

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**In Re: South Florida Council of Fire Fighters
PC**

Case No.: FEC 17-351

TO: South Florida Council of Fire Fighters PC
John E. O'Brien, Chair
8000 NW 21st Street, Suite 205
Miami, FL 33122

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

NOTICE OF HEARING (AUTOMATIC FINE)

A hearing will be held in this case before the Florida Elections Commission on, **March 13, 2018 at 8:30 am, or as soon thereafter as the parties can be heard**, at the following location: **Augustus B. Turnbull Conference Center, 555 West Pensacola Street, Room 103, Tallahassee, Florida 32301.**

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

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

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

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

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

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

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

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

See further instructions on the reverse side.

Amy McKeever Toman
Executive Director
Florida Elections Commission
February 26, 2018

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

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

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

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

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

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

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

**FLORIDA ELECTIONS COMMISSION
CASE REPORT**

Case Number: FEC-17-351

NAME: **SOUTH FLORIDA COUNCIL OF FIRE FIGHTERS PC**

DATE APPEAL RECEIVED: 10/30/17

DATE REPORT DUE: 09/22/17 (2017 SG2)

DATE OF ELECTRONIC RECEIPT: 09/21/17¹

DATE FILING OFFICER RECEIVED REPORT: 09/21/17

NUMBER OF DAYS LATE: 0

AMOUNT OF FINE: \$125.00

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

TOTAL RECEIPTS FOR REPORTING PERIOD: \$0.00

TOTAL EXPENDITURES FOR REPORTING PERIOD: \$500.00

DATE FIRST NOTIFICATION WAS SENT: 10/05/17

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

SUMMARY: South Florida Council of Fire Fighters PC is a political committee (PC) registered with the State of Florida. The PC's chair is John O'Brien and its treasurer is Brian Lynch.

The PC is appealing the fine claiming that they were unable to timely file the SG2 report due to losing power caused by Hurricane Irma.

Hurricane Irma made landfall in southern Florida on September 10, 2017.

In the appeal, Mr. O'Brien stated, "Additionally, a clerical error was made. An expense made to the candidate in the Special House election for House seat 116 was incorrectly included in the M9 Report. The PAC M9 report was amended along with the SG2 Report to correct the mistake as soon as it was noticed."

- The 2017 SG2 Report covers the time period of 08/19 – 09/21/17.
- The 2017 SG2 Queued-Transactions Report reflects that the report was created on 09/21/17 at approximately 2:56 p.m. before being filed on 09/21/17 at approximately 2:58 p.m.²
- In an e-mail from Kristi R. Willis, dated November 27, 2017, she acknowledged that the political committee initially filed a notice-of-no-activity (waiver) on 09/21/17. She also acknowledged that on 10/02/17, the committee filed a report showing \$500 of activity.

PRIOR CASES: Respondent does not have prior cases before the Commission, but South Florida Council of Fire Fighters PAC, a committee of continuous existence (CCE), had two prior automatic fine cases before the Commission. The treasurer for South Florida Council of Fire Fighters PAC (CCE) was Brian Lynch.

¹ Respondent initially filed a waiver that reflected no activity occurring during the 2017 SG2 reporting period. On October 2, 2017, Respondent filed a 2017 SG2 report to reflect financial activity.

² The report discussed in this bullet refers to the waiver that reflected zero activity.



RE: Appeal
Willis, Kristi R.
to:
Keith Smith
11/27/2017 04:23 PM
Hide Details
From: "Willis, Kristi R." <Kristi.Willis@DOS.MyFlorida.com>
To: Keith Smith <Keith.Smith@myfloridalegal.com>

That is correct.

Regards,

Kristi Reid Willis, Chief
Bureau of Election Records

From: Keith Smith [mailto:Keith.Smith@myfloridalegal.com]
Sent: Monday, November 27, 2017 3:50 PM
To: Willis, Kristi R. <Kristi.Willis@DOS.MyFlorida.com>
Subject: Appeal

South Florida Council of Fire Fighters PC (#60849)

Kristi:

Did the committee initially file a notice of no activity (waiver) on 09/21/17 and then on 10/02/17 file a report showing \$500 of activity for the SG2 report? (For the House 116 race).

Thanks for your help.

