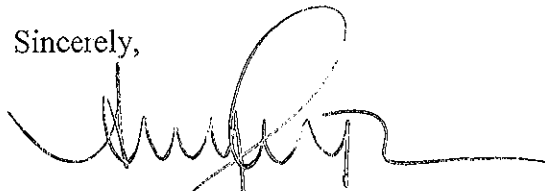
At any time before a probable cause finding, you may notify us in writing that you want to enter into negotiations directed towards reaching a settlement via consent agreement.

**The Report of Investigation, Staff Recommendation, and Notice of Hearing will be mailed to the above address as this letter. Therefore, if your address changes, you must notify this office of your new address. Otherwise, you may not receive these important documents. Failure to receive the documents will not delay the probable cause hearing.**

Under section 106.25, Florida Statutes, complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 and 106, Florida Statutes, are confidential until the Commission finds probable cause or no probable cause. The confidentiality provision does not apply to the person filing the complaint. However, it does apply to you unless you waive confidentiality in writing. The confidentiality provision does not preclude you from seeking legal counsel. However, if 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.

If you have any questions or need additional information, please contact **Tracie Aulet**, the investigator assigned to this case.

Sincerely,



Amy McKeever Toman  
Executive Director

AMT/enr

**DIVISION OF ELECTIONS  
FEC REFERRAL FORM**

To FEC from Division of Elections

RECEIVED

2015 JAN -5 P 1:01

STATE OF FLORIDA  
ELECTIONS DIVISION

---

---

**Name:** Jose N. Vazquez Figueroa  
**Account Number:** 63423  
**Treasurer:** Jose N. Vazquez Figueroa

---

---

The Division of Elections is referring this issue to the Florida Elections Commission pursuant to Section 106.25 and 106.19(1)(c), Florida Statutes, in that written notifications of no reports were filed after the applicable reporting deadline for the following reports:

<u>Report</u>	<u>Due Date</u>	<u>Date Waiver Filed</u>
2014 P3	7/25/2014	7/26/2014
2014 P4	8/1/2014	8/3/2014
2014 P5	8/8/2014	8/9/2014
2014 TR	11/12/2014	12/1/2014

The late filings of the required waiver reports reflect a deliberate failure to provide information to the filing officer as required by Section 106.07(7), Florida Statutes, i.e. no report is being filed on the prescribed reporting date.

---

**Sent By:** Kristi Reid Bronson / jq  
**Date:** December 30, 2014


KEB

**AFFIDAVIT**

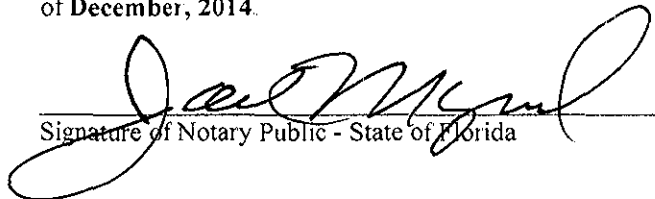
**STATE OF FLORIDA**  
**County of Leon**

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

1. I am the Chief of the Bureau of Election Records of the Division of Elections (Division) In that capacity, I oversee the Division's duties related to the filing of campaign finance reports. This affidavit is made upon my personal knowledge, including information obtained from review of the attached records, of which I am the custodian.
2. I am of legal age and competent to testify to the matters stated herein.
3. Jose N. Vazquez Figueroa (63423) was a 2014 candidate for the office of State Representative. On June 20, 2014, Mr. Figueroa filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division indicating that he was the treasurer
4. The 2014 P3 campaign treasurer's report was due on July 25, 2014. Mr. Figueroa filed a waiver for this report on July 26, 2014. (See attached file receipt).
5. The 2014 P4 campaign treasurer's report was due on August 1, 2014. Mr. Figueroa filed a waiver for this report on August 3, 2014. (See attached file receipt)
6. The 2014 P5 campaign treasurer's report was due on August 8, 2014. Mr. Figueroa filed a waiver for this report on August 9, 2014. (See attached file receipt)
7. The 2014 TR campaign treasurer's report was due on November 12, 2014. Mr. Figueroa filed a waiver for this report on December 1, 2014. (See attached file receipt).

