

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Tommy B. Hayfield

Case No.: FEC 16-609

TO: Tommy B. Hayfield
33316 Ryan Drive, Apt. 123
Leesburg, FL 34788

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, **November 28, 2017 at 8:30 am, or as soon thereafter as the parties can be heard**, at the following location: **412 Knott Building, Pat Thomas Committee Room, 404 South Monroe Street, 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
November 13, 2017

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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STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

Case No.: FEC 16-609

v.

**Tommy B. Hayfield,
Respondent.**

_____ /

ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on August 16, 2017, in Tallahassee, Florida.

On June 2, 2017, Staff recommended to the Commission that there was probable cause to believe that the Florida Election Code was violated. The facts articulated in Staff's Recommendation are adopted by reference and incorporated herein. Based on the Complaint, Report of Investigation, Staff's Recommendation, and oral statements (if any) made at the probable cause hearing, the Commission finds that there is **probable cause** to charge Respondent with the following violation(s):

Count 1:

On or about September 22, 2016, Respondent violated Section 106.141(1), Florida Statutes, when Respondent failed to dispose of the funds on deposit in his campaign account within 90 days of being eliminated.

Count 2:

On or about September 22, 2016, Respondent violated Section 106.141(1), Florida Statutes, when Respondent failed to file the campaign's 2016 TR listing the disposition of all remaining campaign funds within 90 days of being eliminated.

Count 3:

On or about September 22, 2016, Respondent violated Section 106.19(1)(c), Florida Statutes, when Respondent deliberately failed to include information required to be reported by Chapter 106 on the campaign's 2016 TR.

The Commission finds that there is **no probable cause** to charge Respondent with violating Section 106.07(7), Florida Statutes.

DONE AND ORDERED by the Florida Elections Commission on August 16, 2017.



M. Scott Thomas, Chairman
Florida Elections Commission

Copies furnished to:
Cole H. Kekelis, Assistant General Counsel
Tommy B. Hayfield, 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: Tommy B. Hayfield

Case No.: FEC 16-609

TO: Tommy B. Hayfield
33316 Ryan Drive, Apt. 123
Leesburg, FL 34788

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, **August 16, 2017 at 10:30 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, 2017

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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.

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

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

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

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Tommy B. Hayfield

Case No.: FEC 16-609

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned counsel files this written recommendation for disposition of the complaint in this case recommending that there is **probable cause** to charge Respondent with violating **Sections 106.141(1) and 106.19(1)(c), Florida Statutes**, and **no probable cause** to charge Respondent with violation **Section 106.07(7), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on April 18, 2017, the following facts and law support this staff recommendation:

1. On October 21, 2016, the Florida Elections Commission (“Commission”) received a referral from the Department of State, Division of Elections (“Division”) alleging that Tommy B. Hayfield (“Respondent”) violated Chapter 106, Florida Statutes.
2. Respondent was a 2016 candidate for State Representative, District 32. He failed to qualify.
3. By letter dated March 8, 2017, the Executive Director notified Respondent that Commission staff would investigate the following statutory provisions:

Section 106.141(1), Florida Statutes: As alleged in the complaint, Respondent, a 2016 candidate for State Representative, failed to timely file his 2016 Termination Report reflecting the disposition of all remaining campaign funds.

Section 106.19(1)(c), Florida Statutes: As alleged in the complaint, Respondent, a 2016 candidate for State Representative, may have falsely reported or deliberately failed to include information in his 2016 Termination Report, as required by Chapter 106.

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent, a 2016 candidate for State Representative, may have failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the 2016 termination reporting period.

4 On April 11, 2016, Respondent filed an Appointment of Campaign Treasurer and Designation of Campaign Depository form (“DS-DE 9”) with the Division. Respondent appointed himself as his own campaign treasurer. (ROI Exhibit 1)¹

5. By letter dated April 12, 2016, Kristi Reid Bronson, Division of Elections, Chief, Bureau of Election Records, notified Respondent that his DS-DE 9 was filed with the Division on April 11, 2016. The letter also contained a sealed envelope containing Respondent's confidential PIN number to access the Division’s electronic filing system. (ROI Exhibit 2)

6. Ms. Bronson’s April 12, 2016, letter also informed Respondent that all of the Division’s publications and reporting forms were available on the Division’s website, including Chapters 104 and 106, Florida Statutes, the *Candidate and Campaign Treasurer Handbook*, and the *Calendar of Reporting Dates*. The letter notified Respondent that it was his responsibility to read, understand, and follow the requirements of Florida’s election laws. (*Id.*)

7. On April 19, 2016, Respondent filed a Statement of Candidate form with the Division in which he acknowledged that he had been provided access to read and understand the requirements of Chapter 106, Florida Statutes. (ROI Exhibit 18)

8. On September 22, 2016, Respondent’s 2016 Termination Report (“TR”) was due since he failed to qualify. However, Respondent failed to file it. On September 23, 2016, the Division sent Respondent written notification that the campaign’s 2016 TR or the required notification that no reportable activity occurred, whichever was applicable, had not been filed. (ROI Exhibit 3)

9. On October 3, 2016, the Division sent Respondent a letter marked “Final Notice” that the campaign’s 2016 TR or the required notification that no reportable activity occurred, whichever was applicable, had not been filed. The final notice was delivered to Respondent on October 5, 2016, at the address provided on his DS-DE 9. (ROI Exhibits 4-5)

10. The investigation secured Respondent’s campaign account records from his campaign depository, Wells Fargo Bank, N.A. The below table identifies Respondent’s campaign finance activity during his 2016 TR reporting period of June 25, 2016, through September 21, 2016, and identifies the balance in his campaign depository. (ROI Exhibits 7-10)

Check Date	Check #²	Expenditure To	Amount	Funds on Deposit
07/07/16	ATM withdrawal	Non-Wells Fargo ATM withdrawal authorized on 07/07/16 (Tavares, FL)	\$23.00	\$1,476.57

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

² Based upon Respondent’s monthly bank statements, Respondent used a debit card for expenditures to his campaign account during the 2016 TR cover period as indicated in the table.

07/07/14	Debit Card	Non-Wells Fargo ATM Transaction Fee	\$2.50	\$1,474.07
07/11/16	Debit Card	Purchase authorized on 07/10/16 "Food & Bev" (Leesburg, FL)	\$3.99	\$1,470.08
07/13/16		Monthly Service Fee	\$10.00	\$1,460.08
08/10/16		Monthly Service Fee	\$10.00	\$1,450.08
09/13/16		Monthly Service Fee	\$10.00	
TOTAL			\$59.49	\$1,440.08

11. Section 106.141(1), Florida Statutes, requires a candidate to dispose of the funds on deposit in his campaign account and file a report reflecting the disposition of all remaining funds within 90 days of withdrawing his candidacy, becoming an unopposed candidate, being eliminated as a candidate, or being elected to office.

12. Section 106.19(1)(c), Florida Statutes, prohibits a candidate from falsely reporting or deliberately failing to include any information required by Chapter 106.

13. 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.

14. Since a review of Respondent's bank records has revealed several reportable financial transactions that occurred during the 2016 TR reporting period, Respondent was required to timely file the campaign's 2016 TR reporting all transactions associated with disposition of all remaining campaign funds.

15. However, Respondent did not timely file the campaign's 2016 TR, and Division records show that as of May 30, 2017, Respondent had still not filed the campaign's 2016 TR. (Attachment A)

16. Respondent was offered multiple opportunities to respond to Commission staff's investigation, but failed to do so. Therefore, Respondent did not provide an explanation for his failure to dispose of all funds on deposit in his campaign account and file the campaign's 2016 TR listing the disposition of all such funds within 90 days of being eliminated. Respondent failed to disclose \$59.49 of expenditures that occurred during the 2016 TR reporting period. Further, as of September 22, 2016, the date that the 2016 TR was due, Respondent's campaign account remained open with a balance of \$1,440.08.

17. Based upon the information above, it appears that Respondent failed to dispose of all funds remaining on deposit in his campaign account and file the campaign's 2016 TR by the required due date, and Respondent failed to disclose numerous expenditures made during the 2016 TR reporting period.

18. “Probable Cause” is defined as a 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).

19. The above facts show that Respondent was a 2016 candidate for State Representative, District 32. He failed to qualify, and was thus eliminated from the race. Respondent failed to dispose of all funds on deposit in his campaign account and file the campaign’s 2016 TR listing the disposition of all such funds within 90 days of being eliminated. A review of Respondent’s bank records revealed that as of the due date of the 2016 TR, the campaign account remained open with a substantial balance of funds. Further, the bank records showed several expenditures that occurred during the 2016 TR reporting period which Respondent did not disclose.

Based upon these facts and circumstances, I recommend that the Commission find no probable cause to charge Respondent with violation Section 106.07(7), Florida Statutes, and find probable cause to charge Respondent with the following:

Count 1:

On or about September 22, 2016, Respondent violated Section 106.141(1), Florida Statutes, when Respondent failed to dispose of the funds on deposit in his campaign account within 90 days of being eliminated.

Count 2:

On or about September 22, 2016, Respondent violated Section 106.141(1), Florida Statutes, when Respondent failed to file the campaign’s 2016 TR listing the disposition of all remaining campaign funds within 90 days of being eliminated.

Count 3:

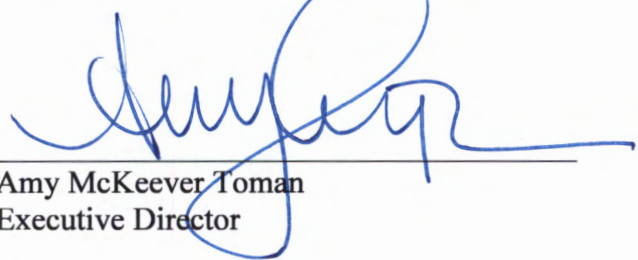
On or about September 22, 2016, Respondent violated Section 106.19(1)(c), Florida Statutes, when Respondent deliberately failed to include information required to be reported by Chapter 106 on the campaign’s 2016 TR.

Respectfully submitted on June 2, 2017,



Cole H. Kekelis
Assistant General Counsel

I reviewed this Staff Recommendation this 2nd day of June 2017.



Amy McKeever Toman
Executive Director



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Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Candidate Name: Tommy B. Hayfield

Name:

Account: [65712](#)

Election:

Acct:

Type:

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
9/22/2016	TR		FEC	0	\$0.00		\$0.00	\$0.00
7/1/2016	P1	7/7/2016						
6/10/2016	M5	6/8/2016						
5/10/2016	M4	5/6/2016						

ATTACHMENT A

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Case No.: FEC 16-609

Respondent: Tommy B. Hayfield
Counsel for Respondent: None

Complainant: Division of Elections
Counsel for Complainant: None

Pursuant to Section 106.25, Florida Statutes, on October 21, 2016, the Florida Elections Commission ("Commission") received information from the Division of Elections ("DOE") alleging that Respondent violated Chapter 106, Florida Statutes. Commission staff investigated whether Respondent violated the following statutes:

Section 106.07(7), Florida Statutes, failure of a candidate that 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;

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

Section 106.19(1)(c), Florida Statutes, prohibiting a person or organization from falsely reporting or deliberately failing to report information required by Chapter 106, Florida Statutes.