Keith Smith

Investigator - Florida Elections Commission
107 West Gaines Street - Suite 224
Tallahassee, FL 32399-1050
(850) 922-4539 (phone)
(850) 921-0783 (fax)

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South Florida Council of Fire Fighters

October 24, 2017

RECEIVED

2017 OCT 30 P 3:28

STATE OF FLORIDA
ELECTIONS COMMISSION

Florida Elections Commission
107 West Gaines Street, Suite 224
Tallahassee, Florida 32399-0150

Re: PAC 60848 Appeal of Fine
Special Election Report House 116-SG2

To Whom it May Concern;

We are in receipt of your letter dated October 20, 2017 regarding the appeal of the above referenced fine.

We apologized for the miscommunication. Our records indicate that you were notified that Mr. David Perez has stepped down from the Chair and that the new Chairperson is Mr. John O'Brien. The council sent notification of this. Attached is a copy of the letter that was sent.

Please accept this correspondence as an appeal of the imposed fine associated with the late filing of the SG2 report. Due to Hurricane Irma, we lost power and were unable to file a timely SG2 Report.

Additionally, a clerical error was made. An expense made to the candidate in the Special House election for House seat 116 was incorrectly included in the M9 Report. The PAC M9 report was amended along with the SG2 Report to correct the mistake as soon as it was noticed.

We appreciate your time and consideration and sincerely hope that this explanation will be acceptable and the fine removed. If you have any questions, please call Mr. Lynch at 954-328-3274.

Sincerely,

John E. O'Brien
Chairperson
South Florida Council of Fire Fighters PC

Attachment: Change of Chairperson DS-DE 5 June 2017 & October 2017



South Florida Council of Fire Fighters

8000 N.W. 21 St., Suite 205 Miami, Florida 33122

October 17, 2017

Florida Elections Commission
107 West Gaines Street, Suite 224
Tallahassee, Florida 32399-0150

Re: PAC 60849 Appeal of Fine Special Election
Report – House 116-SG2

To whom it may concern:

We are in receipt of the notice dated October 5, 2017 imposing a fine of \$125 for the late filing of the House 116 – SG2 Report.

Please accept this correspondence as an appeal of the imposed fine associated with the late filing of the SG2 Report. Due to Hurricane Irma we lost power and were unable to timely file the SG2 Report. Additionally, a clerical error was made. An expense made to a candidate in the Special Election for House 116 was incorrectly included in the M9 Report. The PAC M9 Report was amended, along with the SG2 Report to correct the mistake as soon as it was noticed.

We appreciate your time in reviewing this and sincerely hope that the explanation above will be acceptable and the fine removed. If you have any questions, please call me at 954-328- 3274.

Sincerely,

Brian N. Lynch
Secretary/Treasurer
South Florida Council of Fire Fighters

cc: Florida Division of Elections

Coral Gables Fire Fighters, local 1210: Hialeah Fire Fighters, local 1102: Key Biscayne Fire Fighters, local 3638: Key West Fire Fighters, local 1424: Marathon, local 4396: Metro-Dade Fire Fighters, local 1403: Miami Beach Fire Fighters, local 1510: Miami Fire Fighters, local 587: Monroe County local 3909.



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

October 5, 2017

Brian Lynch, Treasurer
South Florida Council of Fire Fighters PC
8000 NW 21st Street
Suite 205
Miami, FL 33122-3122

Special Election Report
House 116-562

PAC 60849

Dear Mr. Lynch:

The campaign treasurer's report that was due on September 22, 2017, was filed on October 2, 2017. By law, you are automatically assessed a late fine of \$125.00.

You have 20 days from the receipt of this notice to either:

1. Pay the fine to the Florida Division of Elections (For a candidate only, a fine is not an allowable campaign expenditure and must be paid from personal funds) at:

*Florida Division of Elections
R.A. Gray Building, Room. 316
500 South Bronough Street
Tallahassee, Florida 32399-025011*

2. Appeal the fine to the Florida Elections Commission (See Rules 2B-1.005 and 2B-1.0055, Florida Administrative Code) at:

*Florida Elections Commission
107 West Gaines Street, Ste. 224
Tallahassee, Florida 32399-0150*

If you appeal, please send a copy also to the Florida Division of Elections so that you will not receive further notices from the Division about this matter.

