

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Juan Santana**

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**Case No.: FEC 14-172**

**TO:** Juan Santana  
5601 West 10th Avenue  
Hialeah, FL 33012-2339

Marbelys Fatjo  
501 Palm Avenue  
Hialeah, FL 33010

**NOTICE OF HEARING (INFORMAL HEARING)**

A hearing will be held in this case before the Florida Elections Commission on, **November 16, 2016 at 8:30 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  
November 1, 2016



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

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

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

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

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

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

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



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STATE OF FLORIDA  
ELECTIONS COMMISSION

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,  
Petitioner,**

**Case No.: FEC 14-172**

**v.**

**Juan Santana  
Respondent.**

**ORDER OF PROBABLE CAUSE**

**THIS MATTER** was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on August 17, 2016, in Tallahassee, Florida.

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

**Count 1:**

On or about July 3, 2013, Respondent violated Section 106.11(1)(a), Florida Statutes, by making a campaign expenditure from funds other than by a campaign check drawn on Respondent's campaign account, when Respondent made a \$160 expenditure to Lowes for supplies.

**Count 2:**

On or about July 4, 2013, Respondent violated Section 106.11(1)(a), Florida Statutes, by making an expenditure from funds other than by a campaign check drawn on Respondent's campaign account, when Respondent made a \$140 expenditure to Harbor Freight Tools for sign supplies.



**Count 3:**

On or about July 18, 2013, Respondent violated Section 106.11(1)(a), Florida Statutes, by making an expenditure from funds other than by a campaign check drawn on Respondent's campaign account, when Respondent made a \$140 or \$145 expenditure to Deals for office supplies.

**Count 4:**

On or about July 18, 2013, Respondent violated Section 106.11(1)(a), Florida Statutes, by making an expenditure from funds other than by a campaign check drawn on Respondent's campaign account, when Respondent made a \$35 expenditure to Papa Johns for food for Respondent's campaign helpers.

**Count 5:**

On or about August 25, 2013, Respondent violated Section 106.11(1)(a), Florida Statutes, by making an expenditure from funds other than by a campaign check drawn on Respondent's campaign account, when Respondent made a \$350 expenditure to Allied Signs for banners and post cards.

**Count 6:**

On or about August 30, 2013, Respondent violated Section 106.11(1)(a), Florida Statutes, by making an expenditure from funds other than by a campaign check drawn on Respondent's campaign account, when Respondent made a \$13 expenditure to the City of Hialeah for public records.

**Count 7:**

On or about February 3, 2014, Respondent violated Section 106.141(1), Florida Statutes, when he failed to file his 2014 Termination Report within 90 days of being defeated.

**Count 8:**

On or about February 4, 2014, Respondent violated Section 106.07(5), Florida Statutes, when Respondent certified his 2014 Termination Report was true, correct, and complete when it was not.



**Count 9:**

On February 4, 2014, Respondent violated Section 106.19(1)(b), Florida Statutes, when Respondent failed to report a December 3, 2013 \$34 bank counter credit on his Termination Report.

**Count 10:**

On February 4, 2014, Respondent violated Section 106.19(1)(b), Florida Statutes, when Respondent failed to report a January 3, 2014 \$20 bank counter credit on his Termination Report.

**Count 11:**

Respondent violated Section 106.19(1)(c), Florida Statutes, when Respondent deliberately failed to include information required to be reported by Chapter 106 on his 2014 Termination Report.

**Count 12:**

On or about July 3, 2013, Respondent violated Section 106.19(1)(d), Florida Statutes, when Respondent made a \$160 expenditure to Lowes that was prohibited by Chapter 106, Florida Statutes.

**Count 13:**

On or about July 4, 2013, Respondent violated Section 106.19(1)(d), Florida Statutes, when Respondent made a \$140 expenditure to Harbor Freight Tools that was prohibited by Chapter 106, Florida Statutes.

**Count 14:**

On or about July 18, 2013, Respondent violated Section 106.19(1)(d), Florida Statutes, when Respondent made a \$140 or \$145 expenditure to Deals that was prohibited by Chapter 106, Florida Statutes.

**Count 18:**

On or about July 18, 2013, Respondent violated Section 106.19(1)(d), Florida Statutes, when Respondent made a \$35 expenditure to Papa John's that was prohibited by Chapter 106, Florida Statutes.



**Count 19:**

On or about August 25, 2013, Respondent violated Section 106.19(1)(d), Florida Statutes, when Respondent made a \$350 expenditure to Allied Banners that was prohibited by Chapter 106, Florida Statutes.

**Count 20:**

On or about August 30, 2013, Respondent violated Section 106.19(1)(d), Florida Statutes, when Respondent made a \$13 expenditure to the City of Hialeah that was prohibited by Chapter 106, Florida Statutes.

**Count 21:**

On or about November 4, 2013, Respondent violated Section 106.19(1)(d), Florida Statutes, when Respondent made a \$17 expenditure for a monthly bank fee that was prohibited by Chapter 106, Florida Statutes.

**Count 22:**

On or about December 2, 2013, Respondent violated Section 106.19(1)(d), Florida Statutes, when Respondent made a \$34 expenditure for a monthly bank fee that was prohibited by Chapter 106, Florida Statutes.

**Count 23:**

On or about January 2, 2014, Respondent violated Section 106.19(1)(d), Florida Statutes, when Respondent made a \$17 expenditure for a monthly bank fee that was prohibited by Chapter 106, Florida Statutes.

**Count 24:**


On or about February 3, 2014, Respondent violated Section 106.19(1)(d), Florida Statutes, when Respondent made a \$17 expenditure for a monthly bank fee that was prohibited by Chapter 106, Florida Statutes.



The Commission also finds that there is **no probable cause** to charge Respondent with the following violation:

**Section 106.07(2)(b)1., Florida Statutes:** Juan Santana, 2013 candidate for mayor for the City of Hialeah, failed to timely make necessary amendments to his 2013 F1 and 2014 TR Reports.

**DONE AND ORDERED** by the Florida Elections Commission on August 17, 2016.



M. Scott Thomas, Chairman  
Florida Elections Commission

Copies furnished to:  
Eric M. Lipman, General Counsel  
Juan Santana, Respondent  
Marbelys Fatjo, 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: Juan Santana**

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**Case No.: FEC 14-172**

**STAFF RECOMMENDATION FOLLOWING INVESTIGATION**

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff 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 106.07(5), 106.11(1)(a), 106.141(1), 106.19(1)(b), 106.19(1)(c), and 106.19(1)(d), Florida Statutes**, and **no probable cause** to charge Respondent with violating **Section 106.07(2)(b)1., Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on April 19, 2016, the following facts and law support this staff recommendation:

1. On July 8, 2014, the Florida Elections Commission ("Commission") received a sworn complaint from Marbelys L. Fatjo, the Hialeah City Clerk, ("Complainant," "Clerk," or "City Clerk") alleging that Juan Santana ("Respondent") violated Chapter 106, Florida Statutes.

2. Respondent was an unsuccessful candidate for the Mayor of Hialeah in the November 5, 2013 election. On March 19, 2013, Respondent filed an Appointment of Campaign Treasurer and Designation of Campaign Treasurer form ("DS-DE 9") with the Hialeah City Clerk's Office. On August 23, 2013, Respondent filed a second DS-DE 9 with the Clerk's Office appointing himself as his campaign treasurer. (ROI Exhibit 1 and ROI Exhibit 18, page 1)<sup>1</sup>

**Original and Amended 2013 F1 Reports**

3. Respondent filed his original 2013 F1 Report covering the dates of July 1, 2013 through September 28, 2013 on October 4, 2013. Respondent filed an amended 2013 F1 Report on October 19, 2013. (ROI Exhibits 14, 16, and 19)

**Section 106.07(2)(b)1., Florida Statutes**

4. Complainant alleged that Respondent's original and amended 2013 F1 Reports required amendment and that Respondent failed to timely file amendments correcting the reports.

5. Section 106.07(2)(b)1., Florida Statutes, provides, in relevant part:

Any report that is **deemed to be incomplete** by the officer with whom the candidate qualifies must be accepted on a conditional basis. The campaign treasurer shall be notified by certified mail or

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<sup>1</sup> The Report of Investigation shall be referred to herein as "ROI."



by another method using a common carrier that provides a proof of delivery of the notice as to why the report is incomplete and within 7 days after receipt of such notice must file an addendum to the report providing all information necessary to complete the report in compliance with this section. **Failure to file a complete report after such notice constitutes a violation of this chapter.** [Emphasis added]

6. The City Clerk advised Respondent that his original and amended 2013 F1 Reports were "non-compliant" because Respondent listed an August 30, 2013 expenditure of \$13 to the City of Hialeah ("City") for public records on the reports, but the City did not have any record that it had received \$13 from Respondent's campaign account for public records on that date. (ROI Exhibit 4, page 1)

7. Although it appears that Respondent may have improperly paid for a campaign expense (as discussed below), it appears that when Respondent entered the August 30, 2013 expenditure of \$13 to the City for public records on his original and amended 2013 F1 Reports, he provided all the information required by the reports. (ROI Exhibit 14, page 3, and ROI Exhibit 16, page 3)

8. Based on the information above, it appears that Respondent's original and amended 2013 F1 Reports were *not incomplete* and, therefore, did not require amendment.

Sections 106.11(1)(a) and 106.19(1)(d), Florida Statutes

9. Complainant alleged that Respondent paid for campaign expenditures using personal cash, rather than a check or debit card from his campaign account.<sup>2</sup>

10. Investigative staff subpoenaed Respondent's bank records to compare the information Respondent listed on his original and amended 2013 F1 reports with Respondent's campaign account transactions. According to Respondent's bank records, there were no financial transactions in Respondent's campaign account from July 17, 2013 through November 3, 2013, and, during that time period, Respondent's campaign account balance was \$0. (ROI Exhibit 10; ROI Exhibit 13, and Attachment A)

11. The following table lists the expenditures Respondent reported on his original 2013 F1 Report:

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<sup>2</sup> There are exceptions to the requirement that all campaign expenditures be paid by campaign check, including reimbursement to a person for purchasing something for the candidate's campaign and the use of petty cash under limited circumstances. (§§106.021(3), and 106.12(3), Fla. Stat.)



| <b>EXPENDITURES LISTED ON RESPONDENT'S ORIGINAL 2013 F1 REPORT<br/>THAT WERE NOT MADE WITH A CAMPAIGN CHECK</b> |                             |                            |                      |                       |
|---|-----------------------------|----------------------------|----------------------|-----------------------|
| <b>Report Period</b>  | <b>Expenditure<br/>Date</b> | <b>Expenditure Made to</b> | <b>Purpose</b>       | <b>Amount</b>         |
| Original 2013 F1  | July 3, 2013                | Lowes                      | Supplies             | \$160.00              |
| Original 2013 F1  | July 4, 2013                | Harbor Freight Tools       | Sign Supplies        | \$140.00              |
| Original 2013 F1  | July 18, 2013               | Deals                      | Office Supplies      | \$145.00 <sup>3</sup> |
| Original 2013 F1  | July 18, 2013               | Papa Johns                 | Lunch for Helpers    | \$35.00               |
| Original 2013 F1  | July 19, 2013               | City of Hialeah            | Public Records       | \$125.00 <sup>4</sup> |
| Original 2013 F1  | July 25, 2013               | City of Hialeah            | Public Records       | \$55.00 <sup>5</sup>  |
| Original 2013 F1  | August 25, 2013             | Allied Signs               | Banners & Post Cards | \$350.00              |
| Original 2013 F1  | August 30, 2013             | City of Hialeah            | Public Records       | \$13.00               |

(ROI Exhibit 14, page 3)

12. None of the expenditures Respondent listed on his original or amended 2013 F1 Reports were reflected in Respondent's campaign account. Investigative staff asked Respondent how he paid for the eight expenditures. Respondent stated he paid for the expenditures with "Cash on hand paid by Juan Santana." (ROI Exhibit 12, page 3)

13. Based on the information above, it appears Respondent paid cash for six<sup>6</sup> campaign expenditures listed on his original and amended 2013 F1 Reports, in violation of Section 106.11(1)(a), Florida Statutes. It also appears that these expenditures were prohibited by Chapter 106, Florida Statutes, in violation of Section 106.19(1)(d), Florida Statutes.

### **2014 Termination Report**

14. Respondent filed his 2014 Termination Report (TR) covering the period of November 2, 2013 through February 3, 2013, on February 4, 2013. (ROI Exhibits 9 and 19)

#### Section 106.07(2)(b)1., Florida Statutes

15. Complainant alleged that Respondent's 2014 TR required amendment and that Respondent failed to timely file an amendment correcting the report.

<sup>3</sup> Respondent listed the amount of his July 18, 2013 expenditure to Deals as \$140 on his amended 2013 F1 Report, though he did not adjust the total expenditures on the summary page accordingly, resulting in a \$5 discrepancy throughout the reports. (ROI Exhibit 16)

<sup>4</sup> Respondent omitted the July 19, 2013 \$125 expenditure to the City of Hialeah for public records on his amended 2013 F1 Report. (ROI Exhibit 14, page 3 and ROI Exhibit 16, page 3)

<sup>5</sup> Respondent omitted the July 25, 2013 \$55 expenditure to the City of Hialeah for public records on his amended 2013 F1 Report. (ROI Exhibit 14, page 3 and ROI Exhibit 16, page 3)

<sup>6</sup> Since Respondent deleted the July 19 and July 25 public records expenditures from his amended 2013 F1 Report, it does not appear that they were in fact campaign-related expenses.



16. On February 18, 2014, the City Clerk advised Respondent that, based on his previous reports, it appeared that Respondent had a surplus in his campaign account when he filed his 2014 TR. (ROI Exhibit 3)

17. Respondent's 2013 F2 Report, which covered the period September 29 through October 12, 2013, reflected that Respondent had a surplus balance at the conclusion of the 2013 F2 reporting period.<sup>7</sup> (ROI Exhibit 7)

18. Respondent filed a waiver of report for the 2013 F3 reporting period (October 13 to November 1, 2013). (ROI Exhibit 8)

19. The summary, contributions, and expenditures pages of Respondent's 2014 TR all indicate zeros. There is no entry with respect to the disposition of the surplus reflected by the 2013 F2 Report. (ROI Exhibit 9)

20. Investigative staff subpoenaed Respondent's bank records. Although it appeared from the campaign reports that Respondent's campaign had a surplus at the conclusion of the 2013 F2 reporting period, the bank statement for October 1 to October 31, 2013 reflects a beginning and ending balance of zero. (ROI Exhibit 10)

21. In addition, on December 10, 2015, Respondent filed an amended 2013 F2 Report, in which he showed an expenditure to a campaign worker, thus resolving the outstanding surplus reflected in the campaign reports.<sup>8</sup> (ROI Exhibit 11 and Exhibit 12)

22. Based on the information above, although it appears that Respondent may have otherwise violated the Election Code with respect to the 2014 TR, it appears that Respondent's 2014 TR was *not incomplete* and, therefore, did not require amendment.

#### Section 106.07(5), Florida Statutes

23. Complainant alleged that Respondent certified that his 2014 TR was true, correct, and complete when it was not.

24. On his 2014 TR, Respondent stated he received no contributions and made no expenditures during the 2014 termination reporting period. Respondent also indicated that his total contributions and total expenditures to date were \$0. (ROI Exhibit 9)

25. However, Respondent's bank records reflect that Respondent made four expenditures initiated by his campaign depository and Respondent accepted two contributions from himself during the 2014 TR reporting period. (ROI Exhibit 13)

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<sup>7</sup> Complainant advised Respondent that his campaign finance reports indicated that he had an \$87 surplus in his campaign account. However, the summary page of his 2013 F2 Report indicates an \$82 surplus (\$1,200 less \$1,118), which was not addressed by Respondent's 2013 F3 (waiver) or the 2014 TR. The discrepancy appears to be related to a calculation error on the summary page of the amended 2013 F1 Report. See footnote 3. (ROI Exhibit 7)

<sup>8</sup> This expenditure was noted to be \$87, consistent with the information provided to Respondent by Complainant.



26. The following table lists the transactions Respondent did not include on his 2014 TR:

| <b>RESPONDENT'S UNREPORTED CAMPAIGN TRANSACTIONS DURING THE TR COVER PERIOD (NOVEMBER 1, 2013 THROUGH FEBRUARY 3, 2014)</b> |   |               |                        |
|---|---|---------------|------------------------|
| <b>Transaction Date</b>   | <b>Type of Transaction</b>                | <b>Amount</b> | <b>Account Balance</b> |
|   | <b>November 1, 2013 Beginning Balance</b> | <b>\$0.00</b> |                        |
| 11/04/13  | Debit Monthly Fee                         | (\$17.00)     | (\$17.00)              |
| 12/02/13  | Debit Monthly Fee                         | (\$17.00)     | (\$34.00)              |
| 12/03/13  | Counter Credit                            | \$34.00       | \$0.00                 |
| 01/02/14  | Debit Monthly Fee                         | (\$17.00)     | (\$17.00)              |
| 01/03/14  | Counter Credit                            | \$20.00       | \$3.00                 |
| 02/03/14  | Debit Monthly Fee                         | (\$17.00)     | (\$14.00)              |

(ROI Exhibit 9; ROI Exhibit 13, pages 3, 7, 11, and 15; and Attachment C)

27. Based upon the foregoing, it appears that Respondent certified his 2014 TR was true, correct, and complete when it was not.

Section 106.11(1)(a), Florida Statutes:

28. As discussed above, Respondent made four expenditures during the 2014 termination reporting period. However, all the expenditures were initiated by Respondent's campaign depository and could not have been paid by check with campaign funds drawn on Respondent's campaign account. As such, the expenditures do not appear to be in violation of Section 106.11(1)(a), Florida Statutes.

Section 106.141(1), Florida Statutes.

29. Complainant alleged that Respondent failed to file his 2014 TR within 90 days of being defeated and that Respondent failed to timely dispose of surplus funds on deposit in his campaign account.