I. Preliminary Information:

1. Respondent was a 2016 candidate for State Representative, District 32; he failed to qualify. Respondent appointed himself campaign treasurer, designated Wells Fargo Bank, N.A. as his campaign depository, and filed his Forms DS-DE 9 with the DOE on April 11, 2016, and June 3, 2016. (Note: Respondent changed his political party affiliation identified on his Form DS-DE 9 filed on June 3, 2016.) To review his Forms DS-DE 9, refer to Exhibit 1.

2. Complainant is the DOE.

3. Respondent's filing officer is Kristi Reid Bronson, Chief, Bureau of Election Records.

4. On April 12, 2016, Ms. Bronson sent Respondent a letter acknowledging his name had been placed on the 2016 active candidate list. The letter advised Respondent that all candidates filing reports with the DOE are required to use the electronic filing system ("EFS"), and provided

Respondent with his user identification number and initial password allowing him access to the EFS. To review the letter, refer to Exhibit 2.

5. The letter also advised Respondent that all DOE publications and reporting forms are available on its website, including Chapter 106, Florida Statutes, the *Candidate and Campaign Treasurer Handbook*, and the Calendar of Reporting Dates. The letter further advised Respondent that it was his responsibility to read, understand, and follow the requirements of Florida's election laws. (Note: the instructions appear in bold font.) To review the letter, refer to Exhibit 2.

6. On September 22, 2016, Respondent's 2016 Termination Report ("TR") was due since he failed to qualify. On September 23, 2016, the DOE mailed Respondent notification that his 2016 TR or the required notification that no reportable activity occurred, whichever was applicable, had not been filed. To review the notification, refer to Exhibit 3.

7. On October 3, 2016, the DOE mailed Respondent a letter marked "Final Notice" with delivery confirmation that his 2016 TR or the required notification that no reportable activity occurred, whichever was applicable, had not been filed. The final notice was delivered to Respondent at the address provided on his DS-DE 9 form. To review the final notification, refer to Exhibit 4. To review the delivery confirmation, refer to Exhibit 5.

8. On October 21, 2016, the Commission received a referral from the DOE alleging that Respondent failed to report campaign activity during his 2016 TR period, or in the alternative, failed to notify the filing officer that no report would be filed. The allegations will be addressed in the paragraphs that follow.

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

9. I investigated whether Respondent violated this section of the election laws by failing to notify the filing officer, in writing, that no report would be filed for the 2016 TR cover period.

10. On February 28, 2017, I secured Respondent's campaign account records from his campaign depository, Wells Fargo Bank, N.A. To review Respondent's campaign account application, refer to Exhibit 6.

11. Table 1 identifies Respondent's campaign finance activity during his 2016 TR cover period of June 25, 2016 through September 21, 2016, and identifies the balance in Respondent's campaign depository. To review relevant pages of Respondent's monthly bank statement for June 11, 2016 – July 13, 2016, refer to Exhibit 7. To review relevant pages of Respondent's monthly bank statement for July 14, 2016 – August 10, 2016, refer to Exhibit 8. To review relevant pages of Respondent's monthly bank statement for August 11, 2016 – September 13, 2016, refer to Exhibit 9. To review relevant pages of Respondent's monthly bank statement for September 14, 2016 – October 13, 2016, refer to Exhibit 10.

(This space deliberately left blank.)

TABLE 1: UNREPORTED EXPENDITURES DURING TR COVER PERIOD; (06/25/16-09/21/16)				
Check Date	Check #¹	Expenditure To	Amount	Funds on Deposit
07/07/16	ATM withdrawal	Non-Wells Fargo ATM withdrawal authorized on 07/07/16 (Tavares, FL)	\$23.00	\$1,476.57
07/07/14	Debit Card	Non-Wells Fargo ATM Transaction Fee	\$2.50	\$1,474.07
07/11/16	Debit Card	Purchase authorized on 07/10/16 "Food & Bev" (Leesburg, FL)	\$3.99	\$1,470.08
07/13/16		Monthly Service Fee	\$10.00	\$1,464.08
08/10/16		Monthly Service Fee	\$10.00	\$1,454.08
09/13/16		Monthly Service Fee	\$10.00	
TOTAL²			\$59.49	\$1,440.08

12. It appears that Respondent was required to file his 2016 TR based upon the campaign finance activity identified in Table 1. To review relevant pages of Respondent's monthly bank statements for the 2016 TR cover period, refer to Exhibits 7 through 10.

13. Also, it appears Respondent failed to dispose of the remaining funds in his campaign account within 90 days of failing to qualify. Based upon the relevant monthly bank statement (Exhibit 10) from Respondent's campaign depository, as of September 22, 2016, the date Respondent's 2016 TR was due, Respondent's campaign account remained open with a balance of \$1,440.08.

14. And it appears Respondent had unreported campaign finance activity after his 2016 TR was due on September 22, 2016. In an apparent attempt to "zero out" his campaign account, Respondent transferred the remaining balance in his campaign account—in the amount of \$127.56—to his personal account on December 12, 2016. However, the same day, a \$10.00 monthly service fee was posted by the Bank, and the balance for Respondent's campaign account was overdrawn by \$10.00. To review relevant pages of Respondent's monthly bank statement for October 14, 2016 – November 10, 2016, refer to Exhibit 11. To review relevant pages of Respondent's monthly bank statement for November 11, 2016 – December 12, 2016, refer to Exhibit 12.

15. On December 13, 2016, the Bank completed a "Partial Monthly Service Fee Reversal" in the amount of \$5.00, and Respondent transferred \$5.00 from his personal account to

¹ Note: Based upon Respondent's monthly bank statements, Respondent used a debit card for expenditures to his campaign account during the 2016 TR cover period as indicated in the table.

² Note: Based upon Respondent's monthly bank statement for September 14, 2016 – October 13, 2016, there was additional unreported campaign finance activity after Respondent's 2016 TR cover period.

his campaign account. Respondent's campaign depository had an ending balance of \$0.00 on the monthly bank statement for December 13, 2016 through January 12, 2017. To review relevant pages of Respondent's monthly bank statement for December 13, 2016 through January 12, 2017, refer to Exhibit 13.

16. Respondent did not respond to the notice of the referral or to Ms. Toman's letter of legal sufficiency. I attempted to contact Respondent by telephone on four occasions to give him an opportunity to discuss the allegations in the referral. An affidavit-questionnaire was e-mailed to Respondent on March 3, 2017, and was provided my contact number and e-mail address. And a letter with an affidavit-questionnaire was mailed to Respondent on March 6, 2017. As of the date of this report of investigation ("ROI"), Respondent has not responded to the instant case, returned my phone calls, returned an affidavit-questionnaire nor has my correspondence been returned by the USPS. To review the phone log, refer to Exhibit 14. To review the e-mail to Respondent, refer to Exhibit 15. To review the affidavit-questionnaire, refer to Exhibit 16. To review the letter to Respondent, refer to Exhibit 17.

17. I found no record of previous complaints to indicate that Respondent has violated this section of Florida's election laws.

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

18. I investigated whether Respondent violated this section of the election laws by failing to file his 2016 TR reflecting the disposition of all remaining funds in his campaign account within 90 days of failing to qualify.

19. To review information regarding this section of the election laws, refer to paragraphs 11 through 16 in this report.

20. I found no record of previous complaints to indicate that Respondent has violated this section of Florida's election laws.

IV. Alleged Violation of Section 106.19(1)(c), Florida Statutes:

21. I investigated whether Respondent violated this section of the election laws by failing to report campaign activity during the 2016 Termination-Report period.

22. To review information regarding this section of the election laws, refer to paragraphs 11 through 16 in this report.

23. I found no record of previous complaints to indicate that Respondent has violated this section of Florida's election laws.

V. FEC History:

24. Respondent has no history of additional complaints filed against him with the Commission at the time of this complaint.

Conclusion:

25. On April 13 and 17, 2017, I attempted to contact Respondent by telephone on three occasions to conduct a final interview by telephone, and give him an opportunity to respond to the information gathered during the investigation concerning the allegations made in the referral since he has not responded to my earlier attempts to reach him by telephone, and in writing (Exhibits 15 and 17). At the time of this ROI, Respondent has not returned my calls nor an affidavit-questionnaire (Exhibit 16). To review the phone log, refer to Exhibit 14, entry numbers 1, and 6 through 8.

26. As previously discussed in paragraph 5 of this ROI, on April 12, 2016, Ms. Bronson sent Respondent a letter (Exhibit 2) advising him that all DOE publications and reporting forms are available on its website, including Chapter 106, Florida Statutes, the *Candidate and Campaign Treasurer Handbook*, and the Calendar of Reporting Dates. The letter (Exhibit 2) further advised Respondent that it was his responsibility to read, understand, and follow the requirements of Florida's election laws. (Note: the instructions appear in **bold** font.)

27. I have been unable to ascertain what information Respondent reviewed from the DOE since he has not returned my calls (Exhibit 14) or an affidavit-questionnaire (Exhibit 16). Respondent executed a Statement of Candidate (Form DS-DE 84) indicating he had "been provided access to read and understand the requirements of Chapter 106, Florida Statutes." The form indicates he signed it on April 15, 2016, and it was filed with the DOE on April 19, 2016. To review a copy of Respondent's Statement of Candidate, refer to Exhibit 18.

28. During my investigation of the allegations contained in the sworn referral, it appears Respondent notified the filing officer that no report would be filed by filing waivers-of-report indicating he had no campaign finance activity for three report cover periods covering April 1 through 30, 2016 (2016 M4 Report); May 1 through 31, 2016 (2016 M5 Report); and June 1 through 24, 2016 (2016 P1 Report). However, it appears there was campaign finance activity that should have been disclosed. Because these potential violations were not alleged in the complaint, I did not further investigate this information.

Respectfully submitted on April 18, 2017.