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

cc: David Perez, Chairperson

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

(1) South Florida Council of Fire Fighters PC (2) 60849
 Candidate, Committee or Party Name I.D. Number

(3) 8000 NW 21st Street Miami FL 33122
 Address (number and street) City State Zip Code

Check box if address has changed since last report

(4) Check appropriate box(es):

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

(5) REPORT IDENTIFIERS

Cover Period: From 08/19/2017 To 09/21/2017 Report Type: SG2

Original Amendment Special Election Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks \$0.00
 Loans \$0.00
Total Monetary \$0.00
 In-Kind \$0.00

(7) EXPENDITURES THIS REPORT

Monetary Expenditures \$500.00
 Transfers to Office Account \$0.00
Total Monetary \$500.00

(8) Other Distributions

Certification

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

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

Name of Treasurer Deputy Treasurer

X
Signature

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

Name of Candidate Chairman (PC/PTY Only)

X
Signature

Name: South Florida Council of Fire Fighters PC

Report: 2017 SG2

Period: 08/19/2017

to 09/21/2017

** Records in Filed Report **

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Type	Purpose	Amount Amend
1 09/06/2017	PEREZ, DANIEL (Office: STR 116) 8720 SW 84 STREET MIAMI, FL 33173	CAN	FL HOUSE - DISTRICT 116	\$500.00 UPD
* 1 09/06/2017	PEREZ DANIEL 8720 SW 84 STREET MIAMI, FL 33173	MON	FLORIDA SENATE - DISTRICT 116	\$500.00 UPD History 10/03/17
* 1 09/06/2017	PEREZ DANIEL 8720 SW 84 STREET MIAMI, FL 33173	MON		\$500.00 ADD History 10/02/17

ID:

CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

Name: South Florida Council of Fire Fighters PC

Report: 2017 SG2

Period: 08/19/2017

to 09/21/2017

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

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

ID:

CAMPAIGN TREASURER'S REPORT - ITEMIZED DISTRIBUTIONS

Name: South Florida Council of Fire Fighters PC

Report: 2017 SG2

Period: 08/19/2017

to 09/21/2017

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

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

ID:

CAMPAIGN TREASURER'S REPORT - ITEMIZED FUNDS TRANSFERS

Name: South Florida Council of Fire Fighters PC

Report: 2017 SG2

Period: 08/19/2017

to 09/21/2017

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

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

Queued Items for 2017-SG2

Account: 60849

South Florida Council of Fire Fighters PC

Rpt Seq: 92

<i>ProcessDescription</i>	<i>Status</i>	<i>Submitter</i>	<i>Created</i>	<i>LastUpdate</i>
Create Pending Report	Processing Complete	60849	9/21/2017 2:56:20 PM	9/21/2017 2:56:20 PM
Process Uploaded File	Processing Complete	60849	9/21/2017 2:56:20 PM	9/21/2017 2:56:20 PM
Review Pending Report	Processing Complete	60849	9/21/2017 2:56:33 PM	9/21/2017 2:56:33 PM
File Pending Report	Processing Complete	60849	9/21/2017 2:58:18 PM	9/21/2017 2:58:18 PM
Amend Filed Report	Processing Complete	60849	10/2/2017 6:04:45 PM	10/2/2017 6:04:45 PM
Delete Pending Report	Processing Complete	60849	10/2/2017 6:08:51 PM	10/2/2017 6:08:51 PM
Review Filed Report	Processing Complete	60849	10/2/2017 6:10:05 PM	10/2/2017 6:10:05 PM
Amend Filed Report	Processing Complete	60849	10/2/2017 6:10:38 PM	10/2/2017 6:10:38 PM
Append Uploaded File to Pe	Processing Complete	60849	10/2/2017 6:11:06 PM	10/2/2017 6:11:06 PM
Recalc Pending Report Total	Processing Complete	60849	10/2/2017 6:11:30 PM	10/2/2017 6:11:30 PM
Recalc Pending Report Total	Processing Complete	60849	10/2/2017 6:12:06 PM	10/2/2017 6:12:06 PM
Review Pending Report	Processing Complete	60849	10/2/2017 6:26:46 PM	10/2/2017 6:26:46 PM
File Pending Report	Processing Complete	60849	10/2/2017 6:27:13 PM	10/2/2017 6:27:13 PM
Review Filed Report	Processing Complete	60849	10/2/2017 8:02:07 PM	10/2/2017 8:02:07 PM
Amend Filed Report	Processing Complete	60849	10/2/2017 8:04:13 PM	10/2/2017 8:04:13 PM
Review Pending Report	Processing Complete	60849	10/2/2017 8:05:52 PM	10/2/2017 8:05:52 PM
Review Pending Report	Processing Complete	60849	10/2/2017 8:06:27 PM	10/2/2017 8:06:27 PM
File Pending Report	Processing Complete	60849	10/2/2017 8:06:39 PM	10/2/2017 8:06:39 PM
Review Filed Report	Processing Complete	kepage	10/3/2017 1:22:37 PM	10/3/2017 1:22:37 PM
Review Filed Report	Processing Complete	kepage	10/3/2017 1:23:02 PM	10/3/2017 1:23:02 PM
Amend Filed Report	Processing Complete	60849	10/3/2017 7:44:35 PM	10/3/2017 7:44:36 PM
Review Pending Report	Processing Complete	60849	10/3/2017 7:49:12 PM	10/3/2017 7:49:12 PM
File Pending Report	Processing Complete	60849	10/3/2017 7:49:52 PM	10/3/2017 7:49:52 PM



