

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**In Re: CITIZENS FOR QUALITY
GOVERNMENT, RESPONDENT.**

Case No.: FEC 11-216

NOTICE OF HEARING ON APPEAL OF AUTOMATIC FINE

TO: David Farley, Chair
Citizens for Quality Government
Post Office Box 111
Venice, FL 34284

Kathy Dent
Sarasota County Supervisor of Elections
Post Office Box 4194
Sarasota, FL 34230

PLEASE TAKE NOTICE that on **February 21, 2012**, at **8:30 a.m.** or thereafter as the parties can be heard, the Florida Elections Commission will consider the Respondent's appeal of the automatic fine imposed by the filing officer. The Commission will meet at: **City Hall, City Commission Chambers, 300 S. Adams Street, Tallahassee, Florida.**

Although you did not request a hearing, this notice is to inform you that your case will be discussed at the meeting taking place on the above date and place. All documents you want the Commission to consider must be submitted at least 10 days prior to the hearing.

If you require an accommodation due to a disability, contact Donna Malphurs at (850) 922-4539 or by mail at 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida 32399, at least 48 hours before the hearing.

PLEASE GOVERN YOURSELF ACCORDINGLY.

Dated on January 19, 2012.



Rosanna Catalano
Executive Director

INSTRUCTIONS FOR HEARING ON APPEAL OF AUTOMATIC FINE

Please be advised that other cases have been scheduled for the same time. Therefore, your case may not be called exactly at the time set forth on this notice.

At the automatic fine hearing, the Florida Elections Commission will decide whether Respondent's campaign treasurers report was timely filed or whether there were unusual circumstances that excuse his failure to timely file his report.

Rule 2B-1.0055, *Florida Administrative Code*, defines **unusual circumstances** as "uncommon, rare or sudden events over which the actor has no control and which directly result in the failure to act in accordance with the filing requirements. Circumstances which allow for time in which to take those steps necessary to assure compliance with the filing requirement shall be deemed not to constitute unusual circumstances."

The hearing will be conducted pursuant to Section 106.07(8)(c), *Florida Statutes*, if Respondent is a candidate, a political committee, or an electioneering communications organization; Section 106.04(8)(c), *Florida Statutes*, if Respondent is a committee of continuous existence; or Section 106.29(3)(c), *Florida Statutes*, if Respondent is a political party; and Commission Rules 2B-1.005, 1.0052, & 1.0055, *Florida Administrative Code*.

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.

Before making a decision, the Commission will review the written documents submitted by Respondent and staff at least ten days before the hearing and the information presented at the hearing. Rule 2B-1.005, *Florida Administrative Code*, provides that unless good cause is shown, the Commission will not consider any written document unless it has been filed with the Commission Clerk at least ten days before the hearing.

When the case is called, the Chair will read a brief statement and may ask the Respondent and his attorney, if one is present, to state their names for the record. Respondent will then have time to present his case to the Commission. Witnesses may be called to testify under oath on Respondent's behalf. If Respondent calls witnesses, the staff attorney may cross-examine those witnesses after Respondent's questioning is finished. After Respondent's presentation, staff will have the same amount of time to present its case. If the staff attorney calls witnesses, Respondent may cross-examine those witnesses after staff's questioning is finished.

At any time during the presentations the Commissioners may ask questions of Respondent, his attorney, the witnesses, and staff. After the presentations are concluded, the Commissioners will discuss the case and decide whether Respondent's report was timely filed or whether there were unusual circumstances that excuse his failure to file timely his report. The Commission will make a decision by a majority vote of those members present and voting.

After the Commission meeting, the Commission will send Respondent a written order reflecting the Commission's decision. If the Commission upholds the fine, Respondent will have 30 days to pay the fine.

If you have any questions about the procedures for the hearing, please contact Donna Malphurs at 107 W. Gaines Street Collins Building, Suite 224 Tallahassee, FL 32399-1050, phone number: (850) 922-4539.

**FLORIDA ELECTIONS COMMISSION
CASE REPORT**

Case Number: FEC-11-216

NAME: CITIZENS FOR QUALITY GOVERNMENT

DATE APPEAL RECEIVED: 11/29/10

DATE HEARD BY FEC: 2/21/12

DATE HEARING REQUEST RECEIVED: n/a

DATE REPORT DUE: 10/29/10 (2010 G4)

DATE OF POSTMARK: 11/1/2010

DATE FILING OFFICER RECEIVED REPORT: 11/5/10

NUMBER OF DAYS LATE: 7

AMOUNT OF FINE: \$3,283.89*

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

TOTAL RECEIPTS FOR REPORTING PERIOD: \$600.00

TOTAL EXPENDITURES FOR REPORTING PERIOD: \$13,135.56

DATE FIRST NOTIFICATION WAS RECEIVED: Reminder notice dated 10/19/10

SUMMARY: Citizens for Quality Government is a political committee (PC) registered with the Sarasota County Supervisor of Elections office. The PC's chair is David Farley and its treasurer is D. Grady Hough, Jr.

The PC is appealing the fine claiming that the 2010 election cycle was his first cycle with reportable activity and he was unfamiliar with the process. According to Mr. Farley, he and Mr. Hough were newly elected to their positions and, "...unfortunately, we were not as diligent as we should have been in making timely reporting."