Helen Hinson
Investigation Specialist

Current address of Respondent

Mr. Tommy B. Hayfield
33316 Ryan Drive, Apt. 123
Leesburg, Florida 34788-3746

Current address of Complainant

Division of Elections
500 South Bronough Street, Room 316
Tallahassee, Florida 32399-0250

Name and Address of Filing Officer:

Kristi Reid Bronson, Chief
Bureau of Election Records
500 South Bronough Street, Room 316
Tallahassee, Florida 32399-0250

Copy furnished to:

Mr. David B. Flagg, Investigations Manager

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Tommy B. Hayfield -- FEC 16-609

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	Respondent's Forms DS-DE 9
Exhibit 2	Ms. Bronson's letter dated April 12, 2016
Exhibit 3	Notification dated September 23, 2016
Exhibit 4	Notification dated October 3, 2016, the DOE marked "Final Notice"
Exhibit 5	Delivery confirmation
Exhibit 6	Respondent's campaign account application
Exhibit 7	Relevant pages of Respondent's monthly bank statement for June 11, 2016 – July 13, 2016
Exhibit 8	Relevant pages of Respondent's monthly bank statement for July 14, 2016 – August 10, 2016
Exhibit 9	Relevant pages of Respondent's monthly bank statement for August 11, 2016 – September 13, 2016
Exhibit 10	Relevant pages of Respondent's monthly bank statement for September 14, 2016 – October 13, 2016
Exhibit 11	Relevant pages of Respondent's monthly bank statement for October 14, 2016 – November 10, 2016
Exhibit 12	Relevant pages of Respondent's monthly bank statement for November 11, 2016 – December 12, 2016
Exhibit 13	Relevant pages of Respondent's monthly bank statement for December 13, 2016 – January 12, 2017
Exhibit 14	Phone Log
Exhibit 15	E-mail to Respondent
Exhibit 16	Affidavit-questionnaire to Respondent
Exhibit 17	Letter to Respondent
Exhibit 18	Respondent's 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

2016 APR 11 AM 11:08

DEPARTMENT OF STATE
DIVISION OF ELECTIONS

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

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

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

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

Thomas Bothwell Hayfield

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

33316 Ryan Drive, Apt 123
Leesburg, Fla 34788

4. Telephone

(352) 455-5926

5. E-mail address

-

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

Representative, 32nd district,
Florida House

7. If a candidate for a nonpartisan office, check if applicable:

My intent is to run as a Write-In candidate

8. If a candidate for a partisan office, check block and fill in name of party as applicable: My intent is to run as a

Write-In No Party Affiliation Republican Party candidate.

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

10. Name of Treasurer or Deputy Treasurer

Thomas Bothwell Hayfield

11. Mailing Address

33316 Ryan Drive Apt 123 Leesburg, Fla 34788

12. Telephone

(352) 455-5926

13. City

Leesburg

14. County

Lake

15. State

Fla

16. Zip Code

34788

17. E-mail address

-

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

19. Name of Bank

Wells Fargo

20. Address

12045 US Highway 941

21. City

Leesburg

22. County

Lake

23. State

Fla

24. Zip Code

34788

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

09/07/2016

26. Signature of Candidate

Thomas Bothwell Hayfield

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

I, Thomas Bothwell Hayfield, do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer.

09/07/2016

EXHIBIT 1 (10/2)

Thomas Bothwell Hayfield
Signature of Campaign Treasurer or Deputy Treasurer

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

(PLEASE PRINT OR TYPE)

RECEIVED
16 JUN -3 AM 9:08

DIVISION OF ELECTIONS
SECRETARY OF STATE

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 Part

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

Thomas Bothwell Hayfield

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

33316 Ryan Drive Apt 123
Leesburg, FL 34788

4. Telephone

(352) 455-5706

5. E-mail address

tommyhayfield@florida
32nd@cheerful.com

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

32nd district representative

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 _____ Party candidate.

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

10. Name of Treasurer or Deputy Treasurer

Thomas Bothwell Hayfield

11. Mailing Address

33316 Ryan Drive Apt 123

12. Telephone

(352) 455-5706

13. City

Leesburg

14. County

Lake

15. State

FL

16. Zip Code

34788

17. E-mail address

18. I have designated the following bank as my

Primary Depository Secondary Depository

19. Name of Bank

Wells Fargo

20. Address

21. City

Leesburg

22. County

Lake

23. State

Florida

24. Zip Code

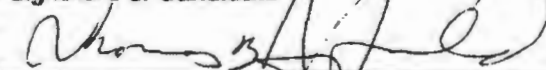
34788

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

05/27/2016

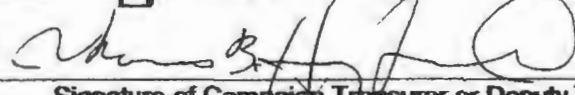
26. Signature of Candidate

X 

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

I, Thomas Bothwell Hayfield, do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer.

05/27/2016 EXHIBIT 1(2 of 2) X 

Date

Signature of Campaign Treasurer or Deputy Treasurer



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

April 12, 2016

Thomas Bothwell Hayfield
33316 Ryan Drive, Apt. 123
Leesburg, Florida 34788

Dear Mr. Hayfield:

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 April 11, 2016. Your name has been placed on the 2016 active candidate list. **The enclosed Statement of Candidate must be filed within 10 days of filing the Appointment of Campaign Treasurer form.**

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **May 10, 2016**. The report will cover the period of April 1-30, 2016 (M4). 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: 65712

EXHIBIT 2(1 of 3)

Thomas Hayfield
April 12, 2016
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.

Thomas Hayfield
April 12, 2016
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://dos.myflorida.com/elections/>. It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapters 104 and 106, Florida Statutes, *Candidate and Campaign Treasurer Handbook*, *Calendar of Reporting Dates*, and Rule 1S-2.017, Florida Administrative Code.

Please let me know if you need additional information.

Sincerely,



Kristi Reid Bronson, Chief
Bureau of Election Records

KRB/zjs

Enclosures

EXHIBIT 2(3 of 3)



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

September 23, 2016

Thomas Bothwell Hayfield
33316 Ryan Drive, Apt. 123
Leesburg, FL 34788-4788

CAN 65712

Dear Mr. Hayfield:

Our records indicate that you have not filed either your termination report or notification that no reportable activity occurred, whichever is applicable. The filing date was September 22, 2016.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

- If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as \$50 per day until you file your report. The total fine for the untimely report cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the cover period. Even if you end up filing your report late, we cannot waive the statutory fines. We will notify you of the specific amount of fines owed once you file your report. You have 20 days from the day you receive the notice to pay the fine or to appeal the fine to the Florida Elections Commission.
- If no reportable activity occurred for the report date(s), you are still required to notify us in writing, via the Division's Electronic Filing System, that no reportable activity occurred. No automatic fines are statutorily assessed.

However, in all cases, failure to file and/or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Kristi Reid Bronson".

Kristi Reid Bronson, Chief
Bureau of Election Records

EXHIBIT 3



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

Final Notice
Delivery Confirmation:

USPS TRACKING # **9114 9014 9645 0630 6774 20**
& CUSTOMER RECEIPT For Tracking or inquiries go to USPS.com
or call 1-800-222-1811.

October 3, 2016

Thomas Bothwell Hayfield
33316 Ryan Drive, Apt. 123
Leesburg, FL 34788-4788

CAN 65712

Dear Mr. Hayfield:

A recent review of the Division's records show that the Division has not yet received your termination report or the required notification that no reportable activity occurred, whichever is applicable.

The Division has previously notified you of the unfiled report or notification. Please file your report or notification. If the report or notification is not filed within 7 days of receipt of this letter, the Division will refer this matter to the Florida Elections Commission, which may impose civil penalties of up to \$1000 per violation, apart from that automatic fine provisions of s. 106.07(8)(b), Fla. Stat.) that are applicable only to campaign finance reports.

As we stated in the prior notices, even if you now file the report or notification, the untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

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

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records

EXHIBIT 4

English

Customer Service

USPS Mobile

Register / Sign In



USPS Tracking®

Still Have Questions?
Browse our Frequently Asked Questions



Tracking Number: 9114901496450630677420

Updated Delivery Day: Wednesday, October 5, 2016

Product & Tracking Information

Available Services

Postal Product:

Features:
USPS Tracking®

Text Updates

DATE & TIME

STATUS OF ITEM

LOCATION

Email Updates

October 5, 2016 , 12:50 pm

Delivered, In/At Mailbox

LEESBURG, FL 34788

Your item was delivered in or at the mailbox at 12:50 pm on October 5, 2016 in LEESBURG, FL 34788.

October 5, 2016 , 10:23 am

Out for Delivery

LEESBURG, FL 34788

October 5, 2016 , 7:14 am

Arrived at Post Office

LEESBURG, FL 34748

October 4, 2016 , 11:15 am

Arrived at USPS Facility

ORLANDO, FL 32824

October 4, 2016 , 3:18 am

Departed USPS Facility

TALLAHASSEE, FL 32301

October 3, 2016 , 7:51 pm

Arrived at USPS Facility

TALLAHASSEE, FL 32301

Track Another Package

Tracking (or receipt) number

Track It

Manage Information

Track all your packages
No tracking number?

Sign up for My USPS

Consumer Account Application



Bank Name: WELLS FARGO BANK, N.A.	Store Name: LEESBURG LAKES		
Banker Name: NICHOLAS HARKER	Officer/Portfolio Number: A9983	Date: 04/15/2016	
Banker Phone: 352/323-8550	Store Number: 10678	Banker AU: 0066693	Banker MAC: Z0182-010

To help the government fight the funding of terrorism and money laundering activities, U.S. Federal law requires financial institutions to obtain, verify, and record information that identifies each person (individuals and businesses) who opens an account. What this means for you: When you open an account, we will ask for your name, address, date of birth and other information that will allow us to identify you. We may also ask to see your driver's license or other identifying documents.

New Account Information

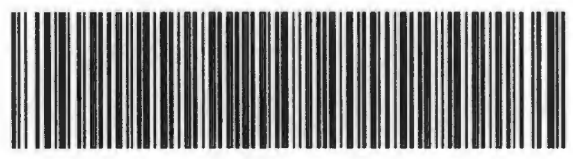
Product Name: Wells Fargo Everyday Checking	Account Number: [REDACTED]	Product: DDA
Purpose of Account: Personal/Household	Minor: [REDACTED]	COID: 287
New Account Kit: [REDACTED]	Checking/Savings Bonus Offer Available: NO	

Related Customers

Customer Name: THOMAS B HAYFIELD	Account Relationship: Sole Owner
-------------------------------------	-------------------------------------

Statement Mailing Information

Customer(s) Listed on Statement: TOMMY HAYFIELD	Statement Mailing Address: 33316 RYAN DR APT 123	
2016 CAMPAIGN ACCOUNT	Address Line 2:	
	City: LEESBURG	State: FL
	ZIP/Postal Code: 34788-3746	Country: US



Customer 1 Information

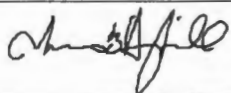
Customer Name: THOMAS B HAYFIELD		Street Address: 33316 RYAN DR APT 123	
Customer Number (ECN): 730110063117717		Address Line 2:	
Account Relationship: Sole Owner		Address Line 3:	
Taxpayer Identification Number (TIN): [REDACTED]		TIN Type: SSN	Date of Birth: 05/13/1959
Primary ID Type: DLIC		Primary ID Description: [REDACTED]	City: LEESBURG
Primary ID State/Ctry/Prov: FL		Primary ID Issue Date: 06/02/2014	Primary ID Expiration Date: 05/13/2023
Secondary ID Type: OTHR		Secondary ID Description: SS CARD [REDACTED]	State: FL
Secondary ID State/Country: US		Secondary ID Issue Date:	Secondary ID Expiration Date:
Home Phone: 352/455-5926		Business Phone: 352/455-5926	ZIP/Postal Code: 34788-3746
Current Employer: SOCIAL SECURITY		Country: US	
Check Reporting: NO RECORD		Time at this address: 16 Year(s) 3 Month(s)	
		Directional Address: (Document when no physical residence, business or alternate street address.)	
		Previous Street Address:	
		City: LEESBURG	
		State: FL	
		Country of Citizenship: US	

Customer Signatures

Everything I have stated in this application is correct. You are authorized to make any inquiries that you consider appropriate to determine if you should open or maintain the account. This may include ordering a credit report or other report (i.e. information from any motor vehicle department or other state agency) on me. **I have received a copy of the applicable account agreement and the privacy policy (each may be amended from time to time) and agree to be bound by their terms.** I also agree to the terms of the dispute resolution program described in the foregoing agreements. **Under the dispute resolution program, our disputes will be decided before one or more neutral persons in an arbitration proceeding and not by a jury trial or a trial before a judge.**

Customer 1 Name
THOMAS B HAYFIELD

Customer 1 Signature

THOMAS B HAYFIELD


- Submit manually
- Signature not required

Date:
04/15/2016





Wells Fargo Everyday Checking

Account number: [REDACTED] ■ June 11, 2016 - July 13, 2016 ■ Page 1 of 3

TOMMY HAYFIELD
2016 CAMPAIGN ACCOUNT
33316 RYAN DR APT 123
LEESBURG FL 34788-3746

Questions?