30. Section 106.141(1), Florida Statutes, provides, in relevant part:

**106.141 Disposition of surplus funds by candidates.—**

(1) Except as provided in subsection (6), each candidate who withdraws his or her candidacy, becomes an unopposed candidate, or is eliminated as a candidate or elected to office shall, **within 90 days, dispose of the funds on deposit in his or her campaign account and file a report reflecting the disposition of all**



**remaining funds.** Such candidate may not accept any contributions, nor may any person accept contributions on behalf of such candidate, after the candidate withdraws his or her candidacy, becomes unopposed, or is eliminated or elected. [Emphasis added]

31. Respondent's 2014 TR was due on February 3, 2014. However, Respondent filed his 2014 TR on February 4, 2014. In his Affidavit, Respondent acknowledged filing his 2014 TR late and stated he would pay the \$50 fine. However, as of June 2, 2016, Respondent had not paid the \$50 fine. (ROI Exhibit 9, ROI Exhibit 12, page 4; and Attachment B)

32. Respondent had no money in his campaign account when he was defeated on election day, so he did not have surplus funds to be disposed. (ROI Exhibit 13, pages 1 and 3)

33. Based upon the above information, it appears that Respondent failed to file his 2014 TR within 90 days of being defeated. However, it also appears Respondent did not fail to dispose of surplus campaign funds in his campaign account within 90 days of being defeated.

Sections 106.19(1)(b), 106.19(1)(c), and 106.19(1)(d), Florida Statutes

34. As discussed above, during the 2014 termination reporting period, Respondent accepted two contributions from himself and made four expenditures initiated by his campaign depository. Respondent failed to report the two campaign deposits and deliberately failed to report the four expenditures on his 2014 TR.

35. Additionally, Respondent's four bank fee expenditures were prohibited by Chapter 106, because a candidate is not allowed to make expenditures after being defeated. (See Sections 106.11(5) and 106.141(4), Florida Statutes)

36. Based upon the information above, it appears that, during the 2014 TR reporting period, Respondent failed to report two contributions in violation of Section 106.19(1)(b), Florida Statutes; deliberately failed to report four expenditures, in violation of Section 106.19(1)(c), Florida Statutes; and made four expenditures prohibited by Chapter 106, in violation of Section 106.19(1)(d), Florida Statutes.

**Summary and Recommendations**

37. "Probable Cause" is defined as reasonable ground 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).

38. The above facts show that Respondent was a candidate for Mayor of Hialeah in the November 5, 2013 election. Respondent filed his original 2013 F1 Report covering the dates of July 1, 2013, through September 28, 2013, on October 4, 2013. Respondent filed an amended 2013 F1 Report on October 19, 2013. The City Clerk alleged that both reports were incomplete,



but the facts show that Respondent provided all the information required to report the expenditure on both his original and amended 2013 F1 Reports.

39. The above facts also show that Respondent listed six expenditures on his original and amended 2013 F1 Reports that were not paid for with campaign funds drawn by a check on Respondent's campaign account.

40. Additionally, the facts above show that Respondent filed his 2014 TR one day late, and that Respondent certified that his 2014 TR was true, correct, and complete when it was not. Respondent falsely reported he had no contributions and no expenditures during the reporting period, failed to report two contributions, and deliberately failed to report four expenditures that were prohibited by Chapter 106, Florida Statutes.

Based upon these facts and circumstances, I recommend that the Commission find probable cause to charge Respondent with violating the following:

**Count 1:**

On or about July 3, 2013, Respondent violated Section 106.11(1)(a), Florida Statutes, by making a campaign expenditure from funds other than by a campaign check drawn on Respondent's campaign account, when Respondent made a \$160 expenditure to Lowes for supplies.

**Count 2:**

On or about July 4, 2013, Respondent violated Section 106.11(1)(a), Florida Statutes, by making an expenditure from funds other than by a campaign check drawn on Respondent's campaign account, when Respondent made a \$140 expenditure to Harbor Freight Tools for sign supplies.

**Count 3:**

On or about July 18, 2013, Respondent violated Section 106.11(1)(a), Florida Statutes, by making an expenditure from funds other than by a campaign check drawn on Respondent's campaign account, when Respondent made a \$140 or \$145 expenditure to Deals for office supplies.

**Count 4:**

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**Count 5:**

On or about August 25, 2013, Respondent violated Section 106.11(1)(a), Florida Statutes, by making an expenditure from funds other than by a campaign check drawn on Respondent's campaign account, when Respondent made a \$350 expenditure to Allied Signs for banners and post cards.

**Count 6:**

On or about August 30, 2013, Respondent violated Section 106.11(1)(a), Florida Statutes, by making an expenditure from funds other than by a campaign check drawn on Respondent's campaign account, when Respondent made a \$13 expenditure to the City of Hialeah for public records.

**Count 7:**

On or about February 3, 2014, Respondent violated Section 106.141(1), Florida Statutes, when he failed to file his 2014 Termination Report within 90 days of being defeated.

**Count 8:**

On or about February 4, 2014, Respondent violated Section 106.07(5), Florida Statutes, when Respondent certified his 2014 Termination Report was true, correct, and complete when it was not.

**Count 9:**

On February 4, 2014, Respondent violated Section 106.19(1)(b), Florida Statutes, when Respondent failed to report a December 3, 2013 \$34 bank counter credit on his Termination Report.

**Count 10:**

On February 4, 2014, Respondent violated Section 106.19(1)(b), Florida Statutes, when Respondent failed to report a January 3, 2014 \$20 bank counter credit on his Termination Report.

**Count 11:**

Respondent violated Section 106.19(1)(c), Florida Statutes, when Respondent deliberately failed to include information required to be reported by Chapter 106 on his 2014 Termination Report.

**Count 12:**



On or about July 3, 2013, Respondent violated Section 106.19(1)(d), Florida Statutes, when Respondent made a \$160 expenditure to Lowes that was prohibited by Chapter 106, Florida Statutes.

**Count 13:**

On or about July 4, 2013, Respondent violated Section 106.19(1)(d), Florida Statutes, when Respondent made a \$140 expenditure to Harbor Freight Tools that was prohibited by Chapter 106, Florida Statutes.

**Count 14:**

On or about July 18, 2013, Respondent violated Section 106.19(1)(d), Florida Statutes, when Respondent made a \$140 or \$145 expenditure to Deals that was prohibited by Chapter 106, Florida Statutes.

**Count 18:**

On or about July 18, 2013, Respondent violated Section 106.19(1)(d), Florida Statutes, when Respondent made a \$35 expenditure to Papa John's that was prohibited by Chapter 106, Florida Statutes.

**Count 19:**

On or about August 25, 2013, Respondent violated Section 106.19(1)(d), Florida Statutes, when Respondent made a \$350 expenditure to Allied Banners that was prohibited by Chapter 106, Florida Statutes.

**Count 20:**

On or about August 30, 2013, Respondent violated Section 106.19(1)(d), Florida Statutes, when Respondent made a \$13 expenditure to the City of Hialeah that was prohibited by Chapter 106, Florida Statutes.

**Count 21:**

On or about November 4, 2013, Respondent violated Section 106.19(1)(d), Florida Statutes, when Respondent made a \$17 expenditure for a monthly bank fee that was prohibited by Chapter 106, Florida Statutes.

**Count 22:**



On or about December 2, 2013, Respondent violated Section 106.19(1)(d), Florida Statutes, when Respondent made a \$34 expenditure for a monthly bank fee that was prohibited by Chapter 106, Florida Statutes.

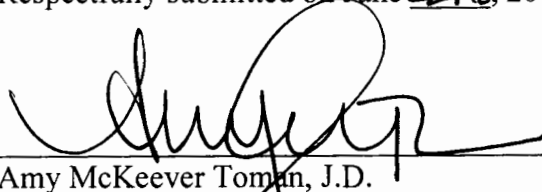
**Count 23:**

On or about January 2, 2014, Respondent violated Section 106.19(1)(d), Florida Statutes, when Respondent made a \$17 expenditure for a monthly bank fee that was prohibited by Chapter 106, Florida Statutes.

**Count 24:**

On or about February 3, 2014, Respondent violated Section 106.19(1)(d), Florida Statutes, when Respondent made a \$17 expenditure for a monthly bank fee that was prohibited by Chapter 106, Florida Statutes.

Respectfully submitted on June 22nd, 2016,

  
\_\_\_\_\_  
Amy McKeever Toman, J.D.  
Executive Director



**Bank of America**



P.O. Box 15284  
Wilmington, DE 19850

JUAN J SANTANA  
CAMPAIGN ACCOUNT  
1190 W 56TH ST  
HIALEAH, FL 33012-2344

**Customer service information**

- Customer service: 1.888.BUSINESS
- bankofamerica.com
- Bank of America, N.A.  
P.O. Box 25118  
Tampa, FL 33622-5118

**Your Business Fundamentals Chk**

for July 8, 2013 to July 31, 2013

Account number [REDACTED]

**Account summary**

|                                   |         |
|-----------------------------------|---------|
| Beginning balance on July 8, 2013 | \$0.00  |
| Deposits and other credits        | 100.00  |
| Withdrawals and other debits      | -0.00   |
| Checks                            | -100.00 |
| Service fees                      | -0.00   |
| Ending balance on July 31, 2013   | \$0.00  |

# of deposits/credits: 1

# of withdrawals/debits: 1

# of days in cycle: 24

Average ledger balance: \$33.33

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**ATTACHMENT** A, *pagel*



## IMPORTANT INFORMATION: BANK DEPOSIT ACCOUNTS

**Change of address** – Please call us at the telephone number listed on the front of this statement to tell us about a change of address.

**Deposit agreement** – When you opened your account, you received a deposit agreement and fee schedule and agreed that your account would be governed by the terms of these documents, as we may amend them from time to time. These documents are part of the contract for your deposit account and govern all transactions relating to your account, including all deposits and withdrawals. Copies of both the deposit agreement and fee schedule which contain the current version of the terms and conditions of your account relationship may be obtained at our banking centers.

**Electronic transfers:** In case of errors or questions about your electronic transfers – If you think your statement or receipt is wrong or you need more information about an electronic transfer (e.g., ATM transactions, direct deposits or withdrawals, point-of-sale transactions) on the statement or receipt, telephone or write us at the address and number listed on the front of this statement as soon as you can. We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem appeared.

Tell us your name and account number.

Describe the error or transfer you are unsure about, and explain as clearly as you can why you believe there is an error or why you need more information.

Tell us the dollar amount of the suspected error.


For consumer accounts used primarily for personal, family or household purposes, we will investigate your complaint and will correct any error promptly. If we take more than 10 business days (10 calendar days if you are a Massachusetts customer) (20 business days if you are a new customer, for electronic transfers occurring during the first 30 days after the first deposit is made to your account) to do this, we will credit your account for the amount you think is in error, so that you will have use of the money during the time it will take to complete our investigation.

For other accounts, we investigate, and if we find we have made an error, we credit your account at the conclusion of our investigation.

**Reporting other problems** – You must examine your statement carefully and promptly. You are in the best position to discover errors and unauthorized transactions on your account. If you fail to notify us in writing of suspected problems or an unauthorized transaction within the time period specified in the deposit agreement (which periods are no more than 60 days after we make the statement available to you and in some cases are 30 days or less), we are not liable to you for, and you agree to not make a claim against us for the problems or unauthorized transactions.

**Direct deposits** – If you have arranged to have direct deposits made to your account at least once every 60 days from the same person or company, you may call us at the telephone number listed on the front of this statement to find out if the deposit was made as scheduled.

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ATTACHMENT A, page 2





## Deposits and other credits

| Date                             | Description  | Amount   |
|----------------------------------|--|----------|
| 07/08/13                         | Bkofamerica Atm 07/08 [REDACTED] Deposit N. Hialeah Hialeah FI | 100.00   |
| Total deposits and other credits |  | \$100.00 |

## Checks

| Date              | Check # | Amount    |
|-------------------|---------|-----------|
| 07/16/13          | 991     | -100.00   |
| Total checks      |         | -\$100.00 |
| Total # of checks |         | 1         |

## Daily ledger balances

| Date  | Balance (\$) | Date  | Balance (\$) |
|-------|--------------|-------|--------------|
| 07/08 | 100.00       | 07/16 | 0.00         |

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Switching to paperless documents helps make secure record keeping easier. You can find, view, download and print any time—all in one place. You get email notifications when your statements are ready. Plus, it can help reduce the risk of mail fraud and identity theft.

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ATTACHMENT A- page 3



Bank of America



P.O. Box 15284  
Wilmington, DE 19850

JUAN J SANTANA  
CAMPAIGN ACCOUNT  
1190 W 56TH ST  
HIALEAH, FL 33012-2344

#### Customer service information

- Customer service: 1.888.BUSINESS
- bankofamerica.com
- Bank of America, N.A.  
P.O. Box 25118  
Tampa, FL 33622-5118

## Your Business Fundamentals Chk

for August 1, 2013 to August 31, 2013

Account number: [REDACTED]

Please be sure to review the important changes to your account explained in the notice enclosed with this statement. We're available to discuss any questions you may have by calling us at the toll-free number on your statement or visiting a nearby banking center.

### Account summary

|                                     |        |
|-------------------------------------|--------|
| Beginning balance on August 1, 2013 | \$0.00 |
| Deposits and other credits          | 0.00   |
| Withdrawals and other debits        | -0.00  |
| Checks                              | -0.00  |
| Service fees                        | -0.00  |
| Ending balance on August 31, 2013   | \$0.00 |

# of deposits/credits: 0  
# of withdrawals/debits: 0  
# of deposited items: 1  
# of days in cycle: 31  
Average ledger balance: \$0.00

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# ATTACHMENT

A, page 4



## IMPORTANT INFORMATION: BANK DEPOSIT ACCOUNTS

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**Deposit agreement** – When you opened your account, you received a deposit agreement and fee schedule and agreed that your account would be governed by the terms of these documents, as we may amend them from time to time. These documents are part of the contract for your deposit account and govern all transactions relating to your account, including all deposits and withdrawals. Copies of both the deposit agreement and fee schedule which contain the current version of the terms and conditions of your account relationship may be obtained at our banking centers.

**Electronic transfers:** In case of errors or questions about your electronic transfers – If you think your statement or receipt is wrong or you need more information about an electronic transfer (e.g., ATM transactions, direct deposits or withdrawals, point-of-sale transactions) on the statement or receipt, telephone or write us at the address and number listed on the front of this statement as soon as you can. We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem appeared.

Tell us your name and account number.

Describe the error or transfer you are unsure about, and explain as clearly as you can why you believe there is an error or why you need more information.

Tell us the dollar amount of the suspected error.

For consumer accounts used primarily for personal, family or household purposes, we will investigate your complaint and will correct any error promptly. If we take more than 10 business days (10 calendar days if you are a Massachusetts customer) (20 business days if you are a new customer, for electronic transfers occurring during the first 30 days after the first deposit is made to your account) to do this, we will credit your account for the amount you think is in error, so that you will have use of the money during the time it will take to complete our investigation.

For other accounts, we investigate, and if we find we have made an error, we credit your account at the conclusion of our investigation.

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**Direct deposits** – If you have arranged to have direct deposits made to your account at least once every 60 days from the same person or company, you may call us at the telephone number listed on the front of this statement to find out if the deposit was made as scheduled.

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ATTACHMENT A, page 5





P.O. Box 15284  
Wilmington, DE 19850

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1190 W 56TH ST  
HIALEAH, FL 33012-2344

#### Customer service information

- Customer service: 1.888.BUSINESS
- bankofamerica.com
- Bank of America, N.A.  
P.O. Box 25118  
Tampa, FL 33622-5118

## Your Business Fundamentals Chk

for September 1, 2013 to September 30, 2013

Account number: [REDACTED]

### Account summary

|  |        |
|--|--------|
| Beginning balance on September 1, 2013 | \$0.00 |
| Deposits and other credits             | 0.00   |
| Withdrawals and other debits           | -0.00  |
| Checks                                 | -0.00  |
| Service fees                           | -0.00  |
| Ending balance on September 30, 2013   | \$0.00 |

# of deposits/credits: 0  
# of withdrawals/debits: 0  
# of deposited items: 0  
# of days in cycle: 30  
Average ledger balance: \$0.00

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# ATTACHMENT A Page 6



## IMPORTANT INFORMATION: BANK DEPOSIT ACCOUNTS

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ATTACHMENT A, page 1



**Florida Elections Commission**  
**Post Investigation Telephone Log**

|                                  |  |
|----------------------------------|--|
| <b>Case Number</b>               | FEC 14-172   |
| <b>Respondent</b>                | Juan Santana   |
| <b>Complainant</b>               | Marbelys Fatjo   |
| <b>Date of Call</b>              | June 2, 2016   |
| <b>Time of Call</b>              | 1:45 PM  |
| <b>Name of Individual Called</b> | Complainant  |
| <b>Phone Number</b>              | 850-883-5820   |
| <b>Summary</b>                   | Respondent returned my call from earlier today. I asked Ms. Fatjo whether Respondent had paid the \$50 automatic fine for filing his 2014 TR one day late. Ms. Fatjo told me he had not. |
| <b>Entered by</b>                | EML  |

ATTACHMENT 8





09-14-3627B 09-2011 O-132040 09-12

Dair

Name and Address

Telephone No. (

Sign here if  
cash received

All items received subject to terms and conditions of applicable laws, regulations and deposit agreement.

**Save time in line and help us avoid errors. The next time you make a deposit, please use your pre-printed deposit slips for your account.**

**Cash**

Currency

Coin

### Cluster

Sub Total

Less Cash  
Received

Total Deposit

\$

20.00

1540606 1391

Seq: 168

Batch: 964597

Date: 01/03/14

Enter This Total On The Front Of This Ticket

69

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22.