PRIOR CASES: This PC has not had any prior cases before the Commission; however, according to the Sarasota County SOE office, the PC paid an assessed fine of \$225 for the late filing of their 2010 G2 report.

CORRECTION OF FINE: According to Section 106.07(8)(b), Florida Statutes, the filing officer determines the fine based on the earliest of four option listed in the statutes: (1) when the filing officer receives the report, (2) when the report postmarked, (3) when the certificate of mailing is dated, or (4) when the receipt from an established courier company is dated. Additionally, for reports immediately preceding each primary and general election, the fine shall be \$500 per late day for each late day, not to exceed 25% of total receipts or expenditures, whichever is greater. Although the filing officer did not **receive** the report until 11/5/10, the report was **postmarked** on 11/1/10. Therefore, the report should have been deemed only three days late, and the fine should have been calculated based on the number of days the report was late. Accordingly, the correct fine amount is **\$1,500**.

CANDIDATE []	STATE []
PC [x]	DISTRICT []
CCE []	COUNTY [x]
POLITICAL PARTY []	CITY []
ECO []	

FEC ACTION:	FINE DUE: \$ _____	DATE: _____
TIMELY FILED: YES _____ NO _____	UNUSUAL CIRCUMSTANCES: YES _____ NO _____	
WAIVER: PARTIAL _____ FULL _____	FINE INCORRECTLY CALCULATED: YES _____ NO _____	
UC REASON: _____	INITIALS: _____	

TA

**Citizens for Quality Government
P.O. Box 111
Venice, Florida 34284**

RECEIVED
10 NOV 23 AM 9:43
STATE OF FLORIDA
ELECTIONS

November 23, 2010

VIA FEDERAL EXPRESS

Florida Elections Commission
107 W. Gaines Street
Collins Bldg., Suite 224
Tallahassee, FL 32399-1050

RE: Citizens for Quality Government Political Action Committee

Dear Commission:

Please accept this letter as an appeal of the fine imposed on Citizens for Quality Government ("CQG") as stated in the attached letter from Kathy Dent, Supervisor of Elections for Sarasota County, Florida dated November 9, 2010. CQG would respectfully request that the fine be waived or substantially reduced for the reasons stated below.

CQG is a small, local political committee whose sole purpose and focus is to support well-qualified candidates who are running for election to the Venice City Council. Venice's voting population is approximately 16,000 voters. CQG was formed 10 years ago and typically draws support from 50 to 100 local business owners, community leaders and retirees. The majority of our contributions are from individuals contributing between \$25.00 and \$200.00. Historically, we have raised between \$6,000 and \$10,000 per year. Prior to this year, CQG had never been late with any required filing.

Earlier this year, CQG elected a new Chairman, me, and a new Treasurer. The 2010 City election cycle was personally our first cycle with reportable activity and, unfortunately, we were not as diligent as we should have been in making timely reporting. This was a completely inadvertent act that I take responsibility for, but there were intervening or mitigating circumstances in addition to our personal unfamiliarity with the process that contributed to the late filings. Our Treasurer's assistant who was helping him compile the report was in and out of work during the period in question because her husband had back surgery. As a result, there was a lack of follow-up on finalizing the report and getting it signed.

Florida Elections Commission
November 23, 2010
Page 2

Our Treasurer and I accept full responsibility for the late filings and I can assure you that we now fully appreciate the strictness of the timelines and the consequences for missing them. I can guarantee you that this will not happen again on my watch. Again, CQG is a small, local political committee and the fine imposed would come close to wiping out our current cash reserves and represents nearly half of what we collect in a typical election year.

I would respectfully request that the Commission take into consideration the circumstances surrounding CQG and waive or substantially reduce the proposed fine.

Thank you for your consideration of this request and if you have any questions regarding CQG or if we can provide you with any additional information, please do not hesitate to call me at (941) 650-1355, or e-mail me at david@farleyfuneralhome.com.

Very truly yours,

A handwritten signature in black ink, appearing to read "David Farley", written over a horizontal line.

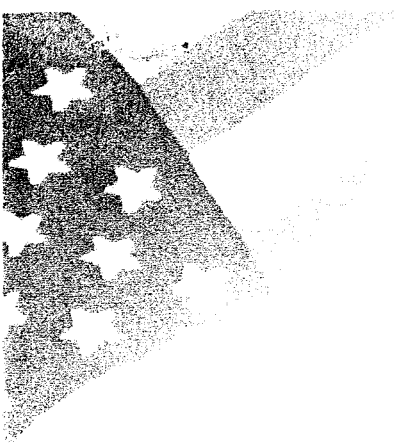
David Farley
Chairman, Citizens for Quality Government

DF/pw

Attachment

cc: Kathy Dent, Supervisor of Elections

f:\client\07538\FLelectcom
B10-07538



Kathy Dent
Supervisor of Elections
Sarasota County Florida

November 9, 2010

David Farley
Citizens for Quality Government
PO Box 111
Venice, FL 34284

Dear Mr. Farley:

Your campaign treasurer's report (G4) for the period ending October 28, 2010 which was due October 29, 2010 was not received by my office until November 5, 2010.

Pursuant to section 106.07(8)(b), Florida Statutes, when a report is not filed by the designated due date, for the report immediately preceding each primary and general election, the fine shall be \$500.00 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.