Available by phone 24 hours a day, 7 days a week:
Telecommunications Relay Services calls accepted

1-800-TO-WELLS (1-800-869-3557)

TTY: 1-800-877-4833

En español: 1-877-727-2932

華語 1-800-288-2288 (6 am to 7 pm PT, M-F)

Online: wellsfargo.com

Write: Wells Fargo Bank, N.A. (287)
P.O. Box 6995
Portland, OR 97228-6995

You and Wells Fargo

Thank you for being a loyal Wells Fargo customer. We value your trust in our company and look forward to continuing to serve you with your financial needs.

Account options

A check mark in the box indicates you have these convenient services with your account(s). Go to wellsfargo.com or call the number above if you have questions or if you would like to add new services.

Online Banking	<input checked="" type="checkbox"/>	Direct Deposit	<input type="checkbox"/>
Online Bill Pay	<input type="checkbox"/>	Auto Transfer/Payment	<input type="checkbox"/>
Online Statements	<input type="checkbox"/>	Overdraft Protection	<input type="checkbox"/>
Mobile Banking	<input type="checkbox"/>	Debit Card	<input type="checkbox"/>
My Spending Report	<input checked="" type="checkbox"/>	Overdraft Service	<input type="checkbox"/>

Activity summary

Beginning balance on 6/11	\$1,027.52
Deposits/Additions	1,000.00
Withdrawals/Subtractions	- 587.44
Ending balance on 7/13	\$1,480.08

Account number: [REDACTED]

TOMMY HAYFIELD
2016 CAMPAIGN ACCOUNT

Florida account terms and conditions apply

For Direct Deposit use

Routing Number (RTN): 063107513

Overdraft Protection

This account is not currently covered by Overdraft Protection. If you would like more information regarding Overdraft Protection and eligibility requirements please call the number listed on your statement or visit your Wells Fargo store.

Account number: [REDACTED] ■ June 11, 2016 - July 13, 2016 ■ Page 2 of 3



Transaction history

Date	Check Number	Description	Deposits/ Additions	Withdrawals/ Subtractions	Ending daily balance
6/13		eDeposit IN Branch/Store 06/13/16 02:23:20 Pm 10645 US Hwy 441 Leesburg FL 7087	1,000.00		2,027.52
6/14		Transfer IN Branch/Store - to Thomas B Hayfield DDA xxxccc1595 400 W North Blvd Leesburg FL		500.00	1,527.52
6/23		Purchase authorized on 06/22 USPS 1151780552940 Leesburg FL [REDACTED] Card 7087		27.95	1,499.57
7/7		Non-WF ATM Withdrawal authorized on 07/07 115 E Main Stream on Mai Tavares FL 00386190021970433 ATM ID Ex024110 Card 7087		23.00	
7/7		Non-Wells Fargo ATM Transaction Fee		2.50	1,474.07
7/11		Purchase authorized on 07/10 Cke*Via Food & Bev Leesburg FL [REDACTED] Card 7087		3.99	1,470.08
7/13		Monthly Service Fee		10.00	1,460.08
Ending balance on 7/13					1,460.08
Totals			\$1,000.00	\$567.44	

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.

Monthly service fee summary

For a complete list of fees and detailed account information, please see the Wells Fargo Fee and Information Schedule and Account Agreement applicable to your account or talk to a banker. Go to wellsfargo.com/feefaq to find answers to common questions about the monthly service fee on your account.

Fee period 06/11/2016 - 07/13/2016	Standard monthly service fee \$10.00	You paid \$10.00
How to avoid the monthly service fee	Minimum required	This fee period
Have any ONE of the following account requirements		
· Minimum daily balance	\$1,500.00	\$1,470.08 <input type="checkbox"/>
· Total amount of qualifying direct deposits	\$500.00	\$0.00 <input type="checkbox"/>
· Total number of posted Wells Fargo Debit Card purchases and/or payments	10	2 <input type="checkbox"/>
· The fee is waived when the account is linked to a Wells Fargo Campus ATM or Campus Debit Card		

Monthly service fee discount(s) (applied when box is checked)

Age of primary account owner is 17 - 24 (\$5.00 discount)

RCRC

EXHIBIT 7(2 of 2)



Wells Fargo Everyday Checking

Account number: [REDACTED] ■ July 14, 2016 - August 10, 2016 ■ Page 1 of 4

TOMMY HAYFIELD
 2016 CAMPAIGN ACCOUNT
 33316 RYAN DR APT 123
 LEESBURG FL 34788-3746

Questions?

Available by phone 24 hours a day, 7 days a week:
 Telecommunications Relay Services calls accepted

1-800-TO-WELLS (1-800-869-3557)

TTY: 1-800-877-4833

En español: 1-877-727-2932

華語 1-800-288-2288 (8 am to 7 pm PT, M-F)

Online: wells Fargo.com

Write: Wells Fargo Bank, N.A. (287)
 P.O. Box 6995
 Portland, OR 97228-6995

You and Wells Fargo

Thank you for being a loyal Wells Fargo customer. We value your trust in our company and look forward to continuing to serve you with your financial needs.

Account options

A check mark in the box indicates you have these convenient services with your account(s). Go to wells Fargo.com or call the number above if you have questions or if you would like to add new services.

Online Banking	<input checked="" type="checkbox"/>	Direct Deposit	<input type="checkbox"/>
Online Bill Pay	<input type="checkbox"/>	Auto Transfer/Payment	<input type="checkbox"/>
Online Statements	<input type="checkbox"/>	Overdraft Protection	<input type="checkbox"/>
Mobile Banking	<input type="checkbox"/>	Debit Card	<input type="checkbox"/>
My Spending Report	<input checked="" type="checkbox"/>	Overdraft Service	<input type="checkbox"/>

Activity summary

Beginning balance on 7/14	\$1,460.08
Deposits/Additions	0.00
Withdrawals/Subtractions	- 10.00
Ending balance on 8/10	\$1,450.08

Account number: [REDACTED]

TOMMY HAYFIELD
2016 CAMPAIGN ACCOUNT

Florida account terms and conditions apply

For Direct Deposit use

Routing Number (RTN): 063107513

Overdraft Protection

This account is not currently covered by Overdraft Protection. If you would like more information regarding Overdraft Protection and eligibility requirements please call the number listed on your statement or visit your Wells Fargo store.

EXHIBIT 8(1 of 2)

Account number: [REDACTED] ■ July 14, 2016 - August 10, 2016 ■ Page 2 of 4



Transaction history

Date	Check Number	Description	Deposits/ Additions	Withdrawals/ Subtractions	Ending daily balance
8/10		Monthly Service Fee		10.00	1,450.08
Ending balance on 8/10					1,450.08
Totals			\$0.00	\$10.00	

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.

Monthly service fee summary

For a complete list of fees and detailed account information, please see the Wells Fargo Fee and Information Schedule and Account Agreement applicable to your account or talk to a banker. Go to wellsfargo.com/feefaq to find answers to common questions about the monthly service fee on your account.

Fee period 07/14/2016 - 08/10/2016	Standard monthly service fee \$10.00	You paid \$10.00
How to avoid the monthly service fee	Minimum required	This fee period
Have any ONE of the following account requirements		
• Minimum daily balance	\$1,500.00	\$1,460.08 <input type="checkbox"/>
• Total amount of qualifying direct deposits	\$500.00	\$0.00 <input type="checkbox"/>
• Total number of posted Wells Fargo Debit Card purchases and/or payments	10	0 <input type="checkbox"/>
• The fee is waived when the account is linked to a Wells Fargo Campus ATM or Campus Debit Card		

Monthly service fee discount(s) (applied when box is checked)

Age of primary account owner is 17 - 24 (\$5.00 discount)

RC/RC



IMPORTANT ACCOUNT INFORMATION

Here's some clarifying information on when your account could become dormant and what could happen.

When does my account become dormant?

Checking accounts, savings accounts, and Time Accounts (CDs)

Generally, your account becomes dormant if you do not initiate an account-related activity for 12 months for a checking account, 34 months for a savings account, or 34 months after the first renewal for a Time Account. An account-related activity is determined by the laws governing your account. Examples of account-related activity are depositing or withdrawing funds at a banking location or ATM, or writing a check which is paid from the account. Automatic transactions (including recurring and one-time), such as pre-authorized transfers/payments and electronic deposits (including direct deposits of your paycheck), set up on the account may not qualify as account-related activity that you initiated.

Individual Retirement Accounts (IRAs) and Education Savings Accounts (ESAs)

Generally, your IRA and ESA (Savings or Time Account) will become dormant if you do not initiate an account-related activity as follows: Traditional IRA becomes dormant if you do not initiate an account-related activity for 34 months or more after you reach the age of 70 1/2; ROTH IRA will not become dormant unless we receive notification of your death; or ESA becomes dormant after you reach age 30. An account-related activity that you initiate is determined by the laws governing your account.

What happens to a dormant account?

We put safeguards in place to protect a dormant account which may include restricting the following (which may vary based on your account type): transfers between your Wells Fargo accounts using your ATM/debit card; transfers by phone using our automated

EXHIBIT 8(2 of 2)

WELLS
FARGO**Wells Fargo Everyday Checking**

Account number: [REDACTED] ■ August 11, 2016 - September 13, 2016 ■ Page 1 of 3

TOMMY HAYFIELD
2016 CAMPAIGN ACCOUNT
33316 RYAN DR APT 123
LEESBURG FL 34788-3746

Questions?