Dollars

Seq:00168 01/03/14 --  
BAT:964597 CC:0750006100  
WT:01 LTP8:Jacksonville  
EC:Hisleah EC FL7-939

Tran 00005 01/03/2014 09:08  
~~Entity NFL-CC-0006100 Tr-00025~~  
 Account \*\*\*\*\*5763  
 R/TN 540590135  
 Deposit

Cents 26.00

No Electronic Endorsements Found  
No Payee Endorsements Found

ATTACHMENT C; page 1





Capture Date: 01/03/2014 Sequence #: 3542678179

09-14-500413 12-2008



## Cash In - Debit

HIALEAH

TELLER NO. 025

Tran 00005 01/03/2014 09:08

Entity NFL CC 0006100 Tr 00025

Account 898056545763

R/T# 540590135

Cash In \$20.00

⑈947676⑈ ⑆545600114⑆ 0006100 025⑈

Seq: 169

Batch: 964597

Date: 01/03/14

Seq: 00169 01/03/14

BAT: 964597 CC: 0750006100

WT: 01-LTPS-Jacksonville

BC: Hialeah BC FL7-933

No Electronic Endorsements Found

No Payee Endorsements Found

ATTACHMENT C, page 2





Capture Date: 12/03/2013 Sequence #: 5542714530

|   |          |   |  |
|---|----------|---|--|
| <b>Bank of America</b>  |          | <b>CURRENT</b>  |  |
| Name and Address<br><u>Justin S. Smith</u><br><u>1190 W SC St</u><br><u>Hialeah FL</u>                    |          | Date<br><u>12-3-13</u>  |  |
| Telephone No.<br><u>(305) 7637217</u>   |          | Sign here if cash received  |  |
| All items received subject to terms and conditions of applicable laws, regulations and deposit agreement. |          | Save time in line and help us avoid errors. The next time you make a deposit, please use your pre-printed deposit slips for your account. |  |
| Cash  | Currency | <u>3400</u>   |  |
| Coin  |          |   |  |
| Checks  |          |   |  |
| Sub Total   |          | <u>3400</u>   |  |
| Less Cash Received  |          |   |  |
|   |          | Total Deposit   |  |

Account Number

\$ 34.00

15406068390

Enter This Total On The Front Of This Ticket

\$

Seq: 67  
Batch: 671151  
Date: 12/03/13

1. Dollars  
2.  
3.  
4.  
5.  
6.  
7.  
8.  
9.  
10.  
11.  
12.  
13.  
14.  
15.  
16.  
17.  
18.  
19.  
20.  
21.  
22.

Seq: 00067 12/03/13  
BAT: 671151 CC: 0750006100  
WT: 01 LTPS: Jacksonville  
BC: Hialeah BC FL7-939

Tran 000980 12/03/2013 11:39  
Entity NFL-CC 0006100-Tlr 00023  
Account \*\*\*\*\*5763  
R/TN 540590135  
Deposit

Centers  
\$34.00

No Electronic Endorsements Found  
No Payee Endorsements Found

ATTACHMENT C, Page 3





Capture Date: 12/03/2013 Sequence #: 5542714531



## Cash In - Debit

09-14-60040 12-2008

HIALEAH

TELLER NO. 023

Tran 00098 12/03/2013 11:39

Entity NFL CC:0006100 IL:00023

Account

R/TW 540590135

Cash In 134.00



Seq: 68

Batch: 671151

Date: 12/03/13

Seq:00068 12/03/13

BAT:671151 CC:0750006100

WT:01 LTPS:Jacksonville

BC:Hialeah BC FL7-939

No Electronic Endorsements Found

No Payee Endorsements Found

ATTACHMENT C page 4



**FLORIDA ELECTIONS COMMISSION**  
**REPORT OF INVESTIGATION**  
**Case No.: FEC 14-172**

**Respondent: Juan Santana**

**Complainant: Marbelys L. Fatjo**

On July 8, 2014, the Florida Elections Commission received a sworn complaint alleging that Respondent violated Chapter 106, Florida Statutes. Commission staff investigated whether Respondent violated the following statutes:

Section 106.07(2)(b)1, Florida Statutes, failure of the treasurer of a candidate to file an addendum to an incomplete report after receiving notice from the filing officer;

Section 106.07(5), Florida Statutes, prohibiting a candidate from certifying to the correctness of a campaign treasurer's report that is incorrect, false, or incomplete;

Section 106.11(1)(a), Florida Statutes, prohibiting a campaign treasurer of a candidate from making expenditures from campaign funds other than by a check drawn on the campaign account of the candidate;

Section 106.141(1), Florida Statutes, failure of a candidate to dispose of funds remaining in his campaign account within 90 days after he withdrew, became unopposed, was eliminated, or elected;

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;

Section 106.19(1)(b), Florida Statutes, failure of a person or organization to report a contribution required to be reported by Chapter 106, Florida Statutes;

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; and

Section 106.19(1)(d), Florida Statutes, prohibiting a person or organization from making or authorizing any expenditure prohibited by Chapter 106, Florida Statutes.



## **I. Preliminary Information:**

1. Respondent was a candidate for Mayor of Hialeah; he was defeated in the municipal election held on November 5, 2013. Respondent placed third in a three-way race.

2. Complainant is the city clerk for the City of Hialeah, and Respondent's filing officer.

3. On May 14, 2013, Respondent filed an Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9) form appointing Ashley Vega treasurer of Respondent's campaign. Subsequently, on August 23, 2013, Respondent filed a second DS-DE 9 form appointing himself treasurer of his campaign. To view copies of the DS-DE 9 forms, please refer to Exhibit 1.

## **II. Alleged Violation of Section 106.07(2)(b)1, Florida Statutes:**

4. I investigated whether Respondent violated this section of election laws by failing to timely file addenda to his 2013 F1 Report and 2014 Termination Report (TR) after receiving notice that the reports were incomplete.

5. Complainant provided with her complaint a copy of an e-mail she sent to Respondent dated April 11, 2014. The e-mail informed Respondent that Complainant had previously attempted to send Respondent correspondence regarding his 2013 F1 Report and 2014 Termination Report. Attached to the e-mail were copies of three letters Complainant attempted to send to Respondent via certified mail, which were returned to Complainant's office marked "unclaimed" by the postal service. To view a copy of Complainant's e-mail dated April 11, 2014, please refer to Exhibit 2.

6. The first letter that was attached to Complainant's e-mail to Respondent (Exhibit 3) is dated February 18, 2014, and states Respondent's 2014 Termination Report was deemed incomplete; Complainant asserts in the letter that Respondent either failed to dispose of \$87.00 in surplus campaign funds or failed to report how he disposed of \$87.00 in surplus campaign funds. The letter did not reflect that there were any incomplete entries on Respondent's 2014 Termination Report. To view a copy of the February 18, 2014 letter, please refer to Exhibit 3.

7. A second letter attached to Complainant's e-mail is dated February 20, 2014, and states Respondent's 2013 F1 original and amended reports were non-compliant with respect to a \$13 expenditure on August 30, 2013, to the City of Hialeah for public records that Respondent disclosed on his 2013 F1 reports; Complainant asserts in the letter that the city "does not have any record of \$13 having been expended from [Respondent's] campaign bank account for public records on August 30, 2013." The letter did not reflect that there were any incomplete entries on Respondent's 2013 F1 original or amended reports. To view a copy of the February 20, 2014 letter, please refer to Exhibit 4.

8. The last letter attached to Complainant's e-mail dated April 3, 2014, refers to the two previous letters that had been mailed to Respondent and states the letters were returned unclaimed. Copies of the previous letters were included with the April 3, 2014 letter. To view a copy of the April 3, 2014 letter, please refer to Exhibit 5.



9. Additionally, Complainant provided an Affidavit that outlines her contact with Respondent regarding amending the 2013 F1 Report and the TR. To review Complainant's affidavit, refer to Exhibit 6.

10. Based upon a review of the information provided by Complainant, it does not appear Respondent's 2013 F1 Report and 2014 Termination Report contained any incomplete entries. Rather, it appears Respondent may have incorrectly disclosed information regarding an expenditure and failed to disclose information regarding what appears to be surplus campaign funds of \$87, which will be discussed in other sections of this report. Therefore, I did not further investigate Respondent's alleged failure to amend his 2013 F1 Report and 2014 Termination Report.

11. No record of Respondent having previously violated this section of law was found.

### **III. Alleged Violation of Section 106.07(5), Florida Statutes:**

12. I investigated whether Respondent violated this section of election laws by certifying his 2014 Termination Report was true, correct and complete when it appears there was missing information regarding a surplus of \$87 in Respondent's campaign.

13. Complainant alleges Respondent's 2014 Termination Report is incomplete because Respondent failed to report how he disposed of \$87.00 in surplus campaign funds.

14. I reviewed a copy of Respondent's 2013 F2 Report which covered the period September 29 through October 12, 2013, and was filed on October 28, 2013. The summary page reflects Respondent disclosed total monetary contributions to date of \$1,200 and total monetary expenditures to date of \$1,113. Based upon the 2013 F2 summary page, it appears Respondent had a surplus of \$87 at the conclusion of the 2013 F2 reporting period. To view a copy of the 2013 F2 Report, please refer to Exhibit 7.

15. For the 2013 F3 reporting period of October 13 to November 1, 2013, Respondent filed a waiver-of-report reflecting he had no activity in his campaign account for the reporting period. To view a copy of the waiver-of-report, please refer to Exhibit 8.

16. I reviewed a copy of Respondent's 2014 Termination Report on file with his filing officer. The report was filed on February 4, 2014; Respondent certified the report was true, correct, and complete. The summary, contributions, and expenditures pages contain all zeros. There is no entry with respect to the disposition of the \$87 surplus following the 2013 F2 reporting period. To view a copy of Respondent's 2014 Termination Report, please refer to Exhibit 9.

17. To clarify Respondent's campaign finance activity, I subpoenaed Respondent's campaign account records. Although it appears, based upon the campaign report, that Respondent's campaign had a surplus of \$87 at the conclusion of the 2013 F2 reporting period, Respondent's monthly bank statement for October 1 to October 31, 2013 reflects that Respondent's beginning balance on October 1 was zero, and his ending balance on October 31



was zero.<sup>1</sup> Based upon the campaign account records, it appears Respondent did not have a surplus of \$87 at the conclusion of the 2013 F2 reporting period. To view a copy of the October 2013 monthly bank statement, please refer to Exhibit 10.

18. On December 10, 2015<sup>2</sup>, Respondent filed an Amended 2013 F2 Report with the filing officer. The amended report shows that an \$87 expenditure was made to Keith Arrontin, a campaign worker, which resolved the issue of surplus funds within the campaign reports. The summary page on the Amended 2013 F2 Report reflects a zero balance. However, the expenditure is not corroborated in bank records. To review the Amended 2013 F2 Report, refer to Exhibit 11.

19. In a questionnaire affidavit, Respondent was asked about the \$87 expenditure and the amended reported. Respondent stated, "I was told to fix it by the clerk and the other paper I was not givin (sic). I was told to fix one paper to add \$87 so I did. I pay it to Keith A." To review Respondent's questionnaire affidavit, refer to Exhibit 12.

20. I further reviewed the records for the 2014 Termination report cover period of November 2, 2013 to February 3, 2014, and found several transactions that appear to have occurred during the 2014 Termination Report cover period that were not disclosed on the report.<sup>3</sup> Table 1 summarizes the transactions. To view a copy of the relevant campaign account records, please refer to Exhibit 13.

| <b>TABLE 1: UNREPORTED TRANSACTIONS DURING TR COVER PERIOD</b> |                            |                 |
|--|----------------------------|-----------------|
| <b>Transaction Date</b>  | <b>Type of Transaction</b> | <b>Amount</b>   |
| Respondent's campaign account balance as of 11/01/13           |                            | \$0.00          |
| 11/04/13   | Debit Monthly Fee          | \$17.00         |
| 12/02/13   | Debit Monthly Fee          | \$17.00         |
| 12/03/13   | Counter Credit             | \$34.00         |
| 01/02/14   | Debit Monthly Fee          | \$17.00         |
| 01/03/14   | Counter Credit             | \$20.00         |
| 02/03/14   | Debit Monthly Fee          | \$17.00         |
| <b>TOTAL</b>   |                            | <b>\$122.00</b> |

21. Based upon the campaign account records, it appears Respondent's 2014 Termination Report was not incomplete with respect to the disposal of what appeared to be a surplus of \$87 as alleged in the complaint, it appears Respondent's 2014 Termination Report was

<sup>1</sup> The 2013 F2 report cover period was September 29 through October 12, 2013.

<sup>2</sup> The complaint was filed with Commission staff on July 8, 2014.

<sup>3</sup> It appears Respondent may have accepted contributions after he was defeated in the election. However, because Complainant did not have access to this information at the time the complaint was filed, I did not further investigate this information.



missing the information summarized in Table 1.<sup>4</sup>

22. Respondent stated during a telephone interview that he ordered the bank records from the bank. He stated that he would review the records to try to figure this out. He stated that he went to talk with the city clerk on two occasions but she was not in the office. When asked about the unreported transactions, he stated that most of the contributions were from him; therefore, he did not understand the problem.

23. No record of Respondent having previously violated this section of law was found.

#### **IV. Alleged Violation of Section 106.11(1)(a), Florida Statutes:**

24. I investigated whether Respondent violated this section of election laws by paying for a public records request with personal cash/credit card rather than a check or debit card from his campaign account.

25. Complainant alleged that Respondent failed to use a campaign check, or a debit card issued on his campaign account, to pay a \$13 campaign expense. Complainant provided a copy of Respondent's 2013 F1 Report<sup>5</sup> with the complaint. The report discloses a \$13 expenditure for public records. To review the 2013 F1 Report, refer to Exhibit 14.

26. During a subsequent telephone interview, Complainant stated that Respondent frequently makes requests for public records. Complainant explained that she had pulled all the receipts for Respondent and none correspond with the expenditure disclosed on the 2013 F1 Report.<sup>6</sup> She stated that there is no receipt for public records for \$13 nor is there a combination of payments that total \$13. She stated that Respondent always paid the cost for public records with cash. Complainant provided copies of the receipts for public records.<sup>7</sup> To review the receipts for public records, refer to Exhibit 15.

27. On October 19, 2013<sup>8</sup>, Respondent filed an amended 2013 F1 Report with the filing officer. A review of the report shows the expenditure for \$13 was not removed. To review the amended report, refer to Exhibit 16.

28. Respondent stated in a written response that he was not aware of this issue until he spoke to Commission staff. He stated that the entry on the report was correct. He stated he did not keep the receipt for the \$13 and he did not recall what documents were contained in the

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<sup>4</sup> It also appears Respondent may have certified reports other than the termination report as true, correct, and complete when they were not. However, because Complainant did not have access to this information at the time the complaint was filed, I did not further investigate this information.

<sup>5</sup> There were three contributions and five expenditures listed on the 2013 F1 Report that are not reflected in Respondent's bank records. However, because Complainant did not have access to this information at the time the complaint was filed, I did not further investigate this information.

<sup>6</sup> Complainant is the city clerk. She explained that all of the city's public records requests except police reports would be handled by her office.

<sup>7</sup> None of the expenditures for these public records requests was recorded on Respondent's campaign reports.

<sup>8</sup> The letter from the filing officer regarding the \$13 expenditure was mailed on February 20, 2014.



request. To review Respondent's written statement, refer to Exhibit 17.

29. Respondent stated in a subsequent telephone interview, that the information disclosed on his campaign report was correct. He stated that he paid \$13 for public records; he stated that he requested copies of the mayor's itinerary. He wanted to know if the mayor was making any media appearances. I asked him if he had the receipt; he stated that he did not have the receipt. He stated that Complainant made the complaint against him because he made a video of her at her office and posted it on YouTube.

30. I reviewed the bank records from Respondent's campaign. I did not find a debt expenditure or check that corresponds with the \$13 expenditure reported on the campaign report.

31. No record of Respondent having previously violated this section of law was found.

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

32. I investigated whether Respondent violated this section of election laws by failing to dispose of surplus funds.

33. Complainant alleges Respondent failed to dispose of surplus funds totaling \$87 within 90 days of being defeated in an election.

34. To review the circumstances regarding Respondent's alleged failure to dispose of surplus funds, please refer to paragraphs 13 through 22 of this report.<sup>9</sup>

35. No record of Respondent having previously violated this section of law was found.

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

36. I investigated whether Respondent violated this section of election laws by failing to file his 2014 Termination Report within 90 days of being defeated in the 2013 municipal election after receiving notice that the report was due.

37. Complainant stated Respondent filed his 2014 TR after the deadline. According to Complainant, Respondent was defeated in the November 5, 2013 municipal election<sup>10</sup>; therefore, the TR was due on February 3, 2014, 90 days after the municipal election. To review the election results, refer to Exhibit 18. To review the schedule of reporting dates, refer to Exhibit 19.

38. Complainant provided a copy of Respondent's 2014 TR. The date stamp on the report reads, "CLERK 02/04/14 PM 1:09." According to records, Respondent filed the 2014 TR

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<sup>9</sup> Respondent was defeated in the municipal election held on November 5, 2013. Therefore, it appears Respondent was required to dispose of his surplus funds by February 3, 2014.

<sup>10</sup> The filing officer explained that the municipal elections are non-partisan; therefore, everyone can vote in the election. If a candidate receives a majority of the vote (51%), he or she is elected to office. If a candidate does not receive a majority vote, then a "run-off" or "general" election is held.



one day late. To review the TR, refer to Exhibit 9.

39. Respondent stated, in a telephone interview, that he is aware that the report was one day late. He stated that he was busy collecting his signs and he just forgot to turn in the report. He stated that he takes full responsibility for the lateness of the report.

40. No record of Respondent having previously violated this section of law was found.

**VII. Alleged Violation of Section 106.19(1)(b), Florida Statutes:**

41. I investigated whether Respondent violated this section of election laws by failing to disclose an in-kind contribution to his campaign for a public records request.

42. Complainant alleged that the \$13 expenditure listed on the 2013 F1 report was not paid for by a campaign check or a campaign debit card transaction. Complainant argued that the transaction listed as an expenditure was probably an in-kind contribution from Respondent.

43. To review additional information pertaining to this section of law, refer to paragraphs 25 through 30 of this report.

44. No record of Respondent having previously violated this section of law was found.

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

45. I investigated whether Respondent violated this section of election laws by failing to disclose information on his 2013 F1 Report and his 2014 Termination Report.