The amount of the fine being imposed is based on the following:

7 day late report (\$500.00 each day) = \$3,500.00

Contributions for period were \$600.00

Expenditures for period were \$13,135.56

25% is figured on expenditures because it is the greater of the two.

25% of \$13,135.56 is \$3,283.89

Therefore, the fine imposed is **\$3,283.89** because it does not exceed 25% of contributions for the reporting period.

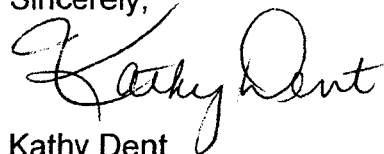
Fines must be made payable to **Board of County Commissioners** and remitted to Kathy Dent, Supervisor of Elections, P O Box 4194, Sarasota, FL 34230-4194 within 20 days after receipt of this notice of payment due.

Please note: An officer or member of the political committee shall not be personally liable for the fine.

An appeal of the fine can be made to the Florida Elections Commission who has the authority to waive the fine in whole or in part. Any such request should be made within 20 days after receipt of the notice of payment due. Notification must also be made to the elections office in writing of the committee's intention to bring the matter before the commission.

If you have any questions, please contact Cathy Fowler in my office at 861-8605.

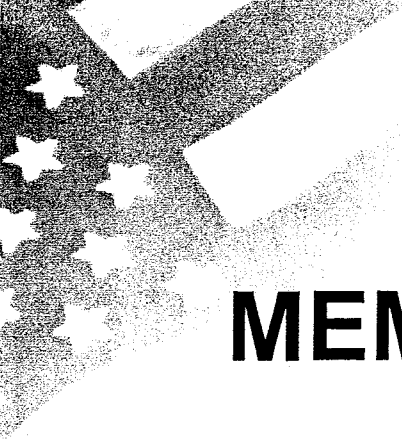
Sincerely,

A handwritten signature in cursive script that reads "Kathy Dent". The signature is written in black ink and is positioned above the printed name.

Kathy Dent
Supervisor of Elections

KD/crf

cc: D. Grady Hough, Jr., Committee Treasurer



Kathy Dent
Supervisor of Elections
Sarasota County Florida

MEMO

TO: All Candidates, Treasurers and Political Committees
FROM: Kathy Dent, ^{KD} Supervisor of Elections
RE: Campaign Treasurer's Report
DATE: October 19, 2010

Pursuant to F.S. Chapter 106.07(1)(a), each campaign treasurer designated by a candidate or political committee shall file regular reports of all contributions received, and all expenditures made, by or on behalf of such candidate or political committee. Reports must be filed on the 10th day following the end of each calendar quarter from the time the treasurer is appointed. Following the last day of qualifying, reports are filed on the 32nd, 18th and 4th days preceding the primary election and on the 46th, 32nd, 18th and 4th days preceding the general election. If the due date occurs on a Saturday, Sunday or legal holiday, the report shall be filed on the next following day which is not a Saturday, Sunday or legal holiday.

As a courtesy, we are reminding you that the next report (**G4**) is due **October 29, 2010** for the reporting period **October 9, 2010 through October 28, 2010**. Reports may be hand-delivered to this office by close of business of the due date or postmarked no later than the due date.

Reports need to be filed in a timely manner to avoid a fine. Fines will be assessed on all late reports. Consistent late filings will be reported to the Florida Elections Commission.

NOTE: When filing electronically an original signed copy of the report is due in the SOE office by the close of business of the due date **or** postmarked no later than the due date. Submitting the report electronically is **not** considered filed in a timely manner until original signed copy of report is received by SOE by due date.

If you have any questions regarding this report or report forms please contact this office.

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

SUPERVISOR OF ELECTIONS
SARASOTA COUNTY FLORIDA

2010 NOV -5 AM 8:45

OFFICE USE ONLY
NEED FOR RECORD
KATHY DENT

(1) Citizens for Quality Government
Name

(2) P O Box 111
Address (number and street)

Venice, FL 34284
City, State, Zip Code

CHECK IF ADDRESS HAS CHANGED

(3) ID Number: citqualgov

(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

Electioneering Communication

CHECK IF NO OTHER ELECTIONEERING COMMUNICATION REPORTS WILL BE FILED

(5) REPORT IDENTIFIERS

Cover Period: From 10 / 9 / 2010 To 10 / 28 / 2010 Report Type G4

Original Amendment Special Election Report Independent Expenditure Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks \$ 600.00

Loans \$ 0.00

Total Monetary \$ 600.00

In-Kind \$ 0.00

(7) EXPENDITURES THIS REPORT

Monetary Expenditures \$ 13,135.56

Transfers to Office Account \$ 0.00

Total Monetary \$ 13,135.56

(8) Other Distributions

\$ 0.00

(9) TOTAL Monetary Contributions To Date

\$ 12,098.00

(10) TOTAL Monetary Expenditures To Date

\$ 13,803.21

(11) 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.