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Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Name:

Committee Name: South Florida Council of Fire Fighters PC

Account: 60849

Election:

Acct:

Type:

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
10/10/2017	M9	10/2/2017						
9/22/2017	M8	9/12/2017						
9/22/2017	SG2	9/21/2017	APP	0	\$125.00		\$125.00	\$0.00
8/23/2017	SG1	8/22/2017						
8/10/2017	M7	8/6/2017						
7/21/2017	SP2	7/20/2017						
7/10/2017	M6	7/2/2017						
6/12/2017	M5	6/1/2017						
5/10/2017	M4	5/3/2017						
4/10/2017	M3	4/2/2017						
3/11/2017	M2	3/6/2017						
2/10/2017	M1	2/5/2017						
1/10/2017	M12	1/1/2017						
12/12/2016	M11	12/5/2016						
11/4/2016	D6	11/3/2016						
11/4/2016	G7	11/4/2016						
11/2/2016	D5	11/2/2016						
11/1/2016	D4	11/1/2016						
10/31/2016	D3	10/31/2016						
10/30/2016	D2	10/30/2016						
10/29/2016	D1	10/28/2016						
10/28/2016	G6	10/25/2016						
10/21/2016	G5	10/17/2016						
10/14/2016	G4	10/12/2016						
10/7/2016	G3	10/2/2016						
9/30/2016	G2A	9/26/2016						
9/23/2016	G2	9/17/2016						
9/16/2016	G1A	9/12/2016						
9/9/2016	G1	9/6/2016						
9/2/2016	P7A	8/28/2016						
8/26/2016	P7	8/28/2016	CLO	2	\$0.00		\$0.00	\$0.00
8/19/2016	P6	8/16/2016						
8/12/2016	P5	8/9/2016						
8/5/2016	P4	8/1/2016						
7/29/2016	P3	7/22/2016						
7/22/2016	P2A	7/15/2016						
7/15/2016	P2	7/8/2016						
7/8/2016	P1A	7/3/2016						
7/1/2016	P1	6/28/2016						
6/10/2016	M5	6/1/2016						
5/10/2016	M4	5/1/2016						
4/11/2016	M3	4/2/2016						
3/10/2016	M2	3/3/2016						
2/10/2016	M1	2/1/2016						
1/11/2016	M12	1/2/2016						

12/10/2015	M11	12/4/2015						
11/10/2015	M10	11/4/2015						
10/13/2015	M9	10/2/2015						
9/10/2015	M8	9/7/2015						
8/10/2015	M7	8/5/2015						
7/10/2015	M6	7/6/2015						
6/10/2015	M5	6/3/2015						
5/11/2015	M4	5/4/2015						
4/10/2015	M3	4/3/2015						
3/10/2015	M2	3/3/2015						
2/10/2015	M1	2/3/2015						
1/12/2015	M12	1/2/2015						
12/10/2014	M11	12/1/2014						
11/10/2014	M10	11/1/2014						
10/31/2014	G7	10/30/2014						
10/30/2014	D6	10/29/2014						
10/29/2014	D5	10/28/2014						
10/28/2014	D4	10/27/2014						
10/27/2014	D3	10/26/2014						
10/26/2014	D2	10/25/2014						
10/25/2014	D1	10/24/2014						
10/24/2014	G6	10/22/2014						
10/17/2014	G5	10/14/2014						
10/10/2014	G4	10/4/2014						
10/3/2014	G3	9/26/2014						
9/26/2014	G2A	9/22/2014						
9/19/2014	G2	9/16/2014						
9/12/2014	G1A	9/9/2014						
9/5/2014	G1	8/29/2014						
8/29/2014	P7A	8/23/2014						
8/22/2014	P7	8/21/2014						
8/15/2014	P6	8/10/2014						
8/8/2014	P5	8/4/2014						
8/1/2014	P4	7/26/2014						
7/25/2014	P3	7/19/2014						
7/18/2014	P2A	7/11/2014						
7/11/2014	P2	7/8/2014						
7/4/2014	P1A	7/2/2014						
6/27/2014	P1	7/2/2014	CLO	5	\$0.00	\$0.00	\$0.00	
6/10/2014	M5	6/1/2014						
5/12/2014	M4	5/3/2014						
4/10/2014	M3	4/1/2014						
3/10/2014	M2	3/1/2014						
2/10/2014	M1	2/11/2014	CLO	1	\$50.00	\$50.00	\$50.00	
1/10/2014	M12	1/2/2014						
12/10/2013	M11	12/5/2013						
11/12/2013	M10	11/5/2013						
10/10/2013	Q3	10/8/2013						

FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 17-351

Respondent: South Florida Council of Fire Fighters

Complainant: Division of Elections

1. **Date and time:** 11/15/17 @ 10:35 a.m.
Name: John O'Brien - Chairman
Phone #: 954-328-3274
Summary: I tried calling the chairman regarding the appeal of the automatic-fine that he filed in this matter. I left a voice-mail message explaining the purpose of my telephone call and asked that he return my call at his earliest convenience.
Memo to File? No
Entered by: KS

2. **Date and time:** 11/15/17 @ 11:53 a.m.
Name: Brian Lynch - Treasurer
Phone #: 954-328-3274
Summary: Mr. Lynch, treasurer for the PC, returned my call from yesterday morning concerning the appeal on behalf of Mr. O'Brien, chairman. I informed him that our office had received his appeal and explained the process going forward but that I would also need to speak with the chairman, Mr. O'Brien. He said that he believed he had his telephone number in his desk drawer and that he would get it to me. I provided him with my e-mail address in the event he preferred to e-mail me Mr. O'Brien's telephone number.
Memo to File? No
Entered by: KS

3. **Date and time:** 11/29/17 @ 1:54 p.m.
Name: John O'Brien - Chairman
Phone #: 305-389-7621
Summary: I called and spoke with the chairman who had called me earlier and left a voice-mail message for me to return his call; this call was in response to his voice-mail message.

I informed him that it appeared that the appeal was based on two factors: unable to file due to losing power from Hurricane Irma and that an expenditure was initially reported in another report and when discovered, eventually reported in the amended SG2 report; he stated that was correct.

I informed him that he would eventually receive notification from our office advising him as to when the appeal would be presented to the members of the Elections Commission, most likely at the next commission meeting.

Mr. O'Brien inquired of me as to whether or not he needed a "pin number." Upon further commenting, it appeared that he may have needed to speak with the Division of Elections

after asking about a report needing to be filed. I provided him with the Division's telephone number.

Memo to File? No

Entered by: KS

4. **Date and time:**
Name:
Phone #:
Summary:
Memo to File? No
Entered by:

5. **Date and time:**
Name:
Phone #:
Summary:
Memo to File? No
Entered by:

6. **Date and time:**
Name:
Phone #:
Summary:
Memo to File? No
Entered by:

7. **Date and time:**
Name:
Phone #:
Summary:
Memo to File? No
Entered by:

8. **Date and time:**
Name:
Phone #:
Summary:
Memo to File? No
Entered by:

9. **Date and time:**
Name:
Phone #:
Summary:
Memo to File? No
Entered by:

10. **Date and time:**



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

September 26, 2017

Brian Lynch, Treasurer for
South Florida Council of Fire Fighters PC
8000 NW 21st Street
Suite 205
Miami, FL 33122

Re: PAC 60849

Dear Mr. Lynch:

The Division of Elections has determined that one or more campaign reports are incomplete for the reasons noted in the attached error report.

Pursuant to Section 106.07(2), Florida Statutes, you have 7 days from receipt of this notice to file an amended report to correct errors or provide missing information. If the information has been reported accurately, provide a written explanation to the Division addressing the issue noted in the error report. Please be advised that failure to supply this information within the time allowed may constitute a violation of Chapter 106, Florida Statutes.

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

Attachment

cc: David Perez, Chairperson

9/26/2017

Florida Department of State - Division of Elections

Page 1

Compliance Report

Committee: South Florida Council of Fire Fighters PC

Type: PAC - BOT

Report: 2017 SG2 (92) Covering Period: 8/19/17 - 9/21/17

Account: 60849

Overall

<u>Statute</u>	<u>FAC</u>	<u>Description</u>
1S-2.017 F		Expenditures must be itemized
106.07(2)		Missing or Erroneous Data