46. To review information pertaining to this section of law, refer to paragraphs 13 through 30.

47. No record of Respondent having previously violated this section of law was found.

**IX. Alleged Violation of Section 106.19(1)(d), Florida Statutes:**

48. I investigated whether Respondent violated this section of election laws by making a prohibited expenditure for a public records request.

49. To review the information pertaining to this section of law, refer to paragraphs 25 through 30 of this report.

50. No record of Respondent having previously violated this section of law was found.

**X. FEC History:**

51. In FEC 13-229, Complainant alleged that Respondent violated Section 106.07(2)(b)1, Florida Statutes, by failing to amend his 2013 Q2 Report. The complaint was



deemed legally insufficient.

**Conclusion:**

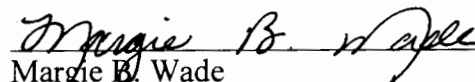
52. On April 18, 2016, I interviewed Respondent by telephone. I summarized the issues addressed in the Report of Investigation. I also explained that he will receive a copy of the report and he may file a written statement at that time. He reiterated that the 2013 F1 Report was correct. He stated that he realized that the TR was late and he is willing to pay the late fee. He stated that he wanted to keep his campaign account open as long as possible because several people had promised to make contributions to his campaign but they never did. He stated he was planning to take the money from the contributors and make a charitable donation.

53. According to the filing officer, Respondent was a first-time candidate. He was provided a hard copy of the 2011 Candidate and Campaign Treasurer Handbook on July 8, 2013. She stated that Respondent was advised that a copy of Chapter 106, Florida Statutes, could be downloaded from the Division of Elections website. To review the Affidavit of Filing Officer and the letter from the filing officer, refer to Exhibit 20. To review relevant pages of the Candidate Handbook, refer to Exhibit 21.

54. Respondent acknowledged in a questionnaire affidavit that he received copies of Chapter 106, Florida Statutes, and the Candidate Handbook. He stated that he read Chapter 106, Florida Statutes, and the Candidate Handbook. He stated that he has not served as an officer of a political committee. To review Respondent's affidavit, refer to Exhibit 12.

55. On July 8, 2013, Respondent filed his statement of candidate form with the filing officer, certifying that he had been provided access to read and understand the requirements of Chapter 106, Florida Statutes. To review the statement of candidate form, refer to Exhibit 22.

Respectfully submitted on April 19, 2016,



Margie B. Wade  
Investigation Specialist



**Current address of Respondent**

Mr. Juan Santana  
5601 West 10<sup>th</sup> Avenue  
Hialeah, Florida 33012-2339

**Current Address of Complainant:**

Ms. Marbelys L. Fatjo  
201 Palm Avenue, 3<sup>rd</sup> Floor  
Hialeah, Florida 33010

**Name and Address of Filing Officer:**

Marbelys L. Fatjo  
City Clerk  
501 Palm Avenue, 3<sup>rd</sup> Floor  
Hialeah, Florida 33010

Copy furnished to:

Mr. David Flagg, Investigations Manager



**FLORIDA ELECTIONS COMMISSION**  
**REPORT OF INVESTIGATION**  
**Juan Santana -- FEC 14-172**

| <b>List of Exhibits</b> |   |
|-------------------------|---|
| <b>Exhibits #s</b>      | <b>Description of Exhibits</b>                    |
| Exhibit 1               | DS-DE 9 Forms                                     |
| Exhibit 2               | Complainant's Email                               |
| Exhibit 3               | Letter from Filing Officer Dated 02/18/14         |
| Exhibit 4               | Letter from Filing Officer Dated 02/20/14         |
| Exhibit 5               | Letter from Filing Officer Dated 04/03/14         |
| Exhibit 6               | Affidavit from the Filing Officer                 |
| Exhibit 7               | 2013 F2 Report                                    |
| Exhibit 8               | Waiver-of Report for the 2013 F3 Reporting Period |
| Exhibit 9               | 2014 TR   |
| Exhibit 10              | October 2013 Bank Statement                       |
| Exhibit 11              | Amended 2013 F2 Report                            |
| Exhibit 12              | Respondent's Affidavit                            |
| Exhibit 13              | Bank Statements from 11/2013 through 02/2014      |
| Exhibit 14              | 2013 F1 Report                                    |
| Exhibit 15              | Public Records' Receipts                          |
| Exhibit 16              | Amended 2013 F1 Report                            |
| Exhibit 17              | Respondent's Written Response                     |
| Exhibit 18              | Election Results                                  |
| Exhibit 19              | Schedule of Reporting Dates                       |
| Exhibit 20              | Affidavit of Filing Officer                       |
| Exhibit 21              | Relevant Pages of the Candidate Handbook          |
| Exhibit 22              | Statement of Candidate Form                       |



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

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

(PLEASE PRINT OR TYPE)

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

CLERK 08/23/13  
A certified true copy of the Original Document on file with the City of Hialeah  
WITNESS my hand and Official

Seal on DEC 15 2013

OFFICE USE ONLY

**1. CHECK APPROPRIATE BOX(ES):**

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

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

Juan Santos

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

1190 West 56 St  
Hialeah FL, 33012

**4. Telephone**

(305) 763-7217

**5. E-mail address**

bpracing1@gmail.com

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

**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    ☒ Independent Party candidate.

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

**10. Name of Treasurer or Deputy Treasurer**

Juan Santos

**11. Mailing Address**

1190 West 56 St

**12. Telephone**

(305) 763-7217

**13. City**

Hialeah

**14. County**

Dade

**15. State**

FL

**16. Zip Code**

33012

**17. E-mail address**

bpracing1@gmail.com

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

**19. Name of Bank**

Bank of America

**20. Address**

900 West 49 St

**21. City**

Hialeah

**22. County**

Dade

**23. State**

FL

**24. Zip Code**

33012

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**

Aug 23, 2013

**26. Signature of Candidate**

X [Signature]

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

I, JUAN SANTOS, do hereby accept the appointment

(Please Print or Type Name)

designated above as:

☒ Campaign Treasurer ☐ Deputy Treasurer.

Aug 23, 2013

Date

X

Signature of Campaign Treasurer or Deputy Treasurer



CLERK 05/14/13 PM 3:44

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

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

(PLEASE PRINT OR TYPE)

A certified true copy of the  
Original Document on file  
with the City of Hialeah  
WITNESS my hand and Official

Seal on DEC 15 2013 CLERK 03/19/13 PM 12:22

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

OFFICE USE ONLY

**1. CHECK APPROPRIATE BOX(ES):**

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

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

Juan Santana

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

Hialeah  
1190 West 56th FL, 33012

**4. Telephone**

(305) 763-7217

**5. E-mail address**

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

Mayor for City of Hialeah

**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 ☐ Independent Party candidate

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

**10. Name of Treasurer or Deputy Treasurer**

Ashley Vega

**11. Mailing Address**

1190 W 56 St APT C

**12. Telephone**

(305) 763-7217

**13. City**

Hialeah

**14. County**

Dade

**15. State**

FL

**16. Zip Code**

33012

**17. E-mail address**

poizun101@yahoo.com

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

**19. Name of Bank**

Bank of America

**20. Address**

900 W 49 St

**21. City**

Hialeah

**22. County**

Miami Dade

**23. State**

FL

**24. Zip Code**

33012

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**

05/14/2013

**26. Signature of Candidate**

X Ashley Vega

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

I, Ashley Vega, do hereby accept the appointment

(Please Print or Type Name)

designated above as:

☐

Campaign Treasurer

☐

Deputy Treasurer.

04/23/2013

Date

X Ashley Vega

Signature of Campaign Treasurer or Deputy Treasurer



## Fatjo, Marbelys

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**From:** Fatjo, Marbelys  
**Sent:** Friday, April 11, 2014 4:15 PM  
**To:** 'juan santana'  
**Subject:** Notice of Non-Compliance with Campaign Treasurer's Reports F1 and TR

**Attachments:** REG. MAIL.pdf



REG. MAIL.pdf (260 KB)

ood afternoon Mr. Santana.

My office has attempted to send you the attached correspondence via certified mail unsuccessfully. Letters dated February 18, 2014 and February 20, 2014 were sent to you via certified mail - return receipt requested regarding non-compliance with the FI Original Campaign Treasurer's Report and Final Campaign Treasurer's Report you submitted to our office. The United States Postal Service returned both letters to the City as unclaimed.

On April 3, 2014 we mailed you both letters via certified mail - return receipt requested, and via regular mail. To assure that you have receive said notifications, I am emailing you all correspondence that has been mailed to you, attached to this email. Please note that this is the email address you provided to our office for correspondence purposes as candidate for Mayor in the 2013 elections.

If you have any questions, please do not hesitate to contact me or email me.

Thank you,

Marbelys L. Rubio-Fatjo, Esq.  
Acting City Clerk  
City of Hialeah  
501 Palm Avenue, Floor 3  
Hialeah, Florida 33010  
(305) 883-5820

EXHIBIT

2



Carlos Hernandez  
Mayor

Isis Garcia-Martinez  
Council President

Luis Gonzalez  
Council Vice President



Council Members

Jose F. Caragol  
Vivian Casals-Munoz  
Katharine E. Cue-Fuente  
Paul B. Hernandez  
Lourdes Lozano

## City of Hialeah

VIA CERTIFIED MAIL - RETURN RECEIPT

February 18, 2014

Juan Santana  
1190 West 56 Street  
Hialeah, FL 33012

Dear Mr. Santana:

On February 4, 2014 the Office of the City Clerk received your Campaign Treasurer's Report (Termination Report). Since the report was due on February 3, 2014, it has been deemed one (1) day late. Pursuant to § 106.07(8)(b) of the Florida Statutes, I must impose a fine of \$50.00 per day for each day late, and not to exceed twenty-five (25) percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. In the present case, since the Termination Report you filed presently reflects a total of zero for the contributions and expenditures for the period covered by this report, you are not being assessed a fine at this time.

Please note that your report has been deemed incomplete, and I have accepted the report on a conditional basis. According to your reports as amended, you have a balance of eighty-seven dollars (\$87.00) in your campaign account that you have not disposed of or have failed to report how you disposed of the funds. Per section 106.141 of the Florida Statutes (2013) each candidate who is eliminated as a candidate shall within ninety (90) days, dispose of the funds on deposit in his or her campaign account and file a report reflecting the disposition of all remaining funds.

Per section 106.07(2)(b)1. of the Florida Statutes (2013), you must file an addendum to the report within seven (7) days after receipt of this notice, reflecting how you disposed of the eighty-seven dollars (\$87.00) left in your campaign account. Failure to file a complete report constitutes a violation of Chapter 106, Election Laws of the State of Florida.

If you have any questions, please do not hesitate to contact my office at 305-883-5820.

Sincerely,

CITY OF HIALEAH, FLORIDA

Marbelys L. Fatjo, Esq.  
Acting City Clerk

q:\elections\elections 2013\correspondence to candidates\ysantana treasurer's report tr late.doc

501 Palm Avenue, Hialeah, Florida 33010-4719  
www.hialeahfl.gov

EXHIBIT 3



Carlos Hernandez  
Mayor

Isis Garcia-Martinez  
Council President

Luis Gonzalez  
Council Vice President



Council Members

Jose F. Caragol  
Vivian Casals-Muñoz  
Katharine E. Cue-Fuente  
Paul B. Hernandez  
Lourdes Lozano

## City of Hialeah

SENT VIA CERTIFIED MAIL – RETURN RECEIPT

February 20, 2014

Mr. Juan Santana  
Mayoral Candidate  
1190 West 56 Street  
Hialeah, Florida 33012

**NOTICE OF NON-COMPLIANCE**  
**F1 Original Campaign Treasurer's Report**  
**Due Date: 10/05/2013**  
**Period Covered: 7/01/2013 – 9/28/2013**

Dear Mr. Santana,

The F1 Campaign Treasurer's Report filed with our office, which was submitted on 10/4/2013, and amended, does not comply with the requirements of Section 106.07(2) of the Florida Statutes for the following reason(s):

- You have reported in item 7 of the Itemized Expenditures of your Campaign Treasurer's Report that on August 30, 2013 a total of thirteen dollars (\$13.00) was expended from your campaign bank account to the City of Hialeah for the purpose of public records.

The Office of the City Clerk has reviewed the City's records as to receipts provided to you as acknowledgment of fees received by the City from you for public records provided to you on August 30, 2013, and the City does not have any record of \$13.00 having been expended from your campaign bank account for public records on August 30, 2013.

Per Section 106.07(2)(b)1., of the Florida Statutes (2013), you must file an addendum to the report providing all information necessary to complete the report in compliance with Florida law, within seven (7) days after your receipt of this notice. Failure to file a complete report constitutes a violation of Chapter 106, Election Laws of the State of Florida.

If you have any questions, please contact our office at 305-883-5820.

Sincerely,

Marbelys Fatjo, Esq.  
Acting City Clerk

Enclosure: Copy of F1 Report

q:\elections\elections 2013\correspondence to candidates\juan santana -incomplete f1 report 2-20-14.docx



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

(1) Juan Santana  
Name  
(2) 1190 W 56 St  
Address (number and street)  
Hialeah FL 33012  
City, State, Zip Code

OFFICE USE ONLY

CLERK 10/28/13 PM 1:50

☐ CHECK IF ADDRESS HAS CHANGED

(3) ID Number: 12

(4) Check appropriate box(es):

☒ Candidate (office sought): MAYOR

☐ Political Committee

☐ CHECK IF PC HAS DISBANDED

☐ Committee of Continuous Existence

☐ CHECK IF CCE HAS DISBANDED

☐ Party Executive Committee

☐ Electioneering Communication

☐ CHECK IF NO OTHER ELECTIONEERING  
COMMUNICATION REPORTS WILL BE FILED

**(5) REPORT IDENTIFIERS**

Cover Period: From 11/1/13 To 9/28/13 Report Type F1

☐ Original ☒ Amendment ☐ Special Election Report ☐ Independent Expenditure Report

**(6) CONTRIBUTIONS THIS REPORT**

Cash & Checks \$ \_\_\_\_\_

Loans \$ 1150

Total Monetary \$ \_\_\_\_\_

In-Kind \$ \_\_\_\_\_

**(7) EXPENDITURES THIS REPORT**

Monetary Expenditures \$ 938

Transfers to Office Account \$ \_\_\_\_\_

Total Monetary \$ \_\_\_\_\_

**(8) Other Distributions**

\$ \_\_\_\_\_

(9) TOTAL Monetary Contributions To Date  
\$ 1150

(10) TOTAL Monetary Expenditures To Date  
\$ 938

**(11) CERTIFICATION**

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

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

(Type name) Juan Santana  
☐ Individual (only for electioneering commun.) ☒ Treasurer ☐ Deputy Treasurer

X [Signature]  
Signature

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

(Type name) Juan Santana  
☒ Candidate ☐ Chairperson (only for PC, PTY & electioneering commun. organization)

X [Signature]  
Signature



# **CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES**

(1) Name Juan Santana (2) I.D. Number 12  
 (3) Cover Period 07 / 01 / 13 through 09 / 28 / 13 (4) Page 1 of 1

| (5)<br>Date  | (7)<br>Full Name<br>(Last, Suffix, First, Middle)<br>Street Address &<br>City, State, Zip Code | (8)<br>Purpose<br>(add office sought if<br>contribution to a<br>candidate) | (9)<br>Expenditure<br>Type | (10)<br>Amendment | (11)<br>Amount |
|--------------|--|--|----------------------------|-------------------|----------------|
| 07 / 03 / 13 | Lowes<br>1650 w 37 street<br>hialeah fl  | supplies   | mon                        |                   | \$160.00       |
| 1            |  |  |                            |                   |                |
| 07 / 04 / 13 | harbor freight tools<br>410 w 49 street<br>hialeah fl  | sign supplies  | MON                        |                   | \$140.00       |
| 2            |  |  |                            |                   |                |
| 07 / 08 / 13 | CITY OF HIALEAH<br>501 PALM AVE<br>HIALEAH FL 33013  | FILING FEE   | MON                        |                   | \$100.00       |
| 3            |  |  |                            |                   |                |
| 07 / 18 / 13 | DEALS<br>596 W 49TH STREET<br>HIALEAH FL 33012   | OFFICE<br>SUPPLIES   | MON                        |                   | \$140.00       |
| 4            |  |  |                            |                   |                |
| 07 / 18 / 13 | PAPA JOHNS<br>419 W 49 STREET<br>HIALEAH FL 33012  | LUNCH FOR<br>HELPERS   | MON                        |                   | \$35.00        |
| 5            |  |  |                            |                   |                |
| 08 / 25 / 13 | ALLIES SIGNS<br>349 E 49STREET<br>HIALEAH FL 33013   | BANNERS & POST<br>CARDS  | MON                        |                   | \$350.00       |
| 6            |  |  |                            |                   |                |
| 08 / 30 / 13 | CITY OF HIALEAH<br>501 PALM AVE<br>HIALEAH FL 33013  | PUBLIC RECORDS   | MON                        |                   | \$13.00        |
| 7            |  |  |                            |                   |                |
| / /          |  |  |                            |                   |                |
|              |  |  |                            |                   |                |

DS-DE 14 (Rev. 08/03)

SEE REVERSE FOR INSTRUCTIONS AND CODE VALUES

**EXHIBIT** 4 page 3 of 3



**Carlos Hernandez**  
Mayor

**Isis Garcia-Martinez**  
Council President

**Luis Gonzalez**  
Council Vice President



## City of Hialeah

Council Members

**Jose F. Caragol**  
**Vivian Casals-Muñoz**  
**Katharine E. Cue-Fuente**  
**Paul B. Hernandez**  
**Lourdes Lozano**

VIA CERTIFIED MAIL - RETURN RECEIPT

April 3, 2014

Juan Santana  
1190 West 56 Street  
Hialeah, FL 33012

Dear Mr. Santana:

On February 18, 2014 the Office of the City Clerk attempted to send you the enclosed letter dated February 18, 2014, via certified mail. The Office of the City Clerk also attempted to send you the enclosed letter dated February 20, 2014, via certified mail. However, both letters were returned to the Office of the City Clerk as unclaimed on March 8, 2014. This is our second attempt to contact you in reference to the Campaign Treasurer's Reports (Termination Report) and (F1) you submitted to our office. Enclosed are the original letters.