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

(Type name) D Grady Hough, Jr

(Type name) DAVID FARLEY

Individual (only for electioneering commun) Treasurer Deputy Treasurer

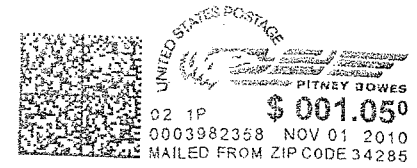
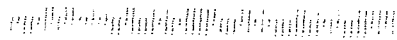
Candidate Chairperson (only for PC, PTY & electioneering commun organization)

X D Grady Hough, Jr
Signature

X David Farley
Signature

CFID 5464

COG
PO Box 111
Venice, FL 34284



Supervisor of Elections
PO Box 4194
Sarasota FL 34230
ATTN: Joyce Soltis
Administrative Assistant

Soltis, Joyce

From: Tricia Gallentine [Tricia@houghcpa.com]
Sent: Monday, November 01, 2010 10:37 AM
To: Soltis, Joyce
Subject: CQR Report -G4

See attached G4 Report – David just signed – placing in mail now!

Thanks and have a great day, *Tricia* ☺

Hough & Company, PA
248 S. Nokomis Avenue
PO Box 1806
Venice FL 34284-1806
941-488-7768 phone
941-484-3975 fax
tricia@houghcpa.com
www.houghcpa.com

CONFIDENTIALITY NOTICE: This communication is confidential, may be privileged and is meant only for the intended recipient. If you are not the intended recipient, please notify the sender ASAP and delete this message from your system.

To comply with Treasury Department regulations we advise you that, unless expressly indicated, any federal tax advice contained in this letter and /or email and any attachments, cannot be used for the purpose of (i) avoiding penalties imposed by the Internal Revenue Code, or (ii) promoting, marketing or recommending to another party any matters addressed herein. We make this disclosure because providers of tax advice are now required to do so by law, when offering advice concerning federal tax matters.

Soltis, Joyce

From: Tricia Gallentine [Tricia@houghcpa.com]
Sent: Friday, October 29, 2010 5:00 PM
To: Soltis, Joyce
Subject: RE: ERROR for Report Due Oct 29 - CQG - Tricia

No – Still waiting for Chairman – Davis Farley to sign ---- I have called him twice!

I apologize for this but when I completed the report – I had Grady and called David explaining that the report was due today – still have not seen him.

Thanks Tricia

From: Soltis, Joyce [<mailto:jsoltis@sarasotavotes.com>]
Sent: 10/29/2010 4:52 PM
To: Tricia Gallentine
Cc: Grady
Subject: FW: ERROR for Report Due Oct 29 - CQG - Tricia

Tricia:

Has this report been mailed or dropped off to our office yet?

Joyce

Joyce Soltis/Administrative Assistant
Supervisor of Elections
PO Box 4194
Sarasota FL 34230
jsoltis@sarasotavotes.com
(941) 861-8606
(941) 861-8609 (FAX)

From: Soltis, Joyce
Sent: Thursday, October 21, 2010 1:31 PM
To: 'Tricia Gallentine'
Subject: RE: ERROR for Report Due Oct 29 - CQG - Tricia

Tricia:

It is done!

Joyce Soltis/Administrative Assistant
Supervisor of Elections
PO Box 4194
Sarasota FL 34230
jsoltis@sarasotavotes.com
(941) 861-8606
(941) 861-8609 (FAX)

From: Tricia Gallentine [<mailto:Tricia@houghcpa.com>]
Sent: Thursday, October 21, 2010 12:59 PM
To: Soltis, Joyce
Subject: RE: ERROR for Report Due Oct 29 - CQG - Tricia

Thank you so much.

A. G. (Dan)
CHECK \$100.00

Thanks Tricia

From: Soltis, Joyce [<mailto:Jsoltis@sarasotavotes.com>]
Sent: 10/21/2010 12:41 PM
To: Tricia Gallentine
Subject: RE: ERROR for Report Due Oct 29 - CQG - Tricia

Tricia:

Welcome back. I do not understand how you are able to get into expenditures and not contributions, but I will go in to add the one you have listed below. Was that a cash or check contribution and who should I list, E. G. or Alfreda as the contributor?

Joyce

Joyce Soltis/Administrative Assistant
Supervisor of Elections
PO Box 4194
Sarasota FL 34230
jsoltis@sarasotavotes.com
(941) 861-8606
(941) 861-8609 (FAX)

From: Tricia Gallentine [<mailto:Tricia@houghcpa.com>]
Sent: Thursday, October 21, 2010 11:30 AM
To: Soltis, Joyce
Subject: ERROR for Report Due Oct 29 - CQG - Tricia
Importance: High

Joyce,

For the report due on October 29, 2010 – I'm able to enter to expenses but not the contribution.

This is the error message I keep getting

1st Time – I clicked the “click here for to return to ur filing” goes back to log-in screen.

2nd Time – Goes back to Enter Contributions Screen – I enter information and it still goes to error screen

3rd Time – Goes back to log-in screen

http://www.sarasotavotes.com/cfinanceweb/EnterContribution.aspx?mode=add&sched_id=1

Contributions

10/20/2010 \$100.00

Boone, E. G. & Alfreda

830 Rivera Street

Venice, FL 34285

Thanks and have a great day, *Tricia* 😊

Hough & Company, PA
248 S. Nokomis Avenue
PO Box 1806
Venice FL 34284-1806
941-488-7768 phone
941-484-3975 fax
tricia@houghcpa.com
www.houghcpa.com

CONFIDENTIALITY NOTICE: This communication is confidential, may be privileged and is meant only for the intended recipient. If you are not the intended recipient, please notify the sender ASAP and delete this message from your system

To comply with Treasury Department regulations, we advise you that, unless expressly indicated, any federal tax advice contained in this letter and /or email and any attachments, cannot be used for the purpose of (i) avoiding penalties imposed by the Internal Revenue Code, or (ii) promoting, marketing or recommending to another party any matters addressed herein. We make this disclosure because providers of tax advice are now required to do so by law, when offering advice concerning federal tax matters.