Available by phone 24 hours a day, 7 days a week:
Telecommunications Relay Services calls accepted

1-800-TO-WELLS (1-800-869-3557)

TTY: 1-800-877-4833

En español: 1-877-727-2932

華語 1-800-288-2288 (8 am to 7 pm PT, M-F)

Online: wells Fargo.com

Write: Wells Fargo Bank, N.A. (287)
P.O. Box 6995
Portland, OR 97228-6995

You and Wells Fargo

Thank you for being a loyal Wells Fargo customer. We value your trust in our company and look forward to continuing to serve you with your financial needs.

Account options

A check mark in the box indicates you have these convenient services with your account(s). Go to wells Fargo.com or call the number above if you have questions or if you would like to add new services.

Online Banking	<input checked="" type="checkbox"/>	Direct Deposit	<input type="checkbox"/>
Online Bill Pay	<input type="checkbox"/>	Auto Transfer/Payment	<input type="checkbox"/>
Online Statements	<input type="checkbox"/>	Overdraft Protection	<input type="checkbox"/>
Mobile Banking	<input type="checkbox"/>	Debit Card	<input type="checkbox"/>
My Spending Report	<input checked="" type="checkbox"/>	Overdraft Service	<input type="checkbox"/>

Activity summary

Beginning balance on 8/11	\$1,450.08
Deposits/Additions	0.00
Withdrawals/Subtractions	- 10.00
Ending balance on 8/13	\$1,440.08

Account number: [REDACTED]

TOMMY HAYFIELD
2016 CAMPAIGN ACCOUNT

Florida account terms and conditions apply

For Direct Deposit use

Routing Number (RTN): 063107513

Overdraft Protection

This account is not currently covered by Overdraft Protection. If you would like more information regarding Overdraft Protection and eligibility requirements please call the number listed on your statement or visit your Wells Fargo store.

Account number: [REDACTED] ■ August 11, 2016 - September 13, 2016 ■ Page 2 of 3



Transaction history

Date	Check Number	Description	Deposits/ Additions	Withdrawals/ Subtractions	Ending daily balance
9/13		Monthly Service Fee		10.00	1,440.08
Ending balance on 9/13					1,440.08
Totals			\$0.00	\$10.00	

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.

Monthly service fee summary

For a complete list of fees and detailed account information, please see the Wells Fargo Fee and Information Schedule and Account Agreement applicable to your account or talk to a banker. Go to wellsfargo.com/feefaq to find answers to common questions about the monthly service fee on your account.

Fee period 08/11/2016 - 09/13/2016	Standard monthly service fee \$10.00	You paid \$10.00
How to avoid the monthly service fee	Minimum required	This fee period
Have any ONE of the following account requirements		
• Minimum daily balance	\$1,500.00	\$1,450.08 <input type="checkbox"/>
• Total amount of qualifying direct deposits	\$500.00	\$0.00 <input type="checkbox"/>
• Total number of posted Wells Fargo Debit Card purchases and/or payments	10	0 <input type="checkbox"/>
• The fee is waived when the account is linked to a Wells Fargo Campus ATM or Campus Debit Card		

Monthly service fee discount(s) (applied when box is checked)

Age of primary account owner is 17 - 24 (\$5.00 discount)

RC/RC

 **IMPORTANT ACCOUNT INFORMATION**

To verify your identity when you contact us, we may use a service that compares information your mobile or wireless operator has with information you have provided us. Please refer to our Privacy Policy for how we treat your data.

Is your wireless operator authorized to provide information to assist in verifying your identity?

Yes, and we may rely on this information to assist in verifying your identity.

You authorize your wireless operator (AT&T, Sprint, T-Mobile, US Cellular, Verizon, or any other branded wireless operator) to use your mobile number, name, address, email, network status, customer type, customer role, billing type, mobile device identifiers (IMSI and IMEI) and other subscriber status details, if available, solely to allow verification of your identity and to compare information you have provided to Wells Fargo with your wireless operator account profile information for the duration of the business relationship.

You may opt out by contacting your mobile or wireless operator directly.

EXHIBIT 9(2 of 2)



Wells Fargo Everyday Checking

Account number: [REDACTED] ■ September 14, 2016 - October 13, 2016 ■ Page 1 of 3

TOMMY HAYFIELD
 2016 CAMPAIGN ACCOUNT
 33316 RYAN DR APT 123
 LEESBURG FL 34788-3746

Questions?

Available by phone 24 hours a day, 7 days a week:
 Telecommunications Relay Services calls accepted

1-800-TO-WELLS (1-800-869-3557)

TTY: 1-800-877-4833

En español: 1-877-727-2932

華語 1-800-288-2288 (6 am to 7 pm PT, M-F)

Online: wells Fargo.com

Write: Wells Fargo Bank, N.A. (267)
 P.O. Box 6995
 Portland, OR 97228-6995

You and Wells Fargo

Thank you for being a loyal Wells Fargo customer. We value your trust in our company and look forward to continuing to serve you with your financial needs.

Account options

A check mark in the box indicates you have these convenient services with your account(s). Go to wells Fargo.com or call the number above if you have questions or if you would like to add new services.

- | | | | |
|--------------------|-------------------------------------|-----------------------|--------------------------|
| Online Banking | <input checked="" type="checkbox"/> | Direct Deposit | <input type="checkbox"/> |
| Online Bill Pay | <input type="checkbox"/> | Auto Transfer/Payment | <input type="checkbox"/> |
| Online Statements | <input type="checkbox"/> | Overdraft Protection | <input type="checkbox"/> |
| Mobile Banking | <input type="checkbox"/> | Debit Card | <input type="checkbox"/> |
| My Spending Report | <input checked="" type="checkbox"/> | Overdraft Service | <input type="checkbox"/> |

Activity summary

Beginning balance on 9/14	\$1,440.08
Deposits/Additions	0.00
Withdrawals/Subtractions	- 210.00
Ending balance on 10/13	\$1,230.08

Account number: [REDACTED]

TOMMY HAYFIELD
2016 CAMPAIGN ACCOUNT

Florida account terms and conditions apply

For Direct Deposit use
 Routing Number (RTN): 063107513

Overdraft Protection

This account is not currently covered by Overdraft Protection. If you would like more information regarding Overdraft Protection and eligibility requirements please call the number listed on your statement or visit your Wells Fargo store.

EXHIBIT 10(1 of 2)

Account number: [REDACTED] ■ September 14, 2016 - October 13, 2016 ■ Page 2 of 3



Transaction history

Date	Check Number	Description	Deposits/ Additions	Withdrawals/ Subtractions	Ending daily balance
10/3		Cash eWithdrawal in Branch/Store Hwy 441 Leesburg FL 8010		200.00	1,240.08
10/13		Monthly Service Fee		10.00	1,230.08
Ending balance on 10/13					1,230.08
Totals			\$0.00	\$210.00	

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.

Monthly service fee summary

For a complete list of fees and detailed account information, please see the Wells Fargo Fee and Information Schedule and Account Agreement applicable to your account or talk to a banker. Go to wellsfargo.com/feefaq to find answers to common questions about the monthly service fee on your account.

Fee period 09/14/2016 - 10/13/2016	Standard monthly service fee \$10.00	You paid \$10.00
How to avoid the monthly service fee	Minimum required	This fee period
Have any ONE of the following account requirements		
· Minimum daily balance	\$1,500.00	\$1,240.08 <input type="checkbox"/>
· Total amount of qualifying direct deposits	\$500.00	\$0.00 <input type="checkbox"/>
· Total number of posted Wells Fargo Debit Card purchases and/or payments	10	0 <input type="checkbox"/>
· The fee is waived when the account is linked to a Wells Fargo Campus ATM or Campus Debit Card		

Monthly service fee discount(s) (applied when box is checked)

Age of primary account owner is 17 - 24 (\$5.00 discount)
 RC/RC

IMPORTANT ACCOUNT INFORMATION

It's important for you to have peace of mind.

We want to ensure you're comfortable with your accounts and have the tools you need to manage your money. We recommend you visit your local Wells Fargo bank location, or call the toll-free number that appears on this statement, to make sure you are satisfied with all your accounts and services.

We'll spend time understanding your financial needs and reviewing your accounts and options. We'll also help you close any accounts or discontinue services you do not recognize or want, and discuss the process that's been established to address any remaining concerns resulting from accounts and services opened on your behalf.

EXHIBIT 10(2 of 2)

Wells Fargo Everyday Checking

Account number: [REDACTED] ■ October 14, 2016 - November 10, 2016 ■ Page 1 of 3



TOMMY HAYFIELD
 2016 CAMPAIGN ACCOUNT
 33316 RYAN DR APT 123
 LEESBURG FL 34788-3746

Questions?

Available by phone 24 hours a day, 7 days a week:
 Telecommunications Relay Services calls accepted

1-800-TO-WELLS (1-800-869-3557)

TTY: 1-800-877-4833

En español: 1-877-727-2932

華語 1-800-288-2288 (8 am to 7 pm PT, M-F)

Online: wells Fargo.com

Write: Wells Fargo Bank, N.A. (267)
 P.O. Box 6995
 Portland, OR 97228-6995

You and Wells Fargo

Thank you for being a loyal Wells Fargo customer. We value your trust in our company and look forward to continuing to serve you with your financial needs.

Account options

A check mark in the box indicates you have these convenient services with your account(s). Go to wells Fargo.com or call the number above if you have questions or if you would like to add new services.

Online Banking	<input checked="" type="checkbox"/>	Direct Deposit	<input type="checkbox"/>
Online Bill Pay	<input type="checkbox"/>	Auto Transfer/Payment	<input type="checkbox"/>
Online Statements	<input type="checkbox"/>	Overdraft Protection	<input type="checkbox"/>
Mobile Banking	<input type="checkbox"/>	Debit Card	<input type="checkbox"/>
My Spending Report	<input checked="" type="checkbox"/>	Overdraft Service	<input type="checkbox"/>

Activity summary

Beginning balance on 10/14	\$1,230.08
Deposits/Additions	0.00
Withdrawals/Subtractions	- 1,102.52
Ending balance on 11/10	\$127.56

Account number: [REDACTED]

TOMMY HAYFIELD
2016 CAMPAIGN ACCOUNT

Florida account terms and conditions apply

For Direct Deposit use

Routing Number (RTN): 063107513

Overdraft Protection

This account is not currently covered by Overdraft Protection. If you would like more information regarding Overdraft Protection and eligibility requirements please call the number listed on your statement or visit your Wells Fargo store.

Account number: [REDACTED] ■ October 14, 2016 - November 10, 2016 ■ Page 2 of 3



Transaction history

Date	Check Number	Description	Deposits/ Additions	Withdrawals/ Subtractions	Ending daily balance
10/19		Purchase authorized on 10/19 Wal-Mart Super Center Leesburg FL [REDACTED] Card 7087		43.32	1,186.76
10/21		Purchase authorized on 10/20 Play It Again Spor Leesburg FL [REDACTED] Card 7087		64.20	1,122.56
10/25		Cash eWithdrawal in Branch/Store 10/25/2016 9:35 Am 400 W North Blvd Leesburg FL 8010		686.00	437.56
10/31		ATM Withdrawal authorized on 10/29 2271 North Citrus Blvd Leesburg FL 0007887 ATM ID 0377x Card 7087		300.00	137.56
11/10		Monthly Service Fee		10.00	127.56
Ending balance on 11/10					127.56
Totals			\$0.00	\$1,102.52	

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.