If you have any questions, please do not hesitate to contact my office at 305-883-5820.

Sincerely,

CITY OF HIALEAH, FLORIDA

Marbelys L. Fatjo, Esq.  
Acting City Clerk

q:\elections\elections 2013\correspondence to candidates\jsantana treasurer's report tr late.doc



MARBELYS FATJO, City Clerk,  
City of Hialeah, Florida, a political  
Subdivision of the State of Florida,  
Petitioner,

v.

JUAN SANTANA,  
Respondent.

**AFFIDAVIT OF MARBELYS FATJO, CITY CLERK OF THE CITY OF  
HIALEAH, FLORIDA**

STATE OF FLORIDA                     )  
  )  
COUNTY OF MIAMI-DADE            )

BEFORE ME, the undersigned authority, personally appeared MARBELYS  
FATJO (hereinafter "Affiant"), who after being first duly sworn, deposes and says:

1. I am employed by the City of Hialeah, Florida in the capacity of City Clerk. I was duly appointed to this position on November 13, 2014.
2. Pursuant to the Florida Election Code, I am the officer before whom candidates for municipal office qualify. As such, I am responsible for administering the campaign finance reporting requirements as provided by Florida Statutes Chapter 106.
3. On July 1, 2014, I filed a complaint with the Florida Elections Commission alleging specific violations of Chapter 106 by Juan Santana, a candidate for a Mayor of the City of Hialeah during the 2013 election.



4. The affidavit is made in support of and to supplement the statements I made in the complaint filed against Juan Santana.
5. On December 2, 2015 at 1:59 p.m. I received a call from the City's Deputy Clerk, Carmen Hernandez to tell me Juan Santana had stopped by the City Clerk's Office to amend his campaign report while I was out of the office on my lunch break.
6. I informed Ms. Hernandez that the information Mr. Santana needed was laying on my desk and instructed her to call him back immediately and ask him to return to the office to collect the documents he need to amend his report.
7. On that day at approximately 2:16 p.m., Ms. Hernandez called me again as I was returning to my office and placed me on speaker phone so that I could communicate with Mr. Santana who had returned to the office upon our request.
8. During my conversation with Mr. Santana, I advised him that Ms. Hernandez would be providing him with copies of all four of his campaign treasurer's reports submitted to my office and a blank campaign treasurer's report. As previously advised in writing, I again explained to Mr. Santana that his second campaign treasurer's report was inconsistent with his termination report. The second report filed by Mr. Santana reflected a balance of \$87.00 in campaign funds and his termination report reflected a zero balance for contributions and expenditures. The \$87.00 balance between his second report and his termination report was



unaccounted for since Mr. Santana filed a waiver of report after the second report and prior to the termination report.

9. Mr. Santana told me he would take the documents given to him by Ms. Hernandez and return during the week after he had figured it out.
10. On that day at approximately 2:18 p.m. and shortly after my phone conversation with Mr. Santana, I met him in the reception area of the Office of the City Clerk. I reiterated everything I had said over the phone and asked him if he had any questions. In response, Mr. Santana said he would amend his report and would return later during the week. Before leaving my office, Mr. Santana asked me when the report was due. I answered February 2014.
11. Prior to this date, I have also communicated with Mr. Santana about correcting his campaign treasurer's reports in the manner indicated:
  - a. On Friday, October 23, 2015, Mr. Santana called my office requesting a meeting with me to discuss the amendment of his reports and left an email address (~~time/makeit@email.com~~) and a telephone number where could be reached at. A copy of the message provided to me by Eva Price, employee of the Office of the City Clerk, is attached as Exhibit 1 to this affidavit.
  - b. On October 26, 2014 at 5:00 p.m. and in response to his request, I emailed Mr. Santana a copy of his campaign forms, the forms he need to complete in order to amend his previous filing and instructions on what he needed to do. Mr. Santana replied "I requested a meeting for



you to show me what needs to be done" by email on October 26, 2014 at 7:44 p.m. A copy of the emails exchanged between Mr. Santana and I on October 26, 2015 is attached as Exhibit 2 to this affidavit.

- c. On Tuesday, October 27, 2015 I replied to Mr. Santana's email inviting him to visit my office at any time during regular business hours. A copy of this email is attached as Exhibit 3 to this affidavit.
- d. On Monday, November 2, 2015, Mr. Santana stopped by my office at approximately 11:30 a.m. and requested to see me. The receptionist came to my office to advise me Mr. Santana was present. I asked the receptionist to ask him to wait a few minutes while I gathered the documents I need to provide him. Seconds later, the receptionist returned to my office to let me know Mr. Santana had left leaving a message for me containing his contact information. A copy of the message provided to me by Eva Price, employee of the Office of the City Clerk, is attached as Exhibit 4 to this affidavit.
- e. That day, at 11:36 a.m., I emailed Mr. Santana to let him know that I was available to meet with him and was ready to provide him the necessary documents and information but that he had left less than five minutes after arriving at my office.
- f. Mr. Santana replied at 11:38 a.m. requesting a meeting with me. I replied at 11:51 a.m. advising Mr. Santana that he could come by that same afternoon after 3:30 p.m., if not he could return during normal business hours at his convenience and if I was not available, Deputy



City Clerk, Carmen Hernandez would be available to assist him. A copy of the emails exchanged between Mr. Santana and I on November 2, 2014 is attached as Exhibit 5 to this affidavit.

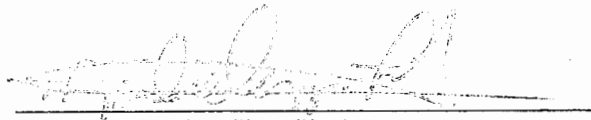
- g. On November 4, 2015 at 10:33 a.m., Mr. Santana emailed me to let me know my assistant had told him I was unavailable that morning. I replied to Mr. Santana's email at 10:56 a.m. asking him to set a date and time convenient for him and I would make myself available. Mr. Santana replied at 10:58 a.m. asking that I set the date and time that I would be available to meet him. I replied at 11:01 a.m. asking him to come by at 3:00 p.m. that afternoon, November 4, 2015.
- h. Mr. Santana did not show up to his 3:00 p.m. appointment with me on November 4, 2015. That evening at 5:06 p.m., I emailed Mr. Santana letting him know he had missed our appointment that afternoon to discuss amending his report. A copy of the emails exchanged between Mr. Santana and I on November 4, 2015 is attached as Exhibit 6 to this affidavit.
- i. On November 24, 2015 at 4:10 p.m. Mr. Santana contacted my office requesting to speak with Deputy City Clerk Carmen Hernandez about a public records request. I was in Ms. Hernandez' office during her conversation with Mr. Santana and Mr. Santana was aware of my presence in her office during their conversation. The conversation was had over speaker phone. After we discussed Mr. Santana's public records request, he asked me when he could come to my office to



amend his report. I reminded him he missed our last appointment. He replied he had not checked his emails and hung up abruptly claiming his wife was in the hospital.


12. Mr. Santana appears frequently at Council meetings regularly scheduled on the second and fourth Tuesday of each month.
13. Mr. Santana has shown up unannounced at his leisure at the City Clerk's Office to request public records.
14. Mr. Santana has had ample opportunity to amend his report but has failed to do so.
15. Affiant is familiar with the nature of an oath and the penalties or punishment associated with knowingly making a false statement.

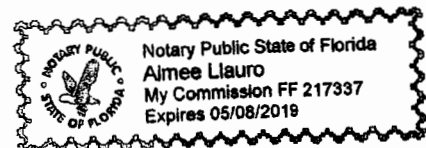
SIGNED this 10 day of December, 2015.

  
\_\_\_\_\_  
Marbelys Fatjo, City Clerk  
City of Hialeah

The foregoing was acknowledged, sworn to and subscribed before me by Marbelys Fatjo this 10 day of December, 2015. I personally know Marbelys Fatjo.

My commission expires:

  
\_\_\_\_\_  
Aimee Llauro, Notary Public-State of Florida





# TODAY

## PHONE MESSAGES...

To: Marbelys

Date: 10/23/15 Time: 1:25

### WHILE YOU WERE OUT

Name: Juan Santana

of: time2makeit1@gmail.com

Phone: 305-975-8142

|                                     |                   |                          |                 |
|-------------------------------------|-------------------|--------------------------|-----------------|
| <input checked="" type="checkbox"/> | Telephoned        | <input type="checkbox"/> | Please call     |
| <input type="checkbox"/>            | Called to see you | <input type="checkbox"/> | Will call again |
| <input type="checkbox"/>            | Wants to see you  | <input type="checkbox"/> | Important       |

Message: Would like to schedule a meeting

to go over his previous treasurer's  
report to fix.

Can email or call.

Eva

Message:

EXHIBIT

tabbles

EXHIBIT

6 page 7 of 32



## Fatjo, Marbelys

---

**From:** Fatjo, Marbelys  
**Sent:** Monday, October 26, 2015 5:00 PM  
**To:** 'time2makeit1@gmail.com'  
**Cc:** 'bpracing1@gmail.com'; Hernandez, Carmen B.  
**Subject:** City of Hialeah Elections 2013 Campaign Report  
**Attachments:** dsde12.pdf; dsde13.pdf; dsde14.pdf

Juan Santana,

You contacted our office on Friday and provided my staff with this email address, and inquired as to the process of correcting the campaign treasurer's reports you filed in the 2013 Mayoral Election.

In the F1 report you filed for the reporting period of July 1<sup>st</sup>, 2013 through September 28, 2013, you reported a total of \$1,150 in contributions and \$938 in expenditures.

In the F2 report you filed for the reporting period of September 29, 2013 through October 12, 2013, you reported a total of \$50 in contributions and \$175 in expenditures, for a total of \$1,200 total monetary contributions to date and \$1,113 total monetary expenditures to date.

You filed a Waiver of Report for the reporting period of October 13, 2013 through November 1, 2013.

Your termination report filed for the reporting period of November 5, 2013 through February 3, 2014 reflected a zero amount for everything. **You must amend** this report to reflect how you disposed of the funds that were left in your campaign account as of your last report.

Attached hereto are the forms you need.

Should you have any questions, please do not hesitate to contact me.

*Marbelys Fatjo*

City Clerk

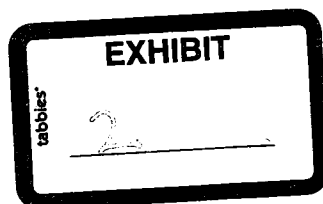
Office of the City Clerk

City of Hialeah

501 Palm Avenue, 2<sup>nd</sup> Floor

Hialeah, Florida 33010

(305) 323-5820





## CAMPAIGN TREASURER'S REPORT SUMMARY

OFFICE USE ONLY

(1) \_\_\_\_\_  
Name

(2) \_\_\_\_\_  
Address (number and street)

\_\_\_\_\_  
City, State, Zip Code

☐ Check here if address has changed

(3) ID Number: \_\_\_\_\_

(4) Check appropriate box(es):

☐ Candidate Office Sought: \_\_\_\_\_

☐ Political Committee (PC)

☐ Electioneering Communications Org. (ECO)

☐ Party Executive Committee (PTY)

☐ Independent Expenditure (IE) (also covers an individual making electioneering communications)

☐ Check here if PC or ECO has disbanded

☐ Check here if PTY has disbanded

☐ Check here if no other IE or EC reports will be filed

### (5) Report Identifiers

Cover Period: From \_\_\_\_ / \_\_\_\_ / \_\_\_\_ To \_\_\_\_ / \_\_\_\_ / \_\_\_\_ Report Type: \_\_\_\_\_

☐ Original

☐ Amendment

☐ Special Election Report

### (6) Contributions This Report

Cash & Checks \$ \_\_\_\_ , \_\_\_\_ , \_\_\_\_ . \_\_\_\_

Loans \$ \_\_\_\_ , \_\_\_\_ , \_\_\_\_ . \_\_\_\_

Total Monetary \$ \_\_\_\_ , \_\_\_\_ , \_\_\_\_ . \_\_\_\_

In-Kind \$ \_\_\_\_ , \_\_\_\_ , \_\_\_\_ . \_\_\_\_

### (7) Expenditures This Report

Monetary Expenditures \$ \_\_\_\_ , \_\_\_\_ , \_\_\_\_ . \_\_\_\_

Transfers to Office Account \$ \_\_\_\_ , \_\_\_\_ , \_\_\_\_ . \_\_\_\_

Total Monetary \$ \_\_\_\_ , \_\_\_\_ , \_\_\_\_ . \_\_\_\_

### (8) Other Distributions

\$ \_\_\_\_ , \_\_\_\_ , \_\_\_\_ . \_\_\_\_

### (9) TOTAL Monetary Contributions To Date

\$ \_\_\_\_ , \_\_\_\_ , \_\_\_\_ . \_\_\_\_

### (10) TOTAL Monetary Expenditures To Date

\$ \_\_\_\_ , \_\_\_\_ , \_\_\_\_ . \_\_\_\_

### (11) Certification

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

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

(Type name)

☐ Individual (only for IE or electioneering comm.) ☐ Treasurer ☐ Deputy Treasurer

X

Signature

(Type name)

☐ Candidate ☐ Chairperson (only for PC and PTY)

X

Signature



### Instructions for Campaign Treasurer's Report Summary

- (1) **Name:** full name of the candidate, political committee, party executive committee, electioneering communications organization, or individual making an independent expenditure or electioneering communication.
  - (2) **Address:** the full address or post office box, city, state, and zip code.  
☐ Check the box if the address has changed since the last report filed.
  - (3) **ID Number:** identification number assigned by the filing officer.
  - (4) **Check the appropriate box(es).**
  - (5) **Report Identifiers**  
**Cover Period:** the dates this report covers (i.e., From 1/1/15 To 1/31/55). **Important:** use the appropriate cover period dates as published by the filing officer.  
**Report Type:** refer to the filing officer's calendar of reporting dates for the correct codes to be used for each reporting period. If report is for a **special election** add "S" in front of the report code (i.e., SG3).  
**Check one of the appropriate boxes:**  
☐ Original: first report filed for this reporting period.  
☐ Amendment: must summarize only contributions/fund transfers and expenditures/distributions being reported as additions or deletions. Read instructions for sequence numbers and amendment types on the back of Forms DS-DE 13A and 14A.  
☐ Special Election Report: **Important:** once a special election report is filed, the entity is required to file all remaining reports due for the special election.
  - (6) **Contributions This Report:**  
Cash and Checks: total amount for this reporting period.  
Loans: total amount for this reporting period.  
Total Monetary: sum of Cash and Checks and Loans.  
In-Kind: the fair market value of the in-kind contribution at the time it is given for this reporting period.
  - (7) **Expenditures This Report:**  
Monetary Expenditures: total amount of monetary expenditures for this reporting period.  
Transfers to Office Account: total amount transferred to an office account by elected candidates only.  
Total Monetary: sum of Monetary Expenditures and Transfers to Office Account.
  - (8) **Other Distributions:** the total amount of goods and services contributed to a candidate or other committee by a PC, ECO, or PTY.
  - (9) **TOTAL Monetary Contributions To Date:** the amount of total monetary contributions to date. Candidates keep cumulative totals from the time the campaign depository is opened through the termination report.
  - (10) **TOTAL Monetary Expenditures To Date:** the amount of total monetary expenditures to date. Candidates keep cumulative totals from the time the campaign depository is opened through the termination report.
  - (11) **Type or print the required officer's name and have them sign the report:**  
☐ Candidate report: treasurer and candidate must sign.  
☐ PC report: treasurer and chairperson must sign.  
☐ PTY report: treasurer and chairperson must sign.  
☐ ECO report: organization's treasurer must sign.  
☐ IE or EC report: individual must sign (this applies when an individual acts alone to make these expenditures)
- AMENDMENT REPORTS:** An amendment report summary should summarize only contributions, expenditures, distributions, & fund transfers being reported as additions or deletions. Read the instructions for the sequence number & amendment type fields on the back of forms DS-DE 13, 14, 14A and 94.



# CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

(1) Name \_\_\_\_\_ (2) I.D. Number \_\_\_\_\_

(3) Cover Period \_\_\_\_ / \_\_\_\_ / \_\_\_\_ through \_\_\_\_ / \_\_\_\_ / \_\_\_\_ (4) Page \_\_\_\_ of \_\_\_\_

| (5)<br>Date        | (7)<br>Full Name<br>(Last, Suffix, First, Middle)<br>Street Address &<br>City, State, Zip Code | (8)<br>Contributor<br>Type      Occupation |  | (9)<br>Contribution<br>Type | (10)<br>In-kind<br>Description | (11)<br>Amendment | (12)<br>Amount |
|--------------------|--|--|--|-----------------------------|--------------------------------|-------------------|----------------|
| ____ / ____ / ____ |  |  |  |                             |                                |                   |                |
|                    |  |  |  |                             |                                |                   |                |
| ____ / ____ / ____ |  |  |  |                             |                                |                   |                |
|                    |  |  |  |                             |                                |                   |                |
| ____ / ____ / ____ |  |  |  |                             |                                |                   |                |
|                    |  |  |  |                             |                                |                   |                |
| ____ / ____ / ____ |  |  |  |                             |                                |                   |                |
|                    |  |  |  |                             |                                |                   |                |
| ____ / ____ / ____ |  |  |  |                             |                                |                   |                |
|                    |  |  |  |                             |                                |                   |                |
| ____ / ____ / ____ |  |  |  |                             |                                |                   |                |
|                    |  |  |  |                             |                                |                   |                |
| ____ / ____ / ____ |  |  |  |                             |                                |                   |                |
|                    |  |  |  |                             |                                |                   |                |

DS-DE 13 (Rev. 11/13)

SEE REVERSE FOR INSTRUCTIONS AND CODE VALUES



## INSTRUCTIONS FOR CAMPAIGN TREASURER'S REPORT – ITEMIZED CONTRIBUTIONS

- (1) Candidate's full name or name of the political committee (PC), electioneering communications organizations (ECO) or party executive committee (PTY).
- (2) The identification number assigned by the filing officer.
- (3) Cover period dates (e.g., 1/1/15 through 1/31/15). (See filing officer's reporting dates calendar for appropriate year and cover periods.)
- (4) Page numbers (e.g., 1 of 3).
- (5) Date contribution was RECEIVED (Month/Day/Year).
- (6) **Sequence Number** – Each detail line shall have a sequence number assigned to it. Sequence numbers are to be assigned within each reporting period and for each type of detail line. Thus the report type, detail line type, and sequence number will combine to uniquely identify a specific contribution, expenditure, distribution or fund transfer. This method of unique identification is required for responding to requests from the filing officer and for reporting amendments.  
For example, a M1 report having 75 contributions would use sequence numbers 1 through 75. The next report (M2), comprised of 40 contributions would use sequence numbers 1 through 40. Contributions on amended M1 reports would begin with sequence number 76 and on amended M2 reports would begin with sequence number 41. See the *Amendment Type* instructions below.
- (7) Type full name and address of contributor (including city, state and zip code).
- (8) Enter the type of contributor using one of the following codes:  
Occupation of contributor for **contributions over \$100 only**. (If a business, please indicate nature of business.)

|   |   |   |
|---|---|---|
| I | Individual                                  |   |
| B | Business                                    | (also includes corporations, organizations, groups, etc.) |
| E | Electioneering Communications Organizations |   |
| F | Political Committee                         | (federal or state)  |
| P | Political Parties                           | (includes federal, state and county executive committees) |
| O | Other                                       | (e.g., candidate surplus funds to party, etc.)            |
| S | Candidate to Self                           |   |

- (9) Enter Contribution Type using one of the following codes:  
**NOTE: Cash includes cash and cashier's checks.**

| Code | Description                            |
|------|--|
| CAS  | Cash or Cashier's Check                |
| CHE  | Check                                  |
| COF  | Carryover Funds from Previous Campaign |
| INK  | In-Kind                                |
| INT  | Interest                               |
| LOA  | Loan                                   |
| MO   | Money Order                            |
| MUC  | Multiple Uniform Contributions         |
| RCT  | Other Receipts                         |
| REF  | Refund (Negative Amount Only)          |



- (10) Type the description of any in-kind contribution received.  
**Candidate's Only – If in-kind contribution is from a party executive committee and is allocable toward the contribution limits, type an "A" in this box. If contribution is not allocable, type an "N".**
- (11) **Amendment Type** (required on amended reports) – To add a new (previously unreported) contribution for the reporting period being amended, enter "ADD" in amendment type on a line with ALL of the required data.  
The sequence number for contributions with amendment type "ADD" will start at one plus the number of contributions in the original report. For example, amending an original M1 report that had 75 contributions means the sequence number of the first contribution having amendment type "ADD" will be 76; the second "ADD" contribution would be 77, etc. When amending an original M2 report that had 40 contributions, the sixth "ADD" contribution would have sequence number 46.  
To correct a previously submitted contribution use the following drop/add procedure. Enter "DEL" in amendment type on a line with the sequence number of the contribution to be corrected. In combination with the report number being amended, this sequence number will identify the contribution to be dropped from your active records. On the next line enter "ADD" in amendment type and ALL of the required data with the necessary corrections thus replacing the dropped data. Assign the sequence number as described above.
- (12) Type amount of contribution received. **Political Committees ONLY:** Multiple uniform contributions from the same person, aggregating NMT \$250 per calendar year, collected by an organization that is the affiliated sponsor of a PC, may be reported by the PC in an aggregate amount listing the number of contributors together with the amount contributed by each and the total amount contributed during the reporting period. The identity of each person making such uniform contribution must be reported to the filing officer by July 1 of each calendar year, or, in a general election year, NLT the 60th day immediately preceding the primary election.



(1) Name \_\_\_\_\_ (2) I.D. Number \_\_\_\_\_

(3) Cover Period \_\_\_\_/\_\_\_\_/\_\_\_\_ through \_\_\_\_/\_\_\_\_/\_\_\_\_ (4) Page \_\_\_\_\_ of \_\_\_\_\_

| (5)<br>Date               | (7)<br>Full Name<br>(Last, Suffix, First, Middle)<br>Street Address &<br>City, State, Zip Code | (8)<br>Purpose<br>(add office sought if<br>contribution to a<br>candidate) | (9)<br>Expenditure<br>Type | (10)<br>Amendment | (11)<br>Amount |
|---------------------------|--|--|----------------------------|-------------------|----------------|
| (6)<br>Sequence<br>Number |  |  |                            |                   |                |
| // /                      |  |  |                            |                   |                |
|                           |  |  |                            |                   |                |
| // /                      |  |  |                            |                   |                |
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| // /                      |  |  |                            |                   |                |
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| // /                      |  |  |                            |                   |                |
|                           |  |  |                            |                   |                |
| // /                      |  |  |                            |                   |                |
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| // /                      |  |  |                            |                   |                |
|                           |  |  |                            |                   |                |
| // /                      |  |  |                            |                   |                |
|                           |  |  |                            |                   |                |



## INSTRUCTIONS FOR CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

- (1) Candidate's full name or name of the political committee (PC), electioneering communications organization (ECO), or party executive committee (PTY).
- (2) Identification number assigned by the filing officer.
- (3) Cover period dates (01/01/15 through 01/31/15). (See filing officer's reporting dates calendar for appropriate cover periods.)
- (4) Page numbers (e.g., 1 of 3).
- (5) Date of expenditure (Month/Day/Year).
- (6) **Sequence Number** - Each detail line shall have a sequence number assigned to it. Sequence numbers are to be assigned within each reporting period and for each type of detail line. Thus the report type, detail line type, and sequence number will combine to uniquely identify a specific contribution, expenditure, distribution or fund transfer. This method of unique identification is required for responding to requests from the filing officer and for reporting requirements.  
  
For example, a M1 report having 40 expenditures would use sequence numbers 1 through 40. The next report (M2), comprised of 30 expenditures would use sequence numbers 1 through 30. Expenditures on amended M1 reports would begin with sequence number 41 and on amended M2 reports would begin with sequence number 31. See *Amendment Type* instructions below.
- (7) Full name and address of entity receiving payment (including city, state and zip code).
- (8) Purpose of expenditure (if expenditure is a contribution to a candidate, also type the office sought by the candidate). **PLEASE NOTE:** This column does not apply to candidate expenditures, as candidates cannot contribute to other candidates from campaign funds. However, PCs (supporting candidates) and party executive committees contributing to candidates must report office sought (Section 106.07, F.S.).
- (9) Enter Expenditure Type using one of the following codes:

| Code | Description   |
|------|---|
| CAN  | Candidate Expense   |
| DIS  | Disposition of Funds  |
| DFC  | Disposition of Funds to Future Campaign (effective 11/1/13)       |
| DPP  | Disposition of Funds to Political Party (effective 11/1/13)       |
| DPV  | Disposition of Funds to Petition Verification (effective 11/1/13) |
| ECC  | Electioneering Communication                                      |
| IEC  | Independent Expenditure Regarding a Candidate                     |
| IEI  | Independent Expenditure Regarding an Issue                        |
| MON  | Monetary (Not to a Candidate)                                     |
| PCW  | Petty Cash Withdrawn  |
| PCS  | Petty Cash Spent  |
| PPD  | Pre-paid Distribution   |
| REF  | Refund (Negative Amount Only)                                     |
| RMB  | Reimbursements  |
| TOA  | Transfer to Office Account (Disposition of Funds)                 |

- (10) **Amendment Type** (required on amended reports) - To add a new (previously unreported) expenditure for the reporting period being amended, enter "ADD" in amendment type on a line with ALL of the required data.

The sequence number for expenditures with amendment type "ADD" will start at one plus the number of expenditures in the original report. For example, amending an original M1 reports that had 75 expenditures, means the sequence number of the first expenditure having amendment type "ADD" will be 76; the second "ADD" expenditure would have sequence number 39.



To correct a previously submitted expenditure use the following drop/add procedure. Enter "DEL" in amendment type on a line with the sequence number of the expenditure to be corrected. In combination with the report number being amended, this sequence number will identify the expenditure to be dropped from your active records. On the next line enter "ADD" in amendment type and ALL of the required data with the necessary corrections thus replacing the dropped data. Assign the sequence number as described above.

(11) Amount of expenditure.



## Fatjo, Marbelys

---

**From:** juan santana <bpracing1@gmail.com>  
**Sent:** Monday, October 26, 2015 7:44 PM  
**To:** Fatjo, Marbelys  
**Subject:** Re: City of Hialeah Elections 2013 Campaign Report

I requested a meeting for you to show me what needs to be done

On Monday, October 26, 2015, Fatjo, Marbelys <MRubio@hialeahfl.gov> wrote:

Juan Santana,

You contacted our office on Friday and provided my staff with this email address, and inquired as to the process of correcting the campaign treasurer's reports you filed in the 2013 Mayoral Election.

In the F1 report you filed for the reporting period of July 1<sup>st</sup>, 2013 through September 28, 2013, you reported a total of \$1,150 in contributions and \$938 in expenditures.

In the F2 report you filed for the reporting period of September 29, 2015 through October 12, 2015, you reported a total of \$50 in contributions and \$175 in expenditures, for a total of \$1,200 total monetary contributions to date and \$1,113 total monetary expenditures to date.

You filed a Waiver of Report for the reporting period of October 13, 2013 through November 1, 2013.

Your termination report filed for the reporting period of November 5, 2013 through February 3, 2014 reflected a zero amount for everything. **You must amend** this report to reflect how you disposed of the funds that were left in your campaign account as of your last report.

Attached hereto are the forms you need.

Should you have any questions, please do not hesitate to contact me.



City Clerk

Office of the City Clerk

City of Miramar

1111 Palm Avenue, 8th Floor

Miramar, Florida 33010

(305) 883-5820



## **Fatjo, Marbelys**

---

**From:** Fatjo, Marbelys  
**Sent:** Tuesday, October 27, 2015 10:47 AM  
**To:** 'juan santana'  
**Cc:** Hernandez, Carmen B.  
**Subject:** RE: City of Hialeah Elections 2013 Campaign Report

You can come to our office at any time from 8:30 a.m. to 5:00 p.m., Monday through Friday.

Thank you,

*Marbelys Fatjo*

City Clerk

City of Hialeah

City of Hialeah

1111 Balsa Avenue, 2nd Floor

Hialeah, Florida 33010

(305) 223-5820

**From:** juan santana [mailto:bpracing1@gmail.com]  
**Sent:** Monday, October 26, 2015 7:44 PM  
**To:** Fatjo, Marbelys  
**Subject:** Re: City of Hialeah Elections 2013 Campaign Report

I requested a meeting for you to show me what needs to be done

On Monday, October 26, 2015, Fatjo, Marbelys <MRubio@hialeahfl.gov> wrote:

Juan Santana,

You contacted our office on Friday and provided my staff with this email address, and inquired as to the process of correcting the campaign treasurer's reports you filed in the 2013 Mayoral Election.

In the F1 report you filed for the reporting period of July 1<sup>st</sup>, 2013 through September 28, 2013, you reported a total of \$1,150 in contributions and \$938 in expenditures.

EXHIBIT

1  
6 page 19 of 32





In the F2 report you filed for the reporting period of September 29, 2015 through October 12, 2015, you reported a total of \$50 in contributions and \$175 in expenditures, for a total of \$1,200 total monetary contributions to date and \$1,113 total monetary expenditures to date.

You filed a Waiver of Report for the reporting period of October 13, 2013 through November 1, 2013.

Your termination report filed for the reporting period of November 5, 2013 through February 3, 2014 reflected a zero amount for everything. **You must amend** this report to reflect how you disposed of the funds that were left in your campaign account as of your last report.

Attached hereto are the forms you need.

Should you have any questions, please do not hesitate to contact me.

*Donna S. Whitehead, Esq.*

*City Clerk*

*Office of the City Clerk*

*City of Haleakala*

*201 Haleakala Avenue, 3rd Floor*

*Haleakala, Florida 33010*

**(305) 883-5820**



# TODAY

## PHONE MESSAGES...

To: Marbelys

Date: 11/2/15 Time: 11:31am

### WHILE YOU WERE OUT

Name: Juan Santana

of: \_\_\_\_\_

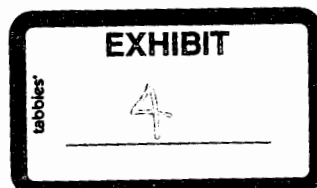
Phone: 305-975-8142

|                                     |                   |                                     |                 |
|-------------------------------------|-------------------|-------------------------------------|-----------------|
| <input type="checkbox"/>            | Telephoned        | <input checked="" type="checkbox"/> | Please call     |
| <input type="checkbox"/>            | Called to see you | <input type="checkbox"/>            | Will call again |
| <input checked="" type="checkbox"/> | Wants to see you  | <input type="checkbox"/>            | Important       |

Message: Will come back.

Eva

Message:





## Fatjo, Marbelys

---

**From:** Fatjo, Marbelys  
**Sent:** Monday, November 02, 2015 11:36 AM  
**To:** time2makeit1@gmail.com  
**Subject:** FW: City of Hialeah Elections 2013 Campaign Report  
**Attachments:** dsde12.pdf; dsde13.pdf; dsde14.pdf

Mr. Santana,

You arrived to our office five minutes ago in order to amend your campaign reports. However, before I could provide you with the documentation you need to do so, you advised our receptionist that you needed to leave and come back later.

Thank you,

*Marbelys Fatjo, City Clerk*

City Clerk

Office of the City Clerk

City of Hialeah

301 Palm Avenue, 2nd Floor

Hialeah, Florida 33010

(305) 883-5820

**From:** Fatjo, Marbelys  
**Sent:** Monday, October 26, 2015 5:00 PM  
**To:** 'time2makeit1@gmail.com'  
**Cc:** 'bpracing1@gmail.com'; Hernandez, Carmen B.  
**Subject:** City of Hialeah Elections 2013 Campaign Report

Juan Santana,

You contacted our office on Friday and provided my staff with this email address, and inquired as to the process of correcting the campaign treasurer's reports you filed in the 2013 Mayoral Election.

In the F1 report you filed for the reporting period of July 1<sup>st</sup>, 2013 through September 28, 2013, you reported a total of \$1,150 in contributions and \$938 in expenditures.

In the F2 report you filed for the reporting period of September 29, 2013 through October 12, 2013, you reported a total of \$50 in contributions and \$175 in expenditures, for a total of \$1,200 total monetary contributions to date and \$1,113 total monetary expenditures to date.

EXHIBIT

6 page 22 of 33

EXHIBIT

tabbles

5



You filed a Waiver of Report for the reporting period of October 13, 2013 through November 1, 2013.

Your termination report filed for the reporting period of November 5, 2013 through February 3, 2014 reflected a zero amount for everything. **You must amend** this report to reflect how you disposed of the funds that were left in your campaign account as of your last report.

Attached hereto are the forms you need.

Should you have any questions, please do not hesitate to contact me.

*cc: Mr. Joe L. Richardson, Jr.*

City Clerk

City of Haleah

City of Haleah

330 Palm Avenue, 5th Floor

Haleah, Florida 33010

**(305) 883-5820**



## Fatjo, Marbelys

---

**From:** Fatjo, Marbelys  
**Sent:** Monday, November 02, 2015 11:51 AM  
**To:** 'juan santana'  
**Subject:** RE: City of Hialeah Elections 2013 Campaign Report

Thank you for having come to our office to amend your 2013 reports. You were at our office for five minutes. While we were printing the documents you need to amend your report, which have already been sent to you via email, you said you needed to leave and come back later. Again, you may come to our office at any time between 8:30 a.m. to 5:00 p.m. Monday through Friday. If I am not here, Carmen will assist you. You can come by this afternoon after 3:30 p.m. if you wish.

Thank you,

*Marbelys L. Fatjo, Esq.*

City Clerk

Office of the City Clerk

City of Hialeah

501 Palm Avenue, 8th Floor

Hialeah, Florida 33010

(305) 283-5820

**From:** juan santana [<mailto:time2makeit1@gmail.com>]  
**Sent:** Monday, November 02, 2015 11:38 AM  
**To:** Fatjo, Marbelys  
**Subject:** Re: City of Hialeah Elections 2013 Campaign Report

Let me know when I can come by your office to fix the report since you say it's was turned in incorrectly I was just by your office at November 2 at 11:20 AM call me I left a message with your secretary to pass by to show that I am trying to comply

On Monday, October 26, 2015, Fatjo, Marbelys <[MRubio@hialeahfl.gov](mailto:MRubio@hialeahfl.gov)> wrote:

Juan Santana,

You contacted our office on Friday and provided my staff with this email address, and inquired as to the process of correcting the campaign treasurer's reports you filed in the 2013 Mayoral Election.



In the F1 report you filed for the reporting period of July 1<sup>st</sup>, 2013 through September 28, 2013, you reported a total of \$1,150 in contributions and \$938 in expenditures.

In the F2 report you filed for the reporting period of September 29, 2013 through October 12, 2013, you reported a total of \$50 in contributions and \$175 in expenditures, for a total of \$1,200 total monetary contributions to date and \$1,113 total monetary expenditures to date.

You filed a Waiver of Report for the reporting period of October 13, 2013 through November 1, 2013.

Your termination report filed for the reporting period of November 5, 2013 through February 3, 2014 reflected a zero amount for everything. **You must amend** this report to reflect how you disposed of the funds that were left in your campaign account as of your last report.

Attached hereto are the forms you need.

Should you have any questions, please do not hesitate to contact me.

*Office of the City Clerk*

*City Clerk*

*Office of the City Clerk*

*City of Hialeah*

*801 N. Palm Avenue, 3<sup>rd</sup> Floor*

*Hialeah, Florida 33010*

(305) 283-5820



## Fatjo, Marbelys

---

**From:** Fatjo, Marbelys  
**Sent:** Wednesday, November 04, 2015 10:56 AM  
**To:** 'juan santana'  
**Subject:** RE: City of Hialeah Elections 2013 Campaign Report

Mr. Santana: We are here to assist you. Moreover, I have advised you that you may come at any time, Monday through Friday, 8:30 a.m. to 5:00 p.m. If you provide me with a date and time that you will be here to amend your **2013 Campaign Treasurer's Termination Report**, we will gladly assure that we are available to answer any of your questions.