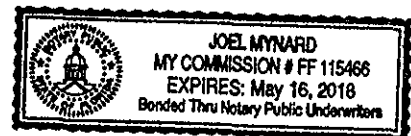
  
\_\_\_\_\_  
Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 30<sup>th</sup> day  
of December, 2014.

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

Print, Type, or Stamp Commissioned Name of Notary  
Public

Personally Known



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

(Section 106 021(1), F.S.)

(PLEASE PRINT OR TYPE)

RECEIVED  
DEPARTMENT OF STATE

14 JUN 20 AM 9:36

DIVISION OF ELECTIONS  
TALLAHASSEE, FL

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

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

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

2 Name of Candidate (in this order: First, Middle, Last)  
JOSE N. VAZQUEZ FIGUEROA

4 Telephone      5 E-mail address  
(813) 526-9920      Vazquezd58@yahoo.com

3 Address (include post office box or street, city, state, zip code)  
8014 N. 11 ST  
TAMPA FL 33604

6 Office sought (include district, circuit, group number)  
Florida House of Representative  
DISTRICT 58

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     DEMOCRAT Party candidate

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

10 Name of Treasurer or Deputy Treasurer  
JOSE N VAZQUEZ FIGUEROA

11 Mailing Address      12 Telephone  
8014 N 11 ST      (813) 526-9920

13 City      14. County      15 State      16. Zip Code      17 E-mail address  
TAMPA      Hillsborough      FL      33604      Vazquezd58@yahoo.com

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

19 Name of Bank      20 Address  
GTE FINANCIAL      N. Florida Ave

21 City      22 County      23 State      24 Zip Code  
TAMPA      Hillsborough      FL      33

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

25 Date      26. Signature of Candidate  
June 16, 2014.      X [Signature]

27 Treasurer's Acceptance of Appointment (fill in the blanks and check the appropriate block)  
I, JOSE N. VAZQUEZ FIGUEROA do hereby accept the appointment  
(Please Print or Type Name)

designated above as:  Campaign Treasurer     Deputy Treasurer  
June 16, 2014      X [Signature]  
Date      Signature of Campaign Treasurer or Deputy Treasurer

RECEIVED  
DEPARTMENT OF STATE  
14 JUN 20 AM 9:36  
DIVISION OF ELECTIONS  
TALLAHASSEE, FL

**CANDIDATE OATH -  
WRITE-IN CANDIDATE**

(Not for use by Judicial or  
School Board Candidates)

OFFICE USE ONLY

**OATH OF CANDIDATE**  
(Section 99.021, Florida Statutes)

I, JOSE  
(PLEASE PRINT NAME)

am a write-in candidate for the office of Florida House of Representative, 58,  
(office) (district #) (circuit #)  
; I am a qualified elector of Hillsborough County, Florida; I am qualified  
(group or seat #)

under the Constitution and the Laws of Florida to hold the office to which I desire to be nominated or elected; I have qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with the office I seek; and I have resigned from any office from which I am required to resign pursuant to Section 99.012, Florida Statutes; and I will support the Constitution of the United States and the Constitution of the State of Florida.

X J+N. Varuz  
Signature of Candidate

(813) 526-9920  
Telephone Number

Varquezd58@yahoo.com  
Email Address

8014 N. 11 ST  
Address

TAMPA  
City

FL  
State

33604  
ZIP Code

Candidate's Florida Voter Registration Number (located on your voter information card): 111162630

STATE OF FLORIDA  
COUNTY OF Pasco

Sworn to (or affirmed) and subscribed before me this 16<sup>th</sup> day of June, 2014.

Personally Known: \_\_\_\_\_ or

Produced Identification:

Type of Identification Produced:  
Drivers License

Sarah Acevedo  
Signature of Notary Public

Print, Type or Stamp Commissioned Name of Notary Public



**STATEMENT OF  
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

RECEIVED ONLY  
DEPARTMENT OF STATE

14 JUN 20 AM 9:36

DIVISION OF ELECTIONS  
TALLAHASSEE, FL

I, JOSE N. VAZQUEZ,  
candidate for the office of Florida House of Representative 58,


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

X JOSE N. VAZQUEZ  
Signature of Candidate

June 16, 2014  
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)