> Contribution to Daniel Perez not reported on special election report

Contributions

Expenditures

Fund Transfers

Other Distributions

Contribution Limits

General Election: 7/26/17 - 9/21/17

69679 Daniel Anthony Perez

20170926-S02

Type	Name	City	Amount	Date	Seq	Report
B-CHE	RSA CONSULTING GROUP, LLC	BRANDON	\$1,000.00	8/19/2017	90	2017 SG2
B-CHE	SCHOOL DEVELOPMENT HC FINANCE, LLC	MIAMI	\$1,000.00	8/29/2017	92	2017 SG2
I-CHE	SEMPEL TEVA	NEW ORLEANS	\$100.00	9/21/2017	114	2017 SG2
F-CHE	SOUTH FLORIDA COUNCIL FIREFIGHTERS	MIAMI	\$500.00	9/21/2017	114	2017 SG2
B-CHE	SOUTHERN GARDENS CITRUS HOLDING CORP.	CLEWISTON	\$1,000.00	9/21/2017	158	2017 SG2
B-CHE	SOUTHERN GARDENS CITRUS PROCESSING CORP.	CLEWISTON	\$1,000.00	9/21/2017	159	2017 SG2
B-CHE	SOUTHERN GARDENS GROVES CORPORATION	CLEWISTON	\$1,000.00	9/21/2017	160	2017 SG2
B-CHE	SOUTHERN GLAZER'S WINE AND SPIRITS, LLC	MIRAMAR	\$1,000.00	9/21/2017	145	2017 SG2
B-CHE	SOUTHERN STRATEGY GROUP	TALLAHASSEE	\$1,000.00	8/28/2017	93	2017 SG2
B-CHE	SOUTHERN STRATEGY GROUP OF MIAMI, LLC	TALLAHASSEE	\$1,000.00	8/19/2017	94	2017 SG2
B-CHE	SOUTHWEST FLORIDA ENTERPRISES, INC.	MIAMI	\$1,000.00	8/31/2017	95	2017 SG2
B-CHE	SPRINGS CROSSING IMAGING MRI	HIALEAH	\$1,000.00	8/19/2017	96	2017 SG2
I-CHE	SUAREZ JONNY	MIAMI	\$3.00	9/19/2017	113	2017 SG2
B-CHE	SUN CITY STRATEGIES, LLC	HIALEAH	\$1,000.00	9/21/2017	161	2017 SG2
B-CHE	SUNSHINE GASOLINE DISTRIBUTORS, INC.	MIAMI	\$1,000.00	8/28/2017	97	2017 SG2
F-CHE	SUNTRUST BANK GOOD GOVERNMENT GROUP FLORIDA	TALLAHASSEE	\$500.00	8/21/2017	48	2017 SG2
B-CHE	TAMPA PROPERTY PARTNERS, LLC	MIAMI	\$1,000.00	9/21/2017	146	2017 SG2
B-CHE	TECO ENERGY, INC.	TAMPA	\$1,000.00	7/28/2017	31	2017 SG1
F-CHE	THE GEO GROUP, INC	BOCA RATON	\$1,000.00	9/14/2017	100	2017 SG2
B-CHE	THE RUBIN GROUP, INC.	FT. LAUDERDALE	\$1,000.00	8/19/2017	101	2017 SG2
B-CHE	THE SHIRE APARTMENTS, LTD.	ST. PETERSBURG	\$1,000.00	8/28/2017	102	2017 SG2
B-CHE	THE TRAVELERS INDEMNITY COMPANY	HARTFORD	\$1,000.00	9/21/2017	147	2017 SG2
B-CHE	TUSCAN ISLE	ST. PETERSBURG	\$1,000.00	8/28/2017	103	2017 SG2
B-CHE	USAA	SAN ANTONIO	\$1,000.00	8/19/2017	104	2017 SG2
B-CHE	VCP-SB ASSOCIATES, LTD.	ST. PETERSBURG	\$1,000.00	8/28/2017	105	2017 SG2
B-CHE	VESTCOR FUND XIX, LTD.	ST. PETERSBURG	\$1,000.00	8/28/2017	107	2017 SG2
B-CHE	VESTCOR PARTNERS XXVII, LLC	JACKSONVILLE	\$1,000.00	8/28/2017	108	2017 SG2
B-CHE	VESTCOR-WR ASSOCIATES, LTD.	ST. PETERSBURG	\$1,000.00	8/28/2017	106	2017 SG2
I-CHE	VILA ALEX VARGAS	MIAMI	\$150.00	8/31/2017	3	2017 SG2
I-CHE	WADSWORTH MARIA A.	MIAMI	\$100.00	8/15/2017	17	2017 SG1
B-CHE	WALGREENS CO.	DEERFIELD	\$500.00	9/12/2017	109	2017 SG2
F-CHE	WELLS FARGO & COMPANY FLORIDA EMPLOYEES GOOD GOVER	MINNEAPOLIS	\$500.00	8/19/2017	110	2017 SG2
B-CHE	WEST FLAGLER ASSOCIATES, LTD.	MIAMI	\$1,000.00	9/14/2017	111	2017 SG2
B-CHE	WHITE ROCK QUARRIES	WEST PALM BEACH	\$500.00	9/21/2017	149	2017 SG2
I-CHE	ZULUETA IGNACIO G.	MIAMI	\$1,000.00	8/29/2017	56	2017 SG2