Thank you,

*Marbelys Fatjo, City Clerk*

City Clerk

Office of the City Clerk

City of Hialeah

1001 Palm Avenue, 8th Floor

Hialeah, Florida 33010

(305) 883-5820

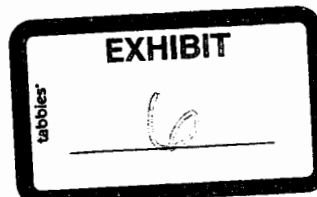
**From:** juan santana [mailto:time2makeit1@gmail.com]  
**Sent:** Wednesday, November 04, 2015 10:33 AM  
**To:** Fatjo, Marbelys  
**Subject:** Re: City of Hialeah Elections 2013 Campaign Report

Your secretary told me that you were not available let's not start lying because next time I'm just gonna start filming

On Monday, November 2, 2015, Fatjo, Marbelys <MRubio@hialeahfl.gov> wrote:

Thank you for having come to our office to amend your 2013 reports. You were at our office for five minutes. While we were printing the documents you need to amend your report, which have already been sent to you via email, you said you needed to leave and come back later. Again, you may come to our office at any time between 8:30 a.m. to 5:00 p.m. Monday through Friday. If I am not here, Carmen will assist you. You can come by this afternoon after 3:30 p.m. if you wish.

Thank you,





Office of the City Clerk

City of Hialeah

1111 N. American, 2<sup>nd</sup> Floor

Hialeah, Florida 33010

(305) 883-5820

**From:** juan santana [mailto:time2makeit1@gmail.com]

**Sent:** Monday, November 02, 2015 11:38 AM

**To:** Fatjo, Marbelys

**Subject:** Re: City of Hialeah Elections 2013 Campaign Report

Let me know when I can come by your office to fix the report since you say it's was turned in incorrectly I was just by your office at November 2 at 11:20 AM call me I left a message with your secretary to pass by to show that I am trying to comply

On Monday, October 26, 2015, Fatjo, Marbelys <MRubio@hialeahfl.gov> wrote:

Juan Santana,

You contacted our office on Friday and provided my staff with this email address, and inquired as to the process of correcting the campaign treasurer's reports you filed in the 2013 Mayoral Election.

In the F1 report you filed for the reporting period of July 1<sup>st</sup>, 2013 through September 28, 2013, you reported a total of \$1,150 in contributions and \$938 in expenditures.

In the F2 report you filed for the reporting period of September 29, 2013 through October 12, 2013, you reported a total of \$50 in contributions and \$175 in expenditures, for a total of \$1,200 total monetary contributions to date and \$1,113 total monetary expenditures to date.

You filed a Waiver of Report for the reporting period of October 13, 2013 through November 1, 2013.



Your termination report filed for the reporting period of November 5, 2013 through February 3, 2014 reflected a zero amount for everything. **You must amend** this report to reflect how you disposed of the funds that were left in your campaign account as of your last report.

Attached hereto are the forms you need.

Should you have any questions, please do not hesitate to contact me.

*and by La. Jackson Page, Jr.*

City Clerk

Office of the City Clerk

City of Hialeah

5111 Main Avenue, 5th Floor

Hialeah, Florida 33010

(305) 823-5820



## Fatjo, Marbelys

---

**From:** Fatjo, Marbelys  
**Sent:** Wednesday, November 04, 2015 5:06 PM  
**To:** time2makeit1@gmail.com  
**Cc:** bpracing1@gmail.com  
**Subject:** FW: City of Hialeah Elections 2013 Campaign Report

Mr. Santana,

Through this email I would like to document that you did not visit our office today to amend your campaign reports.

Thank you,

*Marbelys Fatjo*

City Clerk

Office of the City Clerk

City of Hialeah

500 Palm Avenue, 10th Floor

Hialeah, Florida 33010

(305) 883-5820

**From:** Fatjo, Marbelys  
**Sent:** Wednesday, November 04, 2015 11:01 AM  
**To:** 'juan santana'  
**Subject:** RE: City of Hialeah Elections 2013 Campaign Report

Mr. Santana, both messages that you have left have been responded to. Moreover, you can be here at 3:00 p.m. to amend your report. Your reports show that you had \$87 left in your account when you filed the reports. You must show in your termination report how you spent those \$87.

Thank you,

*Marbelys Fatjo*

City Clerk

Office of the City Clerk

City of Hialeah



Mr. Juan Santana [mailto:time2makeit1@gmail.com]

Wednesday, November 04, 2015 10:58 AM

(305) 883-5820

**From:** juan santana [mailto:time2makeit1@gmail.com]

**Sent:** Wednesday, November 04, 2015 10:58 AM

**To:** Fatjo, Marbelys

**Subject:** Re: City of Hialeah Elections 2013 Campaign Report

Make sure when I come there you are available because I have left several messages for a meeting with Youtube for you to discuss mean what is Ackley I did wrong on my campaign report for me to comply with the file that you sent to Tallahassee so make sure you're available please tell me what time you're available and I will be at your office

On Wednesday, November 4, 2015, Fatjo, Marbelys <MRubio@hialeahfl.gov> wrote:

Mr. Santana: We are here to assist you. Moreover, I have advised you that you may come at any time, Monday through Friday, 8:30 a.m. to 5:00 p.m. If you provide me with a date and time that you will be here to amend your **2013 Campaign Treasurer's Termination Report**, we will gladly assure that we are available to answer any of your questions.

Thank you,

*Marbelys Fatjo*

City Clerk

Office of the City Clerk

City of Hialeah

401 Palm Avenue, 2nd Floor

Hialeah, Florida 33010

(305) 883-5820

**From:** juan santana [mailto:time2makeit1@gmail.com]

**Sent:** Wednesday, November 04, 2015 10:33 AM

**To:** Fatjo, Marbelys

**Subject:** Re: City of Hialeah Elections 2013 Campaign Report



Your secretary told me that you were not available let's not start lying because next time I'm just gonna start filming

On Monday, November 2, 2015, Fatjo, Marbelys <[MRubio@hialeahfl.gov](mailto:MRubio@hialeahfl.gov)> wrote:

Thank you for having come to our office to amend your 2013 reports. You were at our office for five minutes. While we were printing the documents you need to amend your report, which have already been sent to you via email, you said you needed to leave and come back later. Again, you may come to our office at any time between 8:30 a.m. to 5:00 p.m. Monday through Friday. If I am not here, Carmen will assist you. You can come by this afternoon after 3:30 p.m. if you wish.

Thank you,

*Marbelys Fatjo, Esq.*

City Clerk

Office of the City Clerk

City of Hialeah

7701 N.W. 11th Avenue, 5th Floor

Hialeah, Florida 33010

(305) 883-5820

**From:** juan santana [<mailto:time2makeit1@gmail.com>]

**Sent:** Monday, November 02, 2015 11:38 AM

**To:** Fatjo, Marbelys

**Subject:** Re: City of Hialeah Elections 2013 Campaign Report

Let me know when I can come by your office to fix the report since you say it's was turned in incorrectly I was just by your office at November 2 at 11:20 AM call me I left a message with your secretary to pass by to show that I am trying to comply

On Monday, October 26, 2015, Fatjo, Marbelys <[MRubio@hialeahfl.gov](mailto:MRubio@hialeahfl.gov)> wrote:

Juan Santana,



You contacted our office on Friday and provided my staff with this email address, and inquired as to the process of correcting the campaign treasurer's reports you filed in the 2013 Mayoral Election.

In the F1 report you filed for the reporting period of July 1<sup>st</sup>, 2013 through September 28, 2013, you reported a total of \$1,150 in contributions and \$938 in expenditures.

In the F2 report you filed for the reporting period of September 29, 2013 through October 12, 2013, you reported a total of \$50 in contributions and \$175 in expenditures, for a total of \$1,200 total monetary contributions to date and \$1,113 total monetary expenditures to date.

You filed a Waiver of Report for the reporting period of October 13, 2013 through November 1, 2013.

Your termination report filed for the reporting period of November 5, 2013 through February 3, 2014 reflected a zero amount for everything. **You must amend** this report to reflect how you disposed of the funds that were left in your campaign account as of your last report.

Attached hereto are the forms you need.

Should you have any questions, please do not hesitate to contact me.

*Michael J. P. [Signature]*

City Clerk

Office of the City Clerk

City of Hialeah

10000 W. Sunrise, 2<sup>nd</sup> Floor

Hialeah, Florida 33010

(305) 833-5820



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

(1) Juan SANTANA

Name

(2) 1190 w 56TH STREET

Address (number and street)

hialeah, fl, 33012

City, State, Zip Code

☐ CHECK IF ADDRESS HAS CHANGED

(3) ID Number: 12

(4) Check appropriate box(es):

☒ Candidate (office sought): MAYOR

☐ Political Committee

☐ Committee of Continuous Existence

☐ Party Executive Committee

☐ Electioneering Communication

☐ CHECK IF PC HAS DISBANDED

☐ CHECK IF CCE HAS DISBANDED

☐ CHECK IF NO OTHER ELECTIONEERING  
COMMUNICATION REPORTS WILL BE FILED

(5) REPORT IDENTIFIERS

Cover Period: From 09 / 29 / 13 To 10 / 12 / 13 Report Type F2

☒ Original ☐ Amendment ☐ Special Election Report ☐ Independent Expenditure Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks \$                     

Loans \$                     50.00

Total Monetary \$                     

In-Kind \$                     

(7) EXPENDITURES THIS REPORT

Monetary  
Expenditures \$                     175.00

Transfers to Office  
Account \$                     

Total  
Monetary \$                     

(8) Other Distributions  
\$                     

(9) TOTAL Monetary Contributions To Date  
\$                     1,200.00

(10) TOTAL Monetary Expenditures To Date  
\$                     1,118.00

(11) CERTIFICATION

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

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

(Type name) JUAN SANTANA  
☐ Individual (only for  
electioneering commun.) ☒ Treasurer ☐ Deputy Treasurer

**X**

Signature

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

(Type name) JUAN SANTANA  
☒ Candidate ☐ Chairperson (only for PC, PTY &  
electioneering commun. organization)

**X**

Signature



### CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

(1) Name Juan Santana (2) I.D. Number 12

(3) Cover Period 09/29/13 through / / (4) Page 1 of 1

[illegible]

D8-DE 13 (Rev. 08/03)

**SEE REVERSE FOR INSTRUCTIONS AND CODE VALUES**

EXHIBIT 7 page 2 of 3



# CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

(1) Name Juan Santana

(2) I.D. Number 12

(3) Cover Period 09/28/13 through 10/12/13

(4) Page 1 of 1

| (5)<br>Date               | (7)<br>Full Name<br>(Last, Suffix, First, Middle)<br>Street Address &<br>City, State, Zip Code | (8)<br>Purpose<br>(add office sought if<br>contribution to a<br>candidate) | (9)<br>Expenditure<br>Type | (10)<br>Amendment | (11)<br>Amount    |
|---------------------------|--|--|----------------------------|-------------------|-------------------|
| (6)<br>Sequence<br>Number |  |  |                            |                   |                   |
| 10/3/13                   | Serigraph<br>13982 NW 58th   | Signs  | MON                        |                   | 175 <sup>00</sup> |
| 1                         | Miami Lakes FL 33014   |  |                            |                   |                   |
| 1/1                       |  |  |                            |                   |                   |
| 1/1                       |  |  |                            |                   |                   |
| 1/1                       |  |  |                            |                   |                   |
| 1/1                       |  |  |                            |                   |                   |
| 1/1                       |  |  |                            |                   |                   |
| 1/1                       |  |  |                            |                   |                   |
| 1/1                       |  |  |                            |                   |                   |
| 1/1                       |  |  |                            |                   |                   |



# WAIVER OF REPORT

(Section 106.07(7), F.S.)

(PLEASE TYPE)

CLERK 11/01/13 AM 9:12

OFFICE USE ONLY

Juan Santana

Name

Mayor

Office Sought

1140 W 56<sup>th</sup>

Address

Hialeah

City

FL

State

33012

Zip Code



Candidate



Committee of Continuous Existence



Electioneering Communication Organization



Political Committee



Party Executive Committee



Check box if address has changed since last report.



Check here if PC, CCE, or ECO has DISBANDED and will no longer file reports.

## TYPE OF REPORT (Check Appropriate Box)

### QUARTERLY REPORTS

☐ January

☐ April

☐ July

☐ October

### PRIMARY ELECTION

☐ 32nd day prior

☐ 18th day prior

☒ 4th day prior

### GENERAL ELECTION

☐ 48th day prior

☐ 32nd day prior

☐ 18th day prior

☐ 4th day prior

☐ TERMINATION REPORT

☐ SPECIAL ELECTION

## NOTIFICATION OF NO ACTIVITY IN CAMPAIGN ACCOUNT FOR THE REPORTING PERIOD OF

10/1/13

THROUGH

11/1/13

X

Juan Santana

Signature

Date

X

[Signature]

Signature

Date

## SIGNATURES REQUIRED FOR:

### Candidates:

Candidate and Campaign Treasurer or Deputy Treasurer (s. 106.07(5), F.S.)

### Political Committees:

Chairman and Campaign Treasurer or Deputy Treasurer (s. 106.07(5), F.S.)

### Committees of Continuous Existence and Electioneering Communication Organizations:

Treasurer (s. 106.04(4)(c), F.S.)

### Party Executive Committees:

Treasurer and Chairman (s. 106.29(2), F.S.)

In any reporting period when there has been no activity in the account (no funds expended or received) the filing of the required report is waived. However, the filing officer must be notified in writing on the prescribed reporting date that no report is being filed.



# CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Juan Santang  
Name  
(2) 1190 West 56 St  
Address (number and street)  
Hialeah FL, 33012  
City, State, Zip Code

OFFICE USE ONLY

CLERK 02/04/14 PM 1:09

☐ Check here if address has changed

(3) ID Number: \_\_\_\_\_

(4) Check appropriate box(es):

☒ Candidate Office Sought: Mayor

☐ Political Committee (PC)

☐ Electioneering Communications Org. (ECO)

☐ Party Executive Committee (PTY)

☐ Independent Expenditure (IE) (also covers an individual making electioneering communications)

☐ Check here if PC or ECO has disbanded

☐ Check here if PTY has disbanded

☐ Check here if no other IE or EC reports will be filed

## (5) Report Identifiers

Cover Period: From \_\_\_\_ / \_\_\_\_ / \_\_\_\_ To Feb / 3 / 14 Report Type: TR

☒ Original

☐ Amendment

☐ Special Election Report

## (6) Contributions This Report

Cash & Checks \$ 0 , 0 , 0 . 0

Loans \$ 0 , 0 , 0 . 0

Total Monetary \$ 0 , 0 , 0 . 0

In-Kind \$ 0 , 0 , 0 . 0

## (7) Expenditures This Report

Monetary Expenditures \$ 0 , 0 , 0 . 0

Transfers to Office Account \$ 0 , 0 , 0 . 0

Total Monetary \$ 0 , 0 , 0 . 0

## (8) Other Distributions

\$ 0 , 0 , 0 . 0

## (9) TOTAL Monetary Contributions To Date

\$ 0 , 0 , 0 . 0

## (10) TOTAL Monetary Expenditures To Date

\$ 0 , 0 , 0 . 0

## (11) Certification

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

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

(Type name) Juan Santang  
☒ Individual (only for IE or electioneering comm.) ☐ Treasurer ☐ Deputy Treasurer

X  
Signature

(Type name) \_\_\_\_\_  
☐ Candidate ☐ Chairperson (only for PC and PTY)

X  
Signature



# CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

(1) Name Juan Santos (2) I.D. Number \_\_\_\_\_

(3) Cover Period \_\_\_\_/\_\_\_\_/\_\_\_\_ through Feb 3, 14 (4) Page 1 of 1

| (5)<br>Date               | (7)<br>Full Name<br>(Last, Suffix, First, Middle)<br>Street Address &<br>City, State, Zip Code | (8)<br>Contributor<br>Type / Occupation | (9)<br>Contribution<br>Type | (10)<br>In-kind<br>Description | (11)<br>Amendment | (12)<br>Amount |
|---------------------------|--|---|-----------------------------|--------------------------------|-------------------|----------------|
| (6)<br>Sequence<br>Number |  |   |                             |                                |                   |                |
| <del>1</del>              | <del>2</del>   | <del>3</del>                            | <del>4</del>                | <del>5</del>                   | <del>6</del>      | <del>7</del>   |
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| 97                        |  |   |                             |                                |                   |                |
| 98                        |  |   |                             |                                |                   |                |
| 99                        |  |   |                             |                                |                   |                |
| 100                       |  |   |                             |                                |                   |                |



(1) Name Juan Santos (2) I.D. Number \_\_\_\_\_  
(3) Cover Period \_\_\_\_\_ through Feb 3, 14 (4) Page \_\_\_\_\_ of \_\_\_\_\_

DS-DE 14 (Rev. 11/13)

EXHIBIT 9 page 3 of 3





P.O. Box 15284  
Wilmington, DE 19850

JUAN J SANTANA  
CAMPAIGN ACCOUNT  
1190 W 56TH ST  
HIALEAH, FL 33012-2344

#### Customer service information

- Customer service: 1.888.BUSINESS
- bankofamerica.com
- Bank of America, N.A.  
P.O. Box 25118  
Tampa, FL 33622-5118

## Your Business Fundamentals Chk

for October 1, 2013 to October 31, 2013

Account number: [REDACTED]

### Account summary

|                                      |        |
|--------------------------------------|--------|
| Beginning balance on October 1, 2013 | \$0.00 |
| Deposits and other credits           | 0.00   |
| Withdrawals and other debits         | -0.00  |
| Checks                               | -0.00  |
| Service fees                         | -0.00  |
| Ending balance on October 31, 2013   | \$0.00 |

# of deposits/credits: 0  
# of withdrawals/debits: 0  
# of deposited items: 0  
# of days in cycle: 31  
Average ledger balance: \$0.00

EXHIBIT

10 page 1 of 4



## IMPORTANT INFORMATION: BANK DEPOSIT ACCOUNTS

Change of address – Please call us at the telephone number listed on the front of this statement to tell us about a change of address.