NOTICE: All mail sent to and from the office of the Supervisor of Elections is subject to the public record laws of Florida.

NOTICE: All mail sent to and from the office of the Supervisor of Elections is subject to the public record laws of Florida.

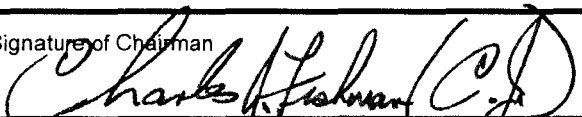
**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR POLITICAL
COMMITTEES AND ELECTIONEERING
COMMUNICATION ORGANIZATIONS**
(Sections 106.011(1) and 106.021(1), F.S.)

OFFICE USE ONLY

SUPERVISOR OF ELECTIONS
ABRAHAM W. BROWN
2008 OCT - 1 PM 1:00
FILED FOR RECORD
KATHY DEWITT

CHECK APPROPRIATE BOX:

- Original Appointment of Treasurer Reappointment of Treasurer Deputy Treasurer

1. Committee or Organization Citizens for Quality Government		2. Account Number	3. Telephone (941) 488-7768
4. Name of Treasurer or Deputy Treasurer D. Grady Hough, Jr.		5. Email (optional) Grady@houghcpa.com	6. Telephone (optional) (941) 488-7769
7. Mailing Address P. O. Box 111 Venice FL 34284			
8. Street Address 248 S. Nokomis Avenue Venice FL 34285			
9. The following bank has been designated as the <input checked="" type="checkbox"/> Primary Depository <input type="checkbox"/> Secondary Depository			
10. Name of Bank The Bank of Venice		11. Street Address 240 S. Nokomis Avenue	
12. City Venice		13. State Florida	14. Zip Code 34285-2321
15. Signature of Chairman X 		16. Name of Chairman (Print or Type) C. J. Fishman	

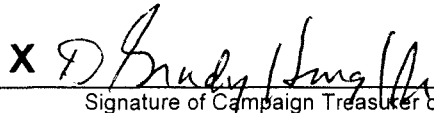
Campaign Treasurer's Acceptance of Appointment

I, D. Grady Hough, Jr. (Please Print or Type) do hereby accept the appointment as
treasurer or deputy treasurer for Citizens for Quality Government
(Committee or Organization)

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING CAMPAIGN TREASURER'S
ACCEPTANCE OF APPOINTMENT AND THAT THE FACTS STATED ARE TRUE.

October 1, 2008

Date

X 
Signature of Campaign Treasurer or Deputy Treasurer

- [Redistricting and Reprecincting](#)
- [U.S. Census Bureau](#)
- [Florida House Redistricting](#)
- [Florida Senate Redistricting](#)
- [The Language of Redistricting](#)
- [Redistricting Timeline](#)

Maps & Statistics

- [Precinct List](#)
- [District Maps](#)
- [Voter Statistics](#)

Related Links

Contact Us

- [Office Locations](#)
- [Contact the Supervisor](#)
- [Request a Speaker](#)
- [Employment Opportunities](#)

Citizens for Quality Government

2010 Election Cycle

Candidate Finance Report Summary

Report Submitted	Period	Num	Contributions			Expenditures	
			Monetary	In-Kind	Loans	Num	Amount
04/10/2009	<u>2009-Q1</u>	0	\$0.00	\$0.00	\$0.00	0	\$0.00
07/13/2009	<u>2009-Q2</u>	0	\$0.00	\$0.00	\$0.00	0	\$0.00
10/06/2009	<u>2009-Q3</u>	44	\$6,025.00	\$0.00	\$0.00	2	\$202.75
01/06/2010	<u>2009-Q4</u>	2	\$200.00	\$0.00	\$0.00	0	\$0.00
05/05/2010	<u>2010-Q1</u>	1	\$500.00	\$0.00	\$0.00	0	\$0.00
07/19/2010	<u>2010-F1</u>	0	\$0.00	\$0.00	\$0.00	0	\$0.00
07/19/2010	<u>2010-F1 A</u>	0	\$0.00	\$0.00	\$0.00	1	\$44.00
08/09/2010	<u>2010-F2</u>	0	\$0.00	\$0.00	\$0.00	0	\$0.00
08/19/2010	<u>2010-F3</u>	5	\$850.00	\$0.00	\$0.00	0	\$0.00
09/16/2010	<u>2010-G1</u>	22	\$3,023.00	\$0.00	\$0.00	1	\$420.90
10/04/2010	<u>2010-G2</u>	4	\$900.00	\$0.00	\$0.00	0	\$0.00
10/15/2010	<u>2010-G3</u>	0	\$0.00	\$0.00	\$0.00	0	\$0.00

*\$225.00
late filing
fee - PAID*

10/27/2010	<u>2010-G4</u>	2	\$600.00	\$0.00	\$0.00	4	\$13,135.56
04/04/2011	<u>2010-Q4</u>	0	\$0.00	\$0.00	\$0.00	0	\$0.00
Totals (14 Reports)			\$12,098.00	\$0.00	\$0.00		\$13,803.21