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

(1) South Florida Council of Fire Fighters PC (2) 60849
Candidate, Committee or Party Name I.D. Number

(3) 8000 NW 21st Street Miami FL 33122
Address (number and street) City State Zip Code
 Check box if address has changed since last report

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

(5) REPORT IDENTIFIERS

Cover Period: From 09/01/2017 To 09/30/2017 Report Type: M9
 Original Amendment Special Election Report

(6) CONTRIBUTIONS THIS REPORT		(7) EXPENDITURES THIS REPORT	
Cash & Checks	\$200.00	Monetary Expenditures	\$0.00
Loans	\$0.00	Transfers to Office Account	\$0.00
<i>Total Monetary</i>	\$200.00	<i>Total Monetary</i>	\$0.00
In-Kind	\$0.00	(8) Other Distributions	

Certification

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

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

Name: South Florida Council of Fire Fighters PC

Report: 2017 M9

Period: 09/01/2017 to 09/30/2017

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

Seq #	Full Name (Last, Suffix, First, Middle)	Contributor	Occupation	Amount
Date	Street Address & City, State, Zip	Type	In-Kind Description	Amend
1	MIAMI ASSOCIATION OF FIREFIGHTERS IAFF LOCAL 587	O	LABOR ORGANIZATION	\$100.00
09/20/2017	2980 NW SOUTH RIVER DRIVE MIAMI, FL 33125	CHE		
2	MIAMI BEACH ASSOCIATION OF FIRE FIGHTERS	O	LABOR ORGANIZATION	\$100.00
09/20/2017	POST OFFICE BOX 403518 MIAMI BEACH, FL 33140	CHE		

CAMPAIGN TREASURER'S REPORT – ITEMIZED EXPENDITURES

Name: South Florida Council of Fire Fighters PC

Report: 2017 M9

Period: 09/01/2017 to 09/30/2017

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

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Type	Purpose	Amount Amend
* 1 09/06/2017	PEREZ DANIEL 8720 SW 84 STREET MIAMI, FL 33173	MON	FLORIDA SENATE - DISTRICT 116	\$500.00 DEL

ID:

CAMPAIGN TREASURER'S REPORT – ITEMIZED FUND TRANSFERS

Name: South Florida Council of Fire Fighters PC

Report: 2017 M9

Period: 09/01/2017 to 09/30/2017

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

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

ID:

CAMPAIGN TREASURER'S REPORT – ITEMIZED DISTRIBUTIONS

Name: South Florida Council of Fire Fighters PC

Report: 2017 M9

Period: 09/01/2017 to 09/30/2017

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

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

Queued Items for 2017-M9

Account: 60849

South Florida Council of Fire Fighters PC

Rpt Seq: 93

<i>ProcessDescription</i>	<i>Status</i>	<i>Submitter</i>	<i>Created</i>	<i>LastUpdate</i>
Create Pending Report	Processing Complete	60849	10/2/2017 6:05:42 PM	10/2/2017 6:05:42 PM
Process Uploaded File	Processing Complete	60849	10/2/2017 6:05:42 PM	10/2/2017 6:05:42 PM
Review Pending Report	Processing Complete	60849	10/2/2017 6:05:50 PM	10/2/2017 6:05:50 PM
File Pending Report	Processing Complete	60849	10/2/2017 6:06:16 PM	10/2/2017 6:06:16 PM
Review Filed Report	Processing Complete	60849	10/2/2017 7:56:13 PM	10/2/2017 7:56:13 PM
Recalc Filed Report Totals	Processing Complete	60849	10/2/2017 7:56:26 PM	10/2/2017 7:56:26 PM
Amend Filed Report	Processing Complete	60849	10/2/2017 7:59:44 PM	10/2/2017 7:59:44 PM
Review Pending Report	Processing Complete	60849	10/2/2017 8:00:59 PM	10/2/2017 8:00:59 PM
File Pending Report	Processing Complete	60849	10/2/2017 8:01:39 PM	10/2/2017 8:01:39 PM



FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

MEMORANDUM

TO: Political Parties, Affiliated Party Committees, Political Committees, and Electioneering Communication Organizations

FROM: Kristi Reid Bronson, Chief
Bureau of Election Records *KRB*

DATE: May 22, 2017

SUBJECT: Special Election - State Representative, District 116

A special election has been called for the office of State Representative, District 116. The special primary election for this race is scheduled for July 25, 2017. The special election for this race is scheduled for September 26, 2017.