 Treasurer Report Status

ID: **63423** Name: **Jose N. Vazquez Figueroa**

Report: 2014 - P3 - 3

Print Date: **12/11/2014 11:50:11 AM**

Election: 2014 General Election

Covers: 7/5/2014-7/18/2014

Amended  Waiver

Due: 7/25/2014

Filed: **7/26/2014 7:09:43 AM**

File Status: **Filed Report**

Reviewed: **7/26/2014**

Review Status: **Reviewed**

Detail Complete: **No Detail Records Found**

File Method: Web Filed

**Number of Detail Records**

Entry Method: Web Data Entry

Contributions: 0


Expenditures: 0

Pending Queued Items: **0**

Fund Transfers: 0

Distributions: 0

To Print Report: Right Click Mouse and Select 'Print'

 Treasurer Report Status

ID: **63423**      Name: **Jose N. Vazquez Figueroa**

Report: 2014 - P4 - 4

Print Date: **12/11/2014 11:50:31 AM**

Election: 2014 General Election

Covers: 7/19/2014-7/25/2014

Amended     Waiver

Due: 8/1/2014

Filed: **8/3/2014 6:05:34 AM**

File Status: **Filed Report**

Reviewed: **8/3/2014**

Review Status: **Reviewed**

Detail Complete: **No Detail Records Found**

File Method: Web Filed

**Number of Detail Records**

Entry Method: Web Data Entry

Contributions: 0


Expenditures: 0

Pending Queued Items: **0**

Fund Transfers: 0

Distributions: 0

To Print Report: Right Click Mouse and Select 'Print'

 Treasurer Report Status

ID: **63423** Name: **Jose N. Vazquez Figueroa**

Report: 2014 - P5 - 5

Print Date: **12/11/2014 11:50:49 AM**

Election: 2014 General Election

Covers: 7/26/2014-8/1/2014

Amended  Waiver

Due: 8/8/2014

Filed: **8/9/2014 5:14:51 PM**

File Status: **Filed Report**

Reviewed: **8/9/2014**

Review Status: **Reviewed**

Detail Complete: **No Detail Records Found**

File Method: Web Filed

**Number of Detail Records**

Entry Method: Web Data Entry

Contributions: 0

Expenditures: 0

Pending Queued Items: **0**

Fund Transfers: 0

Distributions: 0

To Print Report: Right Click Mouse and Select 'Print'

 Treasurer Report Status

ID: **63423** Name: **Jose N. Vazquez Figueroa**

Report: 2014 - TR - 7

Print Date: **12/11/2014 11:51:01 AM**

Election: 2014 General Election

Covers: 8/9/2014-11/12/2014

Amended  Waiver

Due: 11/12/2014

Filed: **12/1/2014 10:50:14 AM**

File Status: **Filed Report**

Reviewed: **12/1/2014**

Review Status: **Reviewed**

Detail Complete: **No Detail Records Found**

File Method: Web Filed

**Number of Detail Records**

Entry Method: Web Data Entry

Contributions: 0

Expenditures: 0

Pending Queued Items: **0**

Fund Transfers: 0

Distributions: 0

To Print Report: Right Click Mouse and Select 'Print'

**HISTORY NOTES**  
Jose N. Vazquez Figueroa - 63423

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
-----------	---------------	------------------	------------------------

40113

11/13/2014 2:30:00 PM

ljrandolph

RE: Credentials

I called and spoke with Mr Vasquez and explained to him that password and pin number could not be releasd until we received a request with his signature

---

38869

6/25/2014 10:28:00 AM

sibagley

RE: Credentials

I called and left a voicemail for Mr Figueroa and then followed up with the email below:

slb

-----  
Attention: Jose N Vazquez Figueroa

This is a follow up email to the phone message I left earlier on the number you have on file with us (813-526-9920) regarding your acknowledgement letter and credentials

We processed your candidate paperwork on Friday June 20, 2014 and the acknowledgement letter containing your credentials was mailed one June 24, 2014

We do not believe your letter will be received on time for logging in to complete your first report which is due June 27 2014

I have attached a copy of the acknowledgment letter but we for security reasons we are not allowed to supply the credentials in this email

Please call our help desk at 850-245-6280 so that we may start the process of issuing your credentials to you over the phone

Thank you