SUPERVISOR OF ELECTIONS OFFICE**101 S Washington Blvd****941-861-8600****Email the Supervisor of Elections****Powered by SOE Software**



RECEIVED

2011 DEC 16 A FLORIDA ELECTIONS COMMISSION
107 W. Gaines Street, Suite 224
Collins Building
Tallahassee, Florida 32399-1050
(850) 922-4539

2011 DEC -9 AM 8:52
SUPERVISOR OF ELECTIONS
SARASOTA COUNTY
KATHY DENT

December 7, 2011

The Honorable Kathy Dent
Sarasota County Supervisor of Elections
Post Office Box 4194
Sarasota, FL 34230

RE: Case No.: FEC 11-216; Campaign Treasurer's Report due October 10, 2010

Dear Supervisor Dent:

Citizens for Quality Government has appealed the fine assessed against it for failing to timely file a required report.

In order for us to present this appeal to the Florida Elections Commission, it is necessary to ask you to furnish us with copies of the following information, if available:

- The CTR that was filed late
- The envelope that contained the report
- Card or letter reminding candidate that report was due
- The filing officer's failure to file letter
- The filing officer's fine letter
- Certified mail receipt or other evidence that the fine letter was received
- Additional relevant notes or phone logs
- Document establishing the committee
- Appointment of Campaign Treasurer and Designation of Campaign Depository form
- The filing history

A filing history is a list of reports filed by this committee with a notation of any late filing fines assessed against the committee for failing to timely file reports. Please return the requested information to me by December 21, 2011.

I appreciate your assistance in obtaining this information. Please let me know if you have any questions.

Sincerely,
Tracie Aulet
Tracie Aulet
Investigation Specialist

Kathy Dent
Supervisor of Elections
Sarasota County Florida

November 9, 2010

David Farley
Citizens for Quality Government
PO Box 111
Venice, FL 34284

Dear Mr. Farley:

Your campaign treasurer's report (G4) for the period ending October 28, 2010 which was due October 29, 2010 was not received by my office until November 5, 2010.

Pursuant to section 106.07(8)(b), Florida Statutes, when a report is not filed by the designated due date, for the report immediately preceding each primary and general election, the fine shall be \$500.00 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.

The amount of the fine being imposed is based on the following:

7 day late report (\$500.00 each day) = \$3,500.00

Contributions for period were \$600.00
Expenditures for period were \$13,135.56

25% is figured on expenditures because it is the greater of the two.

25% of \$13,135.56 is \$3,283.89

Therefore, the fine imposed is **\$3,283.89** because it does not exceed 25% of contributions for the reporting period.

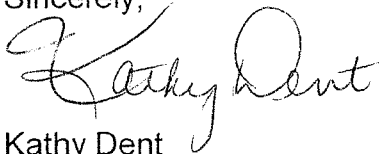
Fines must be made payable to **Board of County Commissioners** and remitted to Kathy Dent, Supervisor of Elections, P O Box 4194, Sarasota, FL 34230-4194 within 20 days after receipt of this notice of payment due.

Please note: An officer or member of the political committee shall not be personally liable for the fine.

An appeal of the fine can be made to the Florida Elections Commission who has the authority to waive the fine in whole or in part. Any such request should be made within 20 days after receipt of the notice of payment due. Notification must also be made to the elections office in writing of the committee's intention to bring the matter before the commission.

If you have any questions, please contact Cathy Fowler in my office at 861-8605.

Sincerely,

A handwritten signature in cursive script that reads "Kathy Dent". The signature is written in black ink and is positioned above the printed name and title.

Kathy Dent
Supervisor of Elections

KD/crf

cc: D. Grady Hough, Jr., Committee Treasurer

CAMPAIGN TREASURER'S REPORT – ITEMIZED CONTRIBUTIONS

(1) Name Citizens for Quality Government

(2) I.D. Number citqualgov

(3) Cover Period 10 / 9 / 2010 through 10 / 28 / 2010

(4) Page 1 of 1

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor		(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
(6) Sequence Number		Type	Occupation				
10 / 20 / 10	Boone, A. G (Dan) 248 S Nokomis Venice, FL 34285	I		CHE			\$100 00
1							
10 / 21 / 10	Williams, John & Michelle Mr & Mrs 3111 Riviera Street Venice, FL 34285	I	Unknown	CHE			\$500 00
2							
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							

CAMPAIGN TREASURER'S REPORT – ITEMIZED EXPENDITURES

(1) Name Citizens for Quality Government

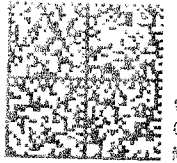
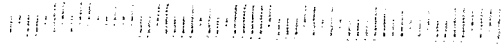
(2) I.D. Number citqualgov