Monthly service fee summary

For a complete list of fees and detailed account information, please see the Wells Fargo Fee and Information Schedule and Account Agreement applicable to your account or talk to a banker. Go to wellsfargo.com/feefaq to find answers to common questions about the monthly service fee on your account.

Fee period 10/14/2016 - 11/10/2016	Standard monthly service fee \$10.00	You paid \$10.00
How to avoid the monthly service fee	Minimum required	This fee period
Have any ONE of the following account requirements		
• Minimum daily balance	\$1,500.00	\$137.56 <input type="checkbox"/>
• Total amount of qualifying direct deposits	\$500.00	\$0.00 <input type="checkbox"/>
• Total number of posted Wells Fargo Debit Card purchases and/or payments	10	2 <input type="checkbox"/>
• The fee is waived when the account is linked to a Wells Fargo Campus ATM or Campus Debit Card		

Monthly service fee discount(s) (applied when box is checked)
 Age of primary account owner is 17 - 24 (\$5.00 discount)
 RCRC

EXHIBIT 11 (2 of 2)

WELLS
FARGO**Wells Fargo Everyday Checking**

Account number: [REDACTED] ■ November 11, 2016 - December 12, 2016 ■ Page 1 of 4

TOMMY HAYFIELD
2016 CAMPAIGN ACCOUNT
33316 RYAN DR APT 123
LEESBURG FL 34788-3746

Questions?

Available by phone 24 hours a day, 7 days a week:
Telecommunications Relay Services calls accepted

1-800-TO-WELLS (1-800-869-3557)

TTY: 1-800-877-4833

En español: 1-877-727-2932

華語 1-800-288-2288 (6 am to 7 pm PT, M-F)

Online: wells Fargo.com

Write: Wells Fargo Bank, N.A. (267)
P.O. Box 6995
Portland, OR 97228-6995

You and Wells Fargo

Thank you for being a loyal Wells Fargo customer. We value your trust in our company and look forward to continuing to serve you with your financial needs.

Account options

A check mark in the box indicates you have these convenient services with your account(s). Go to wells Fargo.com or call the number above if you have questions or if you would like to add new services.

Online Banking	<input checked="" type="checkbox"/>	Direct Deposit	<input type="checkbox"/>
Online Bill Pay	<input type="checkbox"/>	Auto Transfer/Payment	<input type="checkbox"/>
Online Statements	<input type="checkbox"/>	Overdraft Protection	<input type="checkbox"/>
Mobile Banking	<input type="checkbox"/>	Debit Card	<input type="checkbox"/>
My Spending Report	<input checked="" type="checkbox"/>	Overdraft Service	<input type="checkbox"/>

Activity summary

Beginning balance on 11/11	\$127.56
Deposits/Additions	0.00
Withdrawals/Subtractions	- 137.56
Ending balance on 12/12	-\$10.00

Account number: [REDACTED]

TOMMY HAYFIELD
2016 CAMPAIGN ACCOUNT

Florida account terms and conditions apply

For Direct Deposit use

Routing Number (RTN): 063107513

Overdraft Protection

This account is not currently covered by Overdraft Protection. If you would like more information regarding Overdraft Protection and eligibility requirements please call the number listed on your statement or visit your Wells Fargo store.

EXHIBIT 12(1 of 2)

Account number: [REDACTED] ■ November 11, 2016 - December 12, 2016 ■ Page 2 of 4



Transaction history

Date	Check Number	Description	Deposits/ Additions	Withdrawals/ Subtractions	Ending daily balance
12/12		Transfer IN Branch/Store - to Thomas B Hayfield DDA xxxxxx6375		127.56	
		10645 US Hwy 441 Leesburg FL			
12/12		Monthly Service Fee		10.00	-10.00
Ending balance on 12/12					-10.00
Totals			\$0.00	\$137.56	

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.

Monthly service fee summary

For a complete list of fees and detailed account information, please see the Wells Fargo Fee and Information Schedule and Account Agreement applicable to your account or talk to a banker. Go to wellsfargo.com/fefaq to find answers to common questions about the monthly service fee on your account.

Fee period 11/11/2016 - 12/12/2016	Standard monthly service fee \$10.00	You paid \$10.00
How to avoid the monthly service fee	Minimum required	This fee period
Have any ONE of the following account requirements		
• Minimum daily balance	\$1,500.00	\$0.00 <input type="checkbox"/>
• Total amount of qualifying direct deposits	\$500.00	\$0.00 <input type="checkbox"/>
• Total number of posted Wells Fargo Debit Card purchases and/or payments	10	0 <input type="checkbox"/>
• The fee is waived when the account is linked to a Wells Fargo Campus ATM or Campus Debit Card		

Monthly service fee discount(s) (applied when box is checked)

Age of primary account owner is 17 - 24 (\$5.00 discount)
RCRC

Important Account Information

Helpful information about avoiding the monthly service fee on this checking account.

None of the options to avoid the monthly service fee for this account have changed. All of the options are listed under the "Monthly service fee summary" section of this statement.

Below are the details for the 10 or more posted debit card purchases/payments option to avoid the monthly service fee each fee period:

- Debit card purchases include: PIN, Signature, Online and Phone purchases that post during the fee period
- Debit card payments include: one-time and recurring payments of bills made with your debit card that post during the fee period
- Not Included: any transactions made at an ATM (Wells Fargo or Non-Wells Fargo), and ACH (Automated Clearing House) transactions
- Fee period: debit card transactions must post during the fee period to count. The dates of your fee period are located in the "Monthly service fee summary" section of this statement. Transactions received after the applicable cut-off time or on a non-business day (Saturday, Sunday and federal holidays) are posted on the next business day.

If you have any questions about how to avoid the monthly service fee on your account, please contact your local banker or call the number listed on this statement.

 **IMPORTANT ACCOUNT INFORMATION**

EXHIBIT 12(2 of 2)



Wells Fargo Everyday Checking

Account number: [REDACTED] ■ December 13, 2016 - January 12, 2017 ■ Page 1 of 3

TOMMY HAYFIELD
 2016 CAMPAIGN ACCOUNT
 33316 RYAN DR APT 123
 LEESBURG FL 34788-3746

Questions?

Available by phone 24 hours a day, 7 days a week:
 Telecommunications Relay Services calls accepted

1-800-TO-WELLS (1-800-869-3557)

TTY: 1-800-877-4833

En español: 1-877-727-2932

華語 1-800-268-2288 (6 am to 7 pm PT, M-F)

Online: wellsfargo.com

Write: Wells Fargo Bank, N.A. (287)
 P.O. Box 6995
 Portland, OR 97228-6995

You and Wells Fargo

Thank you for being a loyal Wells Fargo customer. We value your trust in our company and look forward to continuing to serve you with your financial needs.

Account options

A check mark in the box indicates you have these convenient services with your account(s). Go to wellsfargo.com or call the number above if you have questions or if you would like to add new services.

- | | | | |
|--------------------|-------------------------------------|-----------------------|--------------------------|
| Online Banking | <input checked="" type="checkbox"/> | Direct Deposit | <input type="checkbox"/> |
| Online Bill Pay | <input type="checkbox"/> | Auto Transfer/Payment | <input type="checkbox"/> |
| Online Statements | <input type="checkbox"/> | Overdraft Protection | <input type="checkbox"/> |
| Mobile Banking | <input type="checkbox"/> | Debit Card | <input type="checkbox"/> |
| My Spending Report | <input checked="" type="checkbox"/> | Overdraft Service | <input type="checkbox"/> |

Activity summary

Beginning balance on 12/13	-\$10.00
Deposits/Additions	10.00
Withdrawals/Subtractions	- 0.00
Closing balance on 12/13	\$0.00

Account number: [REDACTED]

TOMMY HAYFIELD
2016 CAMPAIGN ACCOUNT

Florida account terms and conditions apply

For Direct Deposit use
 Routing Number (RTN): 063107513

Overdraft Protection

This account is not currently covered by Overdraft Protection. If you would like more information regarding Overdraft Protection and eligibility requirements please call the number listed on your statement or visit your Wells Fargo store.

13(1 of 2)

Account number: [REDACTED] ■ December 13, 2016 - January 12, 2017 ■ Page 2 of 3



Transaction history

Date	Check Number	Description	Deposits/ Additions	Withdrawals/ Subtractions	Ending daily balance
12/13		Partial Monthly Service Fee Reversal	5.00		
12/13		Transfer IN Branch/Store - From Thomas B Hayfield DDA xxxxxx6375 10645 US Hwy 441 Leesburg FL	5.00		0.00
Ending balance on 1/12					0.00
Totals			\$10.00	\$0.00	

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.



IMPORTANT ACCOUNT INFORMATION

Amendment to our Funds Availability Policy

Good news! Effective April 5, 2017, we've updated our funds availability policy to remove the delay of funds by one additional business day for certain checks deposited at a Wells Fargo location in Alaska. This applies only if the check was drawn on or payable at or through a paying bank not located in Alaska. Other funds availability policies are still in effect. Please see our Consumer Account Agreement for additional funds availability policies and details.

Periodically, we may evaluate the timing of statements, monthly service fee assessment and interest payments to your accounts. We may adjust the timing in order to align your statement, monthly service fee assessment (if any) and interest payment dates with one another. You may receive a partial statement that reflects activity and interest payments from the last statement date to the date of the change. No monthly service fees will be assessed during a partial statement period and there will be no impact to your interest rate or compounding frequency.

EXHIBIT 13(2 of 2)

FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 16-609

Respondent: Tommy B. Hayfield

Complainant: Division of Elections

1. **Date and time:** Wednesday, 02/01/17; 4:40 p.m.
Name: Respondent—Tommy B. Hayfield
Phone #: 352-455-5926
Summary: I phoned Respondent a/k/a Thomas Bothwell Hayfield, and reached a voice-mailbox; I identified myself, provided my contact number, requested he return my call regarding a referral from the Division of Election for his 2016 TR; again, I identified myself and provided my contact number.
Memo to File? No
Entered by: HH

2. **Date and time:** 02/01/17; 5:08 p.m.
Name: Cindy, Summons & Subpoena Processing Dept., Wells Fargo Bank, N.A.
Phone #: 480-724-2000
Summary: I phoned, reviewed its service of process requirements (local branch manager) on the message, and after a long wait, she answered the phone; I identified myself, explained that I do not have an account number, I am not certain Respondent has an account, but wished to know how much information I should provide to assist in identifying a campaign account; she suggested a DOB & SSN, in additional to multiple forms of Respondent's name.
Memo to File? No
Entered by: HH

3. **Date and time:** Tuesday, 02/07/17; 1:50 p.m.
Name: Matthew Boyles, Summons & Subpoena Processing Dept., Wells Fargo Bank, N.A.
Phone #: 704-590-9806 (caller I.D.)
Summary: He phoned, identified himself and explained that Respondent has three accounts identified using the last four of his SSN; I explained that I am only concerned with his campaign account not a personal checking or savings account and suggested the account may be named Campaign Account of ... and asked Mr. Boyles if such an account existed. He confirmed Respondent has an account named 2016 Campaign Account..., and agreed to provide records.
Memo to File? No
Entered by: HH

4. **Date and time:** Friday, 03/02/17; 1:10 p.m.
Name: Joel Mynard, staff member, Division of Elections (DOE)
Phone #: 850-245-6245
Summary: I phoned and reached his voice-mailbox; I identified myself, provided my contact number and asked if a letter was sent to all candidates filing with the DOE who failed to qualify informing them when their termination report was due.