When a special election is called to fill a vacancy in office, all political committees, electioneering communication organizations, political parties and affiliated party committees making contributions or expenditures to influence the results of such special election shall file campaign treasurer's reports with the filing officer on the dates set by the Department of State.

Committees or organizations are required to file special election campaign treasurer's reports only if the committee or organization makes a contribution to a special election candidate during the special election reporting periods (see chart on next page) or makes an expenditure to influence the results of the special election.

Please note that activities reported on special election reports are only expenditures that are made to influence the results of the special election. All other activity (e.g., contributions) is reported on the appropriate campaign treasurer's report.

Once a committee or organization has participated in the special election and has filed a special election campaign report, all remaining special election reports must be filed even if there is no further special election activity. If there is no further activity, a waiver must be filed.

Division of Elections
R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6240 • 850.245.6260 (Fax) dos.myflorida.com/elections



MEMORANDUM
May 22, 2017
Page Two

All reports must be filed through the Electronic Filing System (EFS) not later than midnight, Eastern Time, of the due date. Reports not filed by this time are late filed and subject to the penalties in Sections 106.07(8) and 106.29, 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, Eastern Time, of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

The campaign reporting schedule for this special election is as follows:

<u>Report</u>	<u>Due Date</u>	<u>Covered Period</u>
SP1	06-12-17	05-08-17 – 06-08-17
SP2	07-21-17	06-09-17 – 07-20-17
SG1	08-23-17	07-21-17 – 08-18-17
SG2	09-22-17	08-19-17 – 09-21-17

Please contact our office at (850) 245-6280 if you have any questions.

KRB/slb



RE: Home Care PAC - 60864
 Willis, Kristi R.
 to:
 Cole Kekelis
 10/25/2017 02:18 PM
 Hide Details
 From: "Willis, Kristi R." <Kristi.Willis@DOS.MyFlorida.com>
 To: Cole Kekelis <Cole.Kekelis@myfloridalegal.com>
 History: This message has been forwarded.

2 Attachments



Email Log - S40 special election.xls Memo - Committees.pdf

The email is done through a program so I do not have a "copy of the email" that goes out.

Here is an excerpt from the log showing that an email was sent:

DSBrown	5/1/2017 8:05:48 AM	Report Reminders	2017,M5,6/12/2017;	Report Reminder	
krbrnson	5/26/2017 12:02:41 PM	General Information Memos	ECU,PAC,PTY	Special Election - Senate 40 / House 116	Select file attachment
krbrnson	5/11/2017 12:05:02 AM	Untimely Filings	2017,M4,5/10/2017;	2017 M4 - Late Report	

I have attached a copy of the memo that was attached to the email.

I have attached also a spreadsheet that is generated by the program that lists the entities that were sent the memo. I have highlighted the entry for PC 60864.

The body of the email provided:

Please review the attached memoranda regarding the special elections that have been called for the offices of **State Representative, District 116, and Senate, District 40.**

Additional information can be found at the following link on the Division's website:

<http://dos.myflorida.com/elections/for-voters/special-elections/>

Please contact our office at (850) 245-6280 if you have any questions.

If you need additional information, please let me know.

From: Cole Kekelis [mailto:Cole.Kekelis@myfloridalegal.com]
 Sent: Wednesday, October 25, 2017 1:54 PM
 To: Willis, Kristi R. <Kristi.Willis@DOS.MyFlorida.com>
 Subject: Home Care PAC - 60864

Ms. Willis:

Previously, you sent our office a sample memorandum regarding special election reporting dates that is emailed to PACs when special elections are called.

Could you please forward me a copy of such an email that was sent to the above PAC regarding a special election for which the PAC had to file a 2017 SP1 report?

This relates to an auto fine appeal with regard to the 2017 SP1 report.

Thanks,

Cole Kekelis
FEC

The Department of State is committed to excellence.
 Please take our [Customer Satisfaction Survey](#)

AcctType	AcctNum	email	sentDate	SentStatus
PAC	60849	bnlynch@gmail.com	5/26/2017 12:02	OK