(3) Cover Period 10 / 9 / 2010 through 10 / 28 / 2010

(4) Page 1 of 1

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Purpose (add office sought if contribution to a candidate)	(9) Expenditure Type	(10) Amendment	(11) Amount
(6) Sequence Number					
10/14/10	Daniels, Bob Mr 1102 Cielo Court North Venice, FL 34275	Campaign Fund	MON		\$500.00
1					
10/14/10	Suncoast Media Group 6020 S Tamiami Trail Sarasota, FL 34292	Marketing	MON		\$4,005.00
2					
10/14/10	Holic, John Mr 636 Apalachicola Road Venice, FL 34285	Campaign Fund	MON		\$500.00
3					
10/20/10	Knight Marketing, Inc 100 West Venice Avenue Suite G Venice, FL 34285	Marketing / Direct Mail	MON		\$8,130.56
4					
/ /					
/ /					
/ /					
/ /					

COG
PO Box 111
Venice, FL 34284



UNITED STATES
EPA

02 1P
00039
MAILED

Supervisor of Elections
PO Box 4194
Sarasota FL 34230
ATTN: Joyce Soltis
Administrative Assistant

STATEMENT OF ORGANIZATION OF POLITICAL COMMITTEE

(PLEASE TYPE)

OFFICE USE ONLY

SUPERVISOR OF ELECTIONS
 KATHY DEWITT
 FILED FOR RECORD
 2008 OCT - 1 PM 7:08

1. Full Name of Committee

Citizens for Quality Government

Telephone

941-488-7768

Mailing Address (include city, state and zip code)

P. O. Box 111 Venice, Florida 34284

Street Address (include city, state and zip code)

248 S. Nokomis Avenue Venice, Florida 34285

2. Affiliated or Connected Organizations (includes other committees of continuous existence and political committees)

Name of Affiliated or Connected Organization

Mailing Address

Relationship

None

3. Area, Scope and Jurisdiction of the Committee

Greater Venice Area

4. Nature of Organization or Organization's Special Interest (e.g., medical, legal, education, etc.)

Good government

5. Identify by Name, Address and Position, the Custodian of Books and Accounts (include treasurer's name)

Full Name

Mailing Address

Committee Title or Position

D. Grady Hough, Jr.

P. O. Box 111
Venice, Florida 34284

Treasurer

6. List by Name, Address and Position, Other Principal Officers, Including Officers and Members of the Finance Committee, If Any (include chairman's name)

Full Name	Mailing Address	Committee Title or Position
C. J. Fishman D. Grady Hough, Jr. Pat MacKenzie Janice L. Fawn	1415 Brenner Park Dr., Venice, FL 34292 1250 New Forest Circle, Venice, FL 34275 235 Oxford Dr. South Englewood, FL34223 213 Harbor Dr., South, Venice, FL 34285	Chairman Treasurer Secretary VICE PRESIDENT

7. List by Name, Address, Office Sought and Party Affiliation Each Candidate or Other Individual that this Committee is Supporting (if none, please indicate)

Full Name	Mailing Address	Office Sought	Party
None			

8. List Any Issues this Committee is Supporting: None
List Any Issues this Committee is Opposing: None

9. If this Committee is Supporting the Entire Ticket of a Party, Give Name of Party
N/A

10. In the Event of Dissolution, What Disposition will be Made of Residual Funds?
Will be used to pay final bills

11. List all Banks, Safety Deposit Boxes, or Other Depositories Used for Committee Funds

Name of Bank or Depository & Account Number	Mailing Address
The Bank of Venice	240 S. Nokomis Avenue Venice, Florida 34285-2321

12. List all Reports Required to be Filed by this Committee with Federal Officials and the Names, Addresses and Positions of Such Officials, If Any

Report Title	Dates Required to be Filed	Name & Position of Official	Mailing Address
N/A			

STATE OF Florida COUNTY Sarasota

I, C. J. Fishman, certify that the information in this Statement of

Organization is complete, true and correct.

X *C. J. Fishman*
Signature of Chairman of Political Committee

_____ Date



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

December 7, 2011

The Honorable Kathy Dent
Sarasota County Supervisor of Elections
Post Office Box 4194
Sarasota, FL 34230

RE: Case No.: FEC 11-216; Campaign Treasurer's Report due October 10, 2010

Dear Supervisor Dent:

Citizens for Quality Government has appealed the fine assessed against it for failing to timely file a required report.

In order for us to present this appeal to the Florida Elections Commission, it is necessary to ask you to furnish us with copies of the following information, if available:

- The CTR that was filed late
- The envelope that contained the report
- Card or letter reminding candidate that report was due
- The filing officer's failure to file letter
- The filing officer's fine letter
- Certified mail receipt or other evidence that the fine letter was received
- Additional relevant notes or phone logs
- Document establishing the committee
- Appointment of Campaign Treasurer and Designation of Campaign Depository form
- The filing history

A filing history is a list of reports filed by this committee with a notation of any late filing fines assessed against the committee for failing to timely file reports. Please return the requested information to me by December 21, 2011.

I appreciate your assistance in obtaining this information. Please let me know if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Tracie Aulet".

Tracie Aulet
Investigation Specialist



FLORIDA ELECTIONS COMMISSION

107 W. Gaines Street, Collins Building

Suite 224

Tallahassee, Florida 32399-1050

(850) 922-4539

September 14, 2011

Mr. David Farley, Chair
Citizens for Quality Government
Post Office Box 111
Venice, FL 34284

RE: Case No.: FEC 11-216; Campaign Treasurer's Report due October 29, 2010

Dear Mr. Farley:

The Florida Elections Commission received your letter appealing the fine assessed against you for failing to timely file your campaign treasurer's report. I anticipate that the Commission will hear your case at its next meeting, which is presently scheduled for November 15 & 16, 2011, in Tallahassee. However, please call our office to verify when your case will be heard.