EXHIBIT 14(1 of 3)

Memo to File? No

Entered by: HH

5. **Date and time:** Friday, 03/02/17; 2:28 p.m.

Name: Joel Mynard, staff member, Division of Elections (DOE)

Phone #: 850-245-6245 (caller I.D.)

Summary: He returned my call and explained he has nothing available in the electronic file; I noted I had checked the candidate's electronic file before I made my request; however, in times past, I recall bulk correspondence has been sent to candidates who failed to qualify or were defeated in the primary election regarding when their TR would be due. He requested I check with Kristi (Bronson) Monday afternoon (she should be back then) regarding a letter or email to candidates who did not qualify informing them when their TR would be due.

Memo to File? No

Entered by: HH

6. **Date and time:** 04/13/17; 10:10 a.m.

Name: Respondent—Tommy B. Hayfield

Phone #: 352-455-5926

Summary: I phoned Respondent a/k/a Thomas Bothwell Hayfield to conduct a final interview by telephone, and give him an opportunity to respond to the information gathered during the course of the investigation concerning the allegations made in the complaint, and I reached a voice-mailbox identified only by the telephone number; I identified myself, this agency, indicated this call was for Thomas Bothwell Hayfield, requested he return my call during normal business hours regarding this case number, provided my contact number, and again, I identified this case number.

Memo to File? No

Entered by: HH

7. **Date and time:** 04/13/17; 4:24 p.m.

Name: Respondent—Tommy B. Hayfield

Phone #: 352-455-5926

Summary: I phoned Respondent a/k/a Thomas Bothwell Hayfield to conduct a final interview by telephone, and give him an opportunity to respond to the information gathered during the course of the investigation concerning the allegations made in the complaint, and I reached a voice-mailbox identified only by the telephone number; I identified myself, this agency, provided my contact number, indicated this call was for Thomas Bothwell Hayfield, requested he return my call regarding a referral from the Division of Election for his 2016 TR and this case number, and again, I provided my contact number.

Memo to File? No

Entered by: HH

8. **Date and time:** 04/17/17; 3:20 p.m.

Name: Respondent—Tommy B. Hayfield

Phone #: 352-455-5926

Summary: I phoned Respondent a/k/a Thomas Bothwell Hayfield to conduct a final interview by telephone, and give him an opportunity to respond to the information gathered

EXHIBIT 14(2 of 3)

during the course of the investigation concerning the allegations made in the complaint, and I reached a voice-mailbox identified only by the telephone number; I identified myself, this agency, indicated this call was for Thomas B. Hayfield, requested he return my call regarding this case number, provided my contact number, and again, I identified this case number.

Memo to File? No

Entered by: HH

9. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

10. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

11. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

12. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

13. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

14. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

EXHIBIT 14(3 of 3)

CONFIDENTIAL - Case No.: FEC 16-609

Helen Hinson to: tommyhayfield4florida32nd

03/03/2017 06:26 PM

Tommy B. Hayfield
33316 Ryan Drive, Apt. 123
Leesburg, FL 34788
PH: 352.455.5926

RE: Case No.: FEC 16-609
Confidential pursuant to s. 106.25(7), F.S.

Dear Mr. Hayfield:

The Florida Elections Commission needs additional information concerning the complaint filed against you with the Commission. Therefore, please complete the enclosed questionnaire, have it notarized, and return it to me by March 10, 2017.



2017-03-03_Aff to R.pdf

Thank you in advance for your assistance in resolving this matter. Please let me know if your contact information has changed and/or if you have any questions. Please confirm your receipt of this correspondence by return email.

Helen Hinson
Investigation Specialist
Florida Elections Commission
The Collins Building, Ste. 224
107 West Gaines Street
Tallahassee, FL 32399-1050
helen.hinson@myfloridalegal.com
PH: 850.922.4539, extension 115
FAX: 850.921.0783
www.fec.state.fl.us

Please note: Florida has a very broad public records law. Written communications to or from me regarding state business constitute public records and are available to the public and media upon request unless the information is subject to a specific statutory exemption. Therefore, your e-mail message may be subject to public disclosure.

EXHIBIT 15

AFFIDAVIT OF BACKGROUND INFORMATION
Case Number: FEC 16-609

STATE OF FLORIDA

County of _____

Thomas Bothwell Hayfield, 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 _____ as _____.
3. Did you receive the acknowledgement letter dated April 12, 2016 containing your Electronic Filing System (EFS) PIN and password, and instructing you to print Chapter 106, Florida Statutes, the *Candidate and Campaign Treasurer Handbook*, and the Calendar of Reporting Dates from the Division of Elections' website?
 Yes No
4. Did you print Chapter 106, Florida Statutes, per the instructions in the acknowledgement letter?
 Yes No
5. Did you read Chapter 106, Florida Statutes, per the instructions in the acknowledgement letter?
 Yes No
6. Did you print the *Candidate and Campaign Treasurer Handbook*, per the instructions in the acknowledgement letter?
 Yes No
7. Did you read the *Candidate and Campaign Treasurer Handbook*, per the instructions in the acknowledgement letter?
 Yes No
8. Did you print the Calendar of Reporting Dates, per the instructions in the acknowledgement letter?
 Yes No
9. Did you read and/or print the *EFS Guide Book*?
 Yes No
10. Did you read any other campaign related materials?

EXHIBIT 16(1 of 2)

Yes No

11. According to your Appointment of Campaign Treasurer and Designation of Campaign Depository form on file with the Division of Elections, you designated Wells Fargo Bank as your campaign depository. You filed waivers-of-report for your 2016 M4 (April 1 through 30, 2016), M5 (May 1 through 31, 2016), and P1 (June 1 through 24, 2016) reporting periods. However, Bank records indicate you had campaign finance activity from the opening of the campaign account through December 12, 2016.

12. Please explain the reason you failed to file your 2016 Termination Report covering the reporting period of June 25, 2016 through September 21, 2016 after notification from the Division of Elections.

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

Signature of Affiant

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 2017.

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: _____

Case Investigator: HH

EXHIBIT 16(2 of 2)



FLORIDA ELECTIONS COMMISSION

**The Collins Building
107 West Gaines Street, Suite 224
Tallahassee, Florida 32399-1050
PH: (850) 922-4539
FAX: (850) 921-**

March 6, 2017

Mr. Tommy B. Hayfield
33316 Ryan Drive, Apt. 123
Leesburg, FL 34788-3746

RE: Case No.: FEC 16-609

Dear Mr. Hayfield:

The Florida Elections Commission needs additional information concerning the complaint filed against you with the Commission. Therefore, please complete the enclosed questionnaire, have it notarized, and return it to me by March 13, 2017.

Thank you for your cooperation in this matter. Please let me know if you have any questions, and/or if your contact information has changed. My extension number is 115, or I may be reached by e-mail at helen.hinson@myfloridalegal.com.

Sincerely,

A handwritten signature in cursive script that reads "Helen Hinson".

Helen Hinson
Investigation Specialist

Enclosure: Affidavit

EXHIBIT 17

**STATEMENT OF
CANDIDATE**

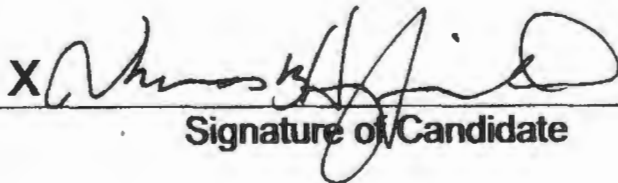
(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY
RECEIVED
DEPARTMENT OF STATE
2016 APR 19 AM 9:41
FLORIDA DEPARTMENT OF STATE
DIVISION OF ELECTIONS

I, Thomas Bothwell Hayfield,
candidate for the office of 32nd district representative, Florida;

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

X 
Signature of Candidate

09/15/2016
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**

March 8, 2017

Tommy B. Hayfield
33316 Ryan Drive, Apt. 123
Leesburg, FL 34788

RE: Case No.: FEC 16-609; Respondent: Tommy B. Hayfield – AMENDED LETTER OF LEGAL SUFFICIENCY

Dear Mr. Hayfield:

On October 21, 2016, 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, Respondent, a 2016 candidate for State Representative, may have failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the 2016 termination reporting period.

Section 106.141(1), Florida Statutes: As alleged in the complaint, Respondent, a 2016 candidate for State Representative, failed to timely file his 2016 Termination Report reflecting the disposition of all remaining campaign funds.

Section 106.19(1)(c), Florida Statutes: As alleged in the complaint, Respondent, a 2016 candidate for State Representative, may have falsely reported or deliberately failed to include information in his 2016 Termination Report, as required by Chapter 106.

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.

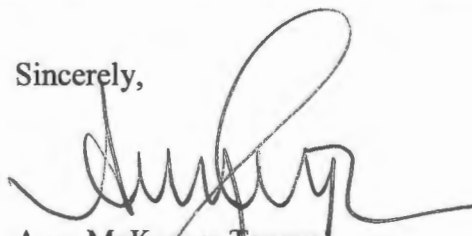
At any time before a probable cause finding, you may notify us in writing that you want to enter into negotiations directed towards reaching a settlement via consent agreement.

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 **Helen Hinson**, the investigator assigned to this case.

Sincerely,



Amy McKeever Toman
Executive Director

AMT/enr



FLORIDA ELECTIONS COMMISSION

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

January 27, 2017

Tommy B. Hayfield
33316 Ryan Drive, Apt. 123
Leesburg, FL 34788

RE: Case No.: FEC 16-609; Respondent: Tommy B. Hayfield

Dear Mr. Hayfield:

On October 21, 2016, 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 106.141(1), Florida Statutes: As alleged in the complaint, Respondent, a 2016 candidate for State Representative, failed to timely file his 2016 Termination Report reflecting the disposition of all remaining campaign funds.

Section 106.19(1)(c), Florida Statutes: As alleged in the complaint, Respondent, a 2016 candidate for State Representative, may have falsely reported or deliberately failed to include information in his 2016 Termination Report, as required by Chapter 106.

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.