In reaching its decision, the Commission will consider the documents gathered by Commission staff and any documents you submit for the Commission's consideration before its meeting. Unless good cause is shown, the Commission will not consider any written document unless it has been filed with the Commission Clerk at least ten days before the meeting. Rules 2B-1.005, 1.0052, and 1.0055, *Florida Administrative Code*, are the Commission's rules on the appeal of automatic fines.

The Commission will uphold the fine imposed by the filing officer unless you provide credible evidence that the report was timely filed or credible evidence that unusual or other circumstances caused the report to be filed late.

If you are a county, municipal, or special district candidate or committee and your report was received by the filing officer without a postmark or with an illegible postmark more than five days after the due date or it was delivered to the filing officer by a mail delivery service other than the United States Postal Service, it will not be found timely filed unless you submit a copy of a proof of mailing or at a hearing before the Commission, presents the oral testimony of the person who timely mailed the report.

The proof of mailing submitted shall reflect that it was obtained from the United States Postal Service or other mail delivery service at the time of mailing and shall reflect that the report was mailed before midnight on the due date. A metered postage mark does not constitute a postmark

or a proof of mailing.

If you cannot show that your report was timely filed, the Commission may still grant you relief, but only if you show unusual circumstances. **Unusual circumstances is defined in Rule 2B-1.005(4), Florida Administrative Code, to mean “uncommon, rare, or sudden events over which the actor has no control and which directly result in the failure to act in accordance with the filing requirements.”** Unusual circumstances must occur within a time period that would clearly have prevented you from filing the report in a timely manner. Unusual circumstances shall not include the failure of the United States Postal Service or other mail delivery service to postmark an envelope, legibly postmark an envelope, or timely deliver mail. Further, unusual circumstances shall not include the failure of the sender to affix sufficient postage to a report that is being mailed.

Without credible evidence, the Commission will not find unusual circumstances. The following circumstances may constitute unusual circumstances so long as credible evidence is presented that unusual circumstances caused the report to be filed late.

1. **Natural disaster or other emergency that prevented timely filing.** Evidence submitted must include copies of newspaper reports or other documents from an independent and reliable source that shows the nature, date, and location of the natural disaster or emergency.
2. **Death of the candidate or campaign treasurer or an immediate family member of the candidate or campaign treasurer.** Evidence submitted must include a copy of the death certificate, newspaper obituary, or funeral program, or notice.
3. **Serious illness, disability or non-elective surgery of the candidate or campaign treasurer.** Evidence submitted must include a physician's certification on professional letterhead stationery that includes the dates of the illness, disability, or surgery; a statement regarding the period of time that the patient was incapacitated; and a statement that surgery, if any, was not elective. Copies of hospital records reflecting the dates of hospitalization may also show the period of incapacitation.
4. **Serious illness, disability, or non-elective surgery of the immediate family member of the candidate or campaign treasurer.** Evidence submitted must include evidence of the relationship of the candidate or treasurer to the family member, the location of the family member, and the reason the presence of the candidate or campaign treasurer was required. Evidence submitted must also include a physician's certification on professional letterhead stationery that includes the dates of the illness, disability or surgery; a statement regarding the period of time that the patient was incapacitated; a statement that surgery, if any, was not elective; and a statement that the patient required the care of a family member.
5. **Computer or equipment failure caused by events that could not have**

been anticipated and that made timely filing of the report impossible. Power outages or program failure does not constitute unusual circumstances unless it is established that reasonable precautions to assure the safety of the equipment or the ability of the program to perform as anticipated were taken before the events causing failure of the equipment or program. Evidence must include a written statement made under oath in the presence of a notary or other person authorized to administer oaths indicating the cause and the duration of the power outage and the reasonable precautions taken to assure the safety of the equipment or the ability of the program to perform as anticipated.

6. **The abrupt and unexpected loss of the campaign treasurer, over which you had no control.** The loss of the campaign treasurer does not constitute unusual circumstances if the appealing party failed to monitor the campaign treasurer's performance before his or her departure or if the appealing party failed to assure prompt preparation of the report after the treasurer's departure. Evidence must include a written statement made under oath in the presence of a notary or other person authorized to administer oaths explaining the departure of your treasurer and the steps taken to monitor the treasurer's performance before his or her departure.

You may, of course, send any additional evidence that you believe supports your position that your report was timely filed or that unusual circumstances cause your report to be filed late. Rule 2B-1.005(3), Florida Administrative Code, provides that if you send additional documentary evidence, the Commission must receive it no later than 20 days from the date of this letter. Remember that the Commission will not consider any written document unless it has been filed with the Commission Clerk at least ten days before the meeting, unless good cause is shown. If the documentary evidence is timely received, it will be presented to the Commission when it considers your appeal of the assessed fine.

It is your responsibility to provide the Commission with credible evidence that the report was timely filed or credible evidence that unusual circumstances caused the report to be filed late. If you do not provide the evidence requested in this letter or in the Commission rules, the Commission will uphold the fine assessed by the filing officer.

Please let me know if I may be of further assistance.

Sincerely,



Tracie Aulet
Investigation Specialist