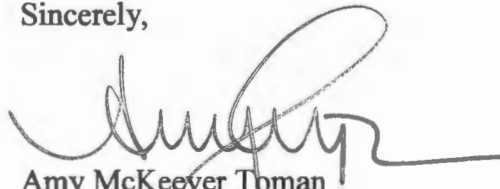
At any time before a probable cause finding, you may notify us in writing that you want to enter into negotiations directed towards reaching a settlement via consent agreement.

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 **Helen Hinson**, the investigator assigned to this case.

Sincerely,



Amy McKeever Toman
Executive Director

AMT/dam

**DIVISION OF ELECTIONS
FEC NOTICE FORM**

To FEC from Division of Elections

RECEIVED

2016 OCT 21 P 2:08

STATE OF FLORIDA
DIVISION

Name: Tommy B. Hayfield
Account Number: 65712
Treasurer: Tommy B. Hayfield

The Division of Elections hereby provides this notice to the Florida Elections Commission pursuant to Sections 106.07(8)(d), 106.22(7) and 106.25, Florida Statutes. An apparent violation of Chapter 106, F.S., has occurred based upon the candidate's alleged failure to file a report after notice as required by section 106.07(8)(d), Florida Statutes, or failure to notify the filing officer on the prescribed reporting date that no report was to be filed as required by Section 106.07(7), Florida Statutes.

The following report or notice is outstanding after notification:

2016 TR

Sent By: Kristi Reid Bronson
Date: October 20, 2016

KRB

ejr

AFFIDAVIT

STATE OF FLORIDA


County of Leon

Kristi Reid Bronson, being duly sworn, says:

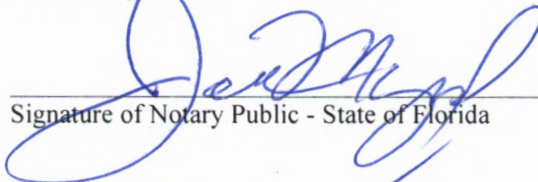
1. I am the Chief of the Bureau of Election Records of the Division of Elections (Division). In that capacity, I oversee the Division's duties related to the filing of campaign finance reports.
2. This affidavit is made upon my personal knowledge, including information obtained from review of the attached records, of which I am the custodian.
3. I am of legal age and competent to testify to the matters stated herein.
4. Tommy B. Hayfield (65712) was a 2016 candidate for the office of State Representative.
5. On April 11, 2016, Mr. Hayfield filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division. He appointed himself as treasurer. (See attached documents and acknowledgment letter.)
6. The 2016 TR campaign treasurer's report was due on September 22, 2016. On September 23, 2016, the Division mailed Mr. Hayfield notification that the 2016 TR treasurer's report had not been filed. (See attached letter.)
7. On October 3, 2016, the Division mailed Mr. Hayfield final notification with delivery confirmation that the 2016 TR treasurer's report had not been filed. (See attached letter with delivery confirmation.)
8. Mr. Hayfield did not notify the Division of Elections prior to or on the prescribed reporting date for the 2016 TR report that no report was to be filed.

9. As of October 20, 2016, Mr. Hayfield has not filed the 2016 TR report.

I hereby swear or affirm that the foregoing information is true and correct to the best of my knowledge.


Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 20th day of October, 2016.


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
2016 APR 11 AM 11:08
DEPARTMENT OF STATE
DIVISION OF ELECTIONS

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

OFFICE USE ON

1. CHECK APPROPRIATE BOX(ES):

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

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

Thomas Bothwell Hayfield

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

33316 Ryan Drive, Apt 123
Leesburg, Fla 34788

4. Telephone

(352) 455-5926

5. E-mail address

-

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

Representative, 32nd district,
Florida House

7. If a candidate for a nonpartisan office, check if applicable:

My intent is to run as a Write-In candidate

8. If a candidate for a partisan office, check block and fill in name of party as applicable: My intent is to run as a

Write-In No Party Affiliation Republican Party candidate.

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

10. Name of Treasurer or Deputy Treasurer

Thomas Bothwell Hayfield

11. Mailing Address

33316 Ryan Drive Apt 123 Leesburg, Fla 34788

12. Telephone

(352) 455-5926

13. City

Leesburg

14. County

Lake

15. State

Fla

16. Zip Code

34788

17. E-mail address

-

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

19. Name of Bank

Wells Fargo

20. Address

10045 us Highway 441

21. City

Leesburg

22. County

Lake

23. State

Fla

24. Zip Code

34788

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

09/07/2016

26. Signature of Candidate

Thomas Bothwell Hayfield

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

I, Thomas Bothwell Hayfield, do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer.

09/07/2016
Date

Thomas Bothwell Hayfield
Signature of Campaign Treasurer or Deputy Treasurer

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY
RECEIVED
DEPARTMENT OF STATE
2016 APR 19 AM 9:41
DEPARTMENT OF STATE
DIVISION OF ELECTIONS

I, Thomas Bothwell Hayfield,
candidate for the office of 32nd district representative, Florida;

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

X 
Signature of Candidate

04/15/2016
Date

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



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

April 12, 2016

Thomas Bothwell Hayfield
33316 Ryan Drive, Apt. 123
Leesburg, Florida 34788

Dear Mr. Hayfield:

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 April 11, 2016. Your name has been placed on the 2016 active candidate list. **The enclosed Statement of Candidate must be filed within 10 days of filing the Appointment of Campaign Treasurer form.**

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **May 10, 2016**. The report will cover the period of April 1-30, 2016 (M4). 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: 65712

Thomas Hayfield
April 12, 2016
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.

Thomas Hayfield
April 12, 2016
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://dos.myflorida.com/elections/>. It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapters 104 and 106, Florida Statutes, *Candidate and Campaign Treasurer Handbook*, *Calendar of Reporting Dates*, and Rule 1S-2.017, Florida Administrative Code.

Please let me know if you need additional information.

Sincerely,



Kristi Reid Bronson, Chief
Bureau of Election Records

KRB/zjs

Enclosures

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

(PLEASE PRINT OR TYPE)

RECEIVED

16 JUN -3 AM 9:08

DIVISION OF ELECTIONS
SECRETARY OF STATE

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 Part

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

Thomas Bothwell Hayfield

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

33316 Ryan Drive Apt 123
Leesburg, FL 34788

4. Telephone

(352) 455-5906

5. E-mail address

tommyhayfield@florida
32nd@cheerful.com

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

32nd district representative

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 _____ Party candidate.

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

10. Name of Treasurer or Deputy Treasurer

Thomas Bothwell Hayfield

11. Mailing Address

33316 Ryan Drive Apt 123

12. Telephone

(352) 455-5906

13. City

Leesburg

14. County

Lake

15. State

FL

16. Zip Code

34788

17. E-mail address

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

19. Name of Bank

Wells Fargo

20. Address

21. City

Leesburg

22. County

Lake

23. State

Florida

24. Zip Code


34788

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

05/27/2016

26. Signature of Candidate

X 

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

I, Thomas Bothwell Hayfield, do hereby accept the appointment
(Please Print or Type Name)

designated above as:

Campaign Treasurer Deputy Treasurer.

05/27/2016

Date

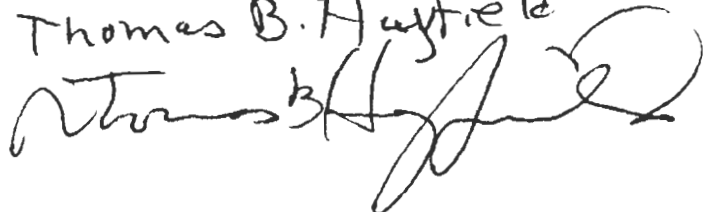
X 

Signature of Campaign Treasurer or Deputy Treasurer

Dear Division of Elections,

I'm sending this DS-DE9 Form to change ~~my~~ party affiliation from Republican Party to No Party Affiliation or NPA.

My treasurer info remains the same as before though I restated it here.

Sincerely,
Thomas B. Hayfield


RECEIVED

16 JUN -3 AM 9:08

DIVISION OF ELECTIONS
SECRETARY OF STATE



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

September 23, 2016

Thomas Bothwell Hayfield
33316 Ryan Drive, Apt. 123
Leesburg, FL 34788-4788

CAN 65712

Dear Mr. Hayfield:

Our records indicate that you have not filed either your termination report or notification that no reportable activity occurred, whichever is applicable. The filing date was September 22, 2016.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

- If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as \$50 per day until you file your report. The total fine for the untimely report cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the cover period. Even if you end up filing your report late, we cannot waive the statutory fines. We will notify you of the specific amount of fines owed once you file your report. You have 20 days from the day you receive the notice to pay the fine or to appeal the fine to the Florida Elections Commission.
- If no reportable activity occurred for the report date(s), you are still required to notify us in writing, via the Division's Electronic Filing System, that no reportable activity occurred. No automatic fines are statutorily assessed.

However, in all cases, failure to file and/or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

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

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records



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DIVISION OF ELECTIONS

Final Notice
Delivery Confirmation:

USPS TRACKING # **9114 9014 9645 0630 6774 20**
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or call 1-800-222-1811.

October 3, 2016

Thomas Bothwell Hayfield
33316 Ryan Drive, Apt. 123
Leesburg, FL 34788-4788

CAN 65712

Dear Mr. Hayfield:

A recent review of the Division's records show that the Division has not yet received your termination report or the required notification that no reportable activity occurred, whichever is applicable.

The Division has previously notified you of the unfiled report or notification. Please file your report or notification. If the report or notification is not filed within 7 days of receipt of this letter, the Division will refer this matter to the Florida Elections Commission, which may impose civil penalties of up to \$1000 per violation, apart from that automatic fine provisions of s. 106.07(8)(b), Fla. Stat.) that are applicable only to campaign finance reports.

As we stated in the prior notices, even if you now file the report or notification, the untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

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

Sincerely,

A handwritten signature in black ink that reads "Kristi Reid Bronson".

Kristi Reid Bronson, Chief
Bureau of Election Records



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Tracking Number: **9114901496450630677420**

Updated Delivery Day: **Wednesday, October 5, 2016**

Product & Tracking Information

Available Services

Postal Product:

Features:
USPS Tracking®

Text Updates

Email Updates

DATE & TIME	STATUS OF ITEM	LOCATION
October 5, 2016 , 12:50 pm	Delivered, In/At Mailbox	LEESBURG, FL 34788
Your item was delivered in or at the mailbox at 12:50 pm on October 5, 2016 in LEESBURG, FL 34788.		
October 5, 2016 , 10:23 am	Out for Delivery	LEESBURG, FL 34788
October 5, 2016 , 7:14 am	Arrived at Post Office	LEESBURG, FL 34748
October 4, 2016 , 11:15 am	Arrived at USPS Facility	ORLANDO, FL 32824
October 4, 2016 , 3:18 am	Departed USPS Facility	TALLAHASSEE, FL 32301
October 3, 2016 , 7:51 pm	Arrived at USPS Facility	TALLAHASSEE, FL 32301

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