Deposit agreement – When you opened your account, you received a deposit agreement and fee schedule and agreed that your account would be governed by the terms of these documents, as we may amend them from time to time. These documents are part of the contract for your deposit account and govern all transactions relating to your account, including all deposits and withdrawals. Copies of both the deposit agreement and fee schedule which contain the current version of the terms and conditions of your account relationship may be obtained at our banking centers.

Electronic transfers: In case of errors or questions about your electronic transfers – If you think your statement or receipt is wrong or you need more information about an electronic transfer (e.g., ATM transactions, direct deposits or withdrawals, point-of-sale transactions) on the statement or receipt, telephone or write us at the address and number listed on the front of this statement as soon as you can. We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem appeared.

Tell us your name and account number.

Describe the error or transfer you are unsure about, and explain as clearly as you can why you believe there is an error or why you need more information.

Tell us the dollar amount of the suspected error.

For consumer accounts used primarily for personal, family or household purposes, we will investigate your complaint and will correct any error promptly. If we take more than 10 business days (10 calendar days if you are a Massachusetts customer) (20 business days if you are a new customer, for electronic transfers occurring during the first 30 days after the first deposit is made to your account) to do this, we will credit your account for the amount you think is in error, so that you will have use of the money during the time it will take to complete our investigation.

For other accounts, we investigate, and if we find we have made an error, we credit your account at the conclusion of our investigation.

Reporting other problems – You must examine your statement carefully and promptly. You are in the best position to discover errors and unauthorized transactions on your account. If you fail to notify us in writing of suspected problems or an unauthorized transaction within the time period specified in the deposit agreement (which periods are no more than 60 days after we make the statement available to you and in some cases are 30 days or less), we are not liable to you for, and you agree to not make a claim against us for the problems or unauthorized transactions.

Direct deposits – If you have arranged to have direct deposits made to your account at least once every 60 days from the same person or company, you may call us at the telephone number listed on the front of this statement to find out if the deposit was made as scheduled.

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Bank of America, N.A. Member FDIC and



Equal Housing Lender

EXHIBIT to page 2 of 4



## Service fees

Your monthly fee is waived this statement cycle because:

At least one of the following occurred during the month

- ☐ \$250 in new purchases on a linked Business debit card
- ☐ \$250 in new purchases on a linked Business credit card
- ☐ \$3,000+ minimum daily balance in primary checking account
- ☐ \$5,000+ average monthly balance in primary checking account
- ☐ \$15,000+ combined average monthly balance in linked business accounts

A check mark indicates that you have qualified for a monthly fee waiver on the account based on your usage of these products or services. For information on how to open a new product or to link an existing service to your account please call 1-888-BUSINESS or visit [bankofamerica.com/smallbusiness](http://bankofamerica.com/smallbusiness).



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# CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Juan Santans  
 Name  
 (2) 1190 West 56 St  
 Address (number and street)  
Highway FL 33012  
 City, State, Zip Code

OFFICE USE ONLY

DEC10'15 1:49PM

☐ Check here if address has changed

(3) ID Number: 12

(4) Check appropriate box(es):

☒ Candidate Office Sought: Mayer

☐ Political Committee (PC)

☐ Electioneering Communications Org. (ECO)

☐ Party Executive Committee (PTY)

☐ Independent Expenditure (IE) (also covers an individual making electioneering communications)

☐ Check here if PC or ECO has disbanded

☐ Check here if PTY has disbanded

☐ Check here if no other IE or EC reports will be filed

## (5) Report Identifiers

Cover Period: From 09 / 29 / 13 To 10 / 12 / 13 Report Type: F2

☐ Original

☒ Amendment

☐ Special Election Report

## (6) Contributions This Report

Cash & Checks \$           

Loans \$            50.00

Total Monetary \$           

In-Kind \$           

## (7) Expenditures This Report

Monetary Expenditures \$            262.00

Transfers to Office Account \$           

Total Monetary \$           

## (8) Other Distributions

\$           

## (9) TOTAL Monetary Contributions To Date

\$            1,200.00/100

## (10) TOTAL Monetary Expenditures To Date

\$            1,200.00/100

## (11) Certification

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

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

(Type name)

☐ Individual (only for IE or electioneering comm.)

☐ Treasurer

☐ Deputy Treasurer

X

Signature

(Type name)

☐ Candidate

☐ Chairperson (only for PC and PTY)

X

Signature



# CAMPAIGN TREASURER'S REPORT – ITEMIZED CONTRIBUTIONS

(1) Name

Juan Santana

(2) I.D. Number

12

(3) Cover Period

09 / 29 / 13

through

  /  /  

(4) Page

of

| (5)<br>Date | (7)<br>Full Name<br>(Last, Suffix, First, Middle)<br>Street Address &<br>City, State, Zip Code | (8)<br>Contributor<br>Type      Occupation |                  | (9)<br>Contribution<br>Type | (10)<br>In-kind<br>Description | (11)<br>Amendment | (12)<br>Amount |
|-------------|--|--|------------------|-----------------------------|--------------------------------|-------------------|----------------|
| 09, 30, 13  | Santana, Juan<br>1190 W 56th<br>Hialeah FL, 33012  | I  | Self<br>employed | LOA                         |                                |                   | \$ 50          |
| 1 / 1       |  |  |                  |                             |                                |                   |                |
| 1 / 1       |  |  |                  |                             |                                |                   |                |
| 1 / 1       |  |  |                  |                             |                                |                   |                |
| 1 / 1       |  |  |                  |                             |                                |                   |                |
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| 1 / 1       |  |  |                  |                             |                                |                   |                |

DS-DE 13 (Rev. 11/13)

SEE REVERSE FOR INSTRUCTIONS AND CODE VALUES

EXHIBIT 11 page 2 of 3



## CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

(1) Name Juan Santana (2) I.D. Number 12  
 (3) Cover Period 09, 28, 13 through 10, 12, 13 (4) Page 1 of 1

| (5)<br>Date               | (7)<br>Full Name<br>(Last, Suffix, First, Middle)<br>Street Address &<br>City, State, Zip Code | (8)<br>Purpose<br>(add office sought if<br>contribution to a<br>candidate) | (9)<br>Expenditure<br>Type | (10)<br>Amendment | (11)<br>Amount |
|---------------------------|--|--|----------------------------|-------------------|----------------|
| (6)<br>Sequence<br>Number |  |  |                            |                   |                |
| 10/13/13                  | Sevigraph<br>13982 NW 58th<br>Miami Lake FL, 33014   | Signs  | Mon                        |                   | \$175          |
|                           |  |  |                            |                   |                |
| 11/15/13                  | Keith Aronstein<br>5601 W 10th Ave<br>Hialeah FL, 33012  | Poll<br>Worker   | Money<br>Cash              |                   | \$87           |
|                           |  |  |                            |                   |                |
| 11/1                      |  |  |                            |                   |                |
|                           |  |  |                            |                   |                |
| 11/1                      |  |  |                            |                   |                |
|                           |  |  |                            |                   |                |
| 11/1                      |  |  |                            |                   |                |
|                           |  |  |                            |                   |                |
| 11/1                      |  |  |                            |                   |                |
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| 11/1                      |  |  |                            |                   |                |
|                           |  |  |                            |                   |                |



AFFIDAVIT OF BACKGROUND INFORMATION  
Case Number: FEC 14-172

STATE OF FLORIDA

County of Dade

2016 APR 19 A 9 24

Juan Santana, 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 VIA as Now.

3. Have you ever run for public office? If so, please name the office(s) you ran for and the date(s) of the election(s) you ran in.

Mayor of Hialeah Florida 2013

4. Have you ever been appointed to act as a campaign treasurer for a candidate? If so, please name the candidate(s) you served as treasurer, the office(s) the candidate ran for, and the dates of the election(s).

none N/A

5. Have you ever held the office of chairperson, treasurer, board member, or other similar position for a political committee? If so, please list the names and addresses of the committees and dates when you held the position.

none N/A

6. Have you ever held the office of chairperson, treasurer, board member, or other similar position for a committee of continuous existence? If so, please list the name and addresses of the committees and dates when you held the position.

none N/A

EXHIBIT 12 page 1 of 4



7. Have you ever prepared or signed a campaign treasurer's report? If so, please list the name of the candidate or committee whose report you prepared or signed.

For myself yes Juan Santana

And one else

8. What action have you taken to determine your responsibilities under Florida's election laws?

I called Dept of elections in Tallahassee and talk to the investor and she told me to go talk to the clerk at city hall have gone 2 times one time without video and 1 time with video

9. Do you possess a copy of Chapter 106, Florida Statutes?

☒ Yes

☐ No 2013 video

10. If so, when did you first obtain it? 2013

11. Have you read Chapter 106, Florida Statutes?

☒ Yes

☐ No in 2013

12. Do you possess a copy of Chapter 104, Florida Statutes?

☒ Yes

☐ No in 2013

13. If so, when did you first obtain it? 2013

14. Have you read Chapter 104, Florida Statutes?

☒ Yes

☐ No in 2013

15. Do you possess a copy of the Candidate and Campaign Treasurer Handbook?

☒ Yes

☐ No in 2013

16. If so, when did you first obtain it? 2013

17. Have you read the Candidate and Campaign Treasurer Handbook? 2013

☒ Yes

☐ No

18. List any additional materials you received from the Hialeah City Clerk.

none after 2013

19. Review of your 2013 F1 original and amended reports reflect the following contributions: \$250 from Juan Santana on July 18, 2013; \$400 from Juan Santana on August 15, 2013; and \$400 from Juan Santana on September 8, 2013. However, these contributions are not reflected in your campaign account records. Please explain this discrepancy.

This money was cash not put into Account.



*A need see more details.*

20. Please explain the reason the \$100 contribution from Juan Santana on July 8, 2013 was not disclosed on your 2013 F1 original report.

*That was to open the bank account and  
The get city fee by check*

21. Review of your 2013 F1 original report reflects the following expenditures: \$160 on July 3, 2013 to Lowe's; \$100 on July 4, 2013 to Harbor Freight Tools; \$145 on July 18, 2013 to Deals; \$15 on July 23, 2013 to Papa John's; \$125 on July 19, 2013 to City of Hialeah; \$55 on July 10, 2013 to City of Hialeah; and \$350 on August 25, 2013 to Allied Signs. Your 2013 F1 amended report reflects you deleted the \$125 and \$55 expenditures to the City of Hialeah. However, these expenditures on your 2013 F1 original or amended reports are reflected in your campaign account records. Please explain this discrepancy.

*Cash on hand paid by Juan Santana*

22. Your 2013 F1 original and amended reports reflect a \$13 expenditure on August 30, 2013, to the City of Hialeah for public records; however, your campaign account records do not reflect this expenditure. Please clarify whether the expenditure occurred and whether you used personal cash, personal credit card, or other method to pay for the public records. Please provide a copy of the receipt showing payment for the public records.

*Cash*

23. Please explain the reason you disclosed the transaction as an expenditure for \$13 to the City of Hialeah when it appears campaign funds were not used for this transaction.

*I Juan Santana paid to get records  
Don't remember which record*

24. Your 2013 F2 original report reflects the following: \$50 contribution on September 30, 2013 from Juan Santana; and \$175 expenditure on October 3, 2013 to Serigraph. Your 2013 F1 amended report reflects you added an \$87 expenditure on November 5, 2013 to Keith Arrontin. However, neither the contribution nor expenditures on your 2013 F1 original and amended reports are reflected in your campaign account records. Please explain this discrepancy.

*I was told to fix it by the clerk  
and the other paper I was not getting. I was  
told to fix one paper to add \$87 so I did  
I pay it to Keith A. But the other papers  
I was told that I did not have to put anything.*



25. Your campaign account records reflect the following: \$17 debit on December 2, 2013 for monthly bank fees; \$34 deposit on December 3, 2013 from unknown contributor; \$17 debit on January 2, 2014 for monthly bank fees; \$20 deposit on January 3, 2014 from unknown contributor; and \$17 debit on February 3, 2014 for monthly bank fees. However, none of these transactions are disclosed on your 2014 Termination Report. Please explain this discrepancy.

I was putting the \$17 there to leave it open. Justin Santana put \$17

26. Please explain the reason you filed your 2014 Termination Report one day late.

I will pay the \$50.00 late fee for being one day late. I told the clerk she said that I don't have to pay it. I was picking up signs.

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

[Signature]  
Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 18 day of

April

2016

[Signature]  
Signature of Notary Public - State of Florida

Print, Type or Stamp Commissioned Name of Notary Public

VALERIE FUZA

Notary Public - State of Florida  
Commission # FF 34330  
My Comm. Expires Oct 29, 2017

Personally Known          or Produced Identification         

Type of Identification Produced: FID

Case Investigator: ta





P.O. Box 15284  
Wilmington, DE 19850

JUAN J SANTANA  
CAMPAIGN ACCOUNT  
1190 W 56TH ST  
HIALEAH, FL 33012-2344

#### Customer service information

1.888.BUSINESS (1.888.287.4637)

bankofamerica.com

Bank of America, N.A.  
P.O. Box 25118  
Tampa, FL 33622-5118

## Your Business Fundamentals Chk

for November 1, 2013 to November 30, 2013

Account number: [REDACTED]

### Account summary

|  |                 |
|--|-----------------|
| Beginning balance on November 1, 2013      | \$0.00          |
| Deposits and other credits                 | 0.00            |
| Withdrawals and other debits               | -0.00           |
| Checks                                     | -0.00           |
| Service fees                               | -17.00          |
| <b>Ending balance on November 30, 2013</b> | <b>-\$17.00</b> |

# of deposits/credits: 0

# of withdrawals/debits: 1

# of items-previous cycle<sup>1</sup>: 0

# of days in cycle: 30

Average ledger balance: -\$15.30

<sup>1</sup>Includes checks paid, deposited items & other debits

EXHIBIT 13 page 1 of 16



## IMPORTANT INFORMATION: BANK DEPOSIT ACCOUNTS

Change of address - Please call us at the telephone number listed on the front of this statement to tell us about a change of address.

Deposit agreement - When you opened your account, you received a deposit agreement and fee schedule and agreed that your account would be governed by the terms of these documents, as we may amend them from time to time. These documents are part of the contract for your deposit account and govern all transactions relating to your account, including all deposits and withdrawals. Copies of both the deposit agreement and fee schedule which contain the current version of the terms and conditions of your account relationship may be obtained at our banking centers.

Electronic transfers: In case of errors or questions about your electronic transfers- If you think your statement or receipt is wrong or you need more information about an electronic transfer (e.g., ATM transactions, direct deposits or withdrawals, point-of-sale transactions) on the statement or receipt, telephone or write us at the address and number listed on the front of this statement as soon as you can. We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem appeared.

- Tell us your name and account number.
- Describe the error or transfer you are unsure about, and explain as clearly as you can why you believe there is an error or why you need more information.
- Tell us the dollar amount of the suspected error.

For consumer accounts used primarily for personal, family or household purposes, we will investigate your complaint and will correct any error promptly. If we take more than 10 business days (10 calendar days if you are a Massachusetts customer) (20 business days if you are a new customer, for electronic transfers occurring during the first 30 days after the first deposit is made to your account) to do this, we will credit your account for the amount you think is in error, so that you will have use of the money during the time it will take to complete our investigation.

For other accounts, we investigate, and if we find we have made an error, we credit your account at the conclusion of our investigation.

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Direct deposits - If you have arranged to have direct deposits made to your account at least once every 60 days from the same person or company, you may call us at the telephone number listed on the front of this statement to find out if the deposit was made as scheduled.

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Equal Housing Lender

EXHIBIT 13 page 2 of 6



**Service fees**

| Date     | Transaction description               | Amount |
|----------|---------------------------------------|--------|
| 11/04/13 | Monthly Fee for Business Fundamentals | -17.00 |

**Total service fees** **-\$17.00**

*Note your Ending Balance already reflects the subtraction of Service Fees.*

**Daily ledger balances**

| Date  | Balance (\$) |
|-------|--------------|
| 11/04 | -17.00       |



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EXHIBIT 13 page 4 of 16





P.O. Box 15284  
Wilmington, DE 19850

JUAN J SANTANA  
CAMPAIGN ACCOUNT  
1190 W 56TH ST  
HIALEAH, FL 33012-2344

#### Customer service information

1.888.BUSINESS (1.888.287.4637)

bankofamerica.com

Bank of America, N.A.  
P.O. Box 25118  
Tampa, FL 33622-5118

## Your Business Fundamentals Chk

for December 1, 2013 to December 31, 2013

Account number: [REDACTED]

JUAN J SANTANA CAMPAIGN ACCOUNT

### Account summary

|                                       |          |   |
|---------------------------------------|----------|---|
| Beginning balance on December 1, 2013 | -\$17.00 | # of deposits/credits: 1  |
| Deposits and other credits            | 34.00    | # of withdrawals/debits: 1  |
| Withdrawals and other debits          | -0.00    | # of items-previous cycle <sup>1</sup> : 0                        |
| Checks                                | -0.00    | # of days in cycle: 31  |
| Service fees                          | -17.00   | Average ledger balance: -\$1.64                                   |
| Ending balance on December 31, 2013   | \$0.00   | <sup>1</sup> Includes checks paid, deposited items & other debits |

#### Use our worksheet to help balance your account.

To make balancing your account easier, we have a step-by-step worksheet available. For a printable version of the **Balance Your Account** worksheet, go to [bankofamerica.com/statementbalance](http://bankofamerica.com/statementbalance) or the **Statements and Documents** page in Online Banking by hovering over the Accounts tab on your Accounts overview page.



### Keep up with your business 24/7 — get Mobile Banking

Access your business accounts with your mobile device simply by connecting to our Mobile Banking App. It's the easy, convenient way to manage your finances when you're on the go.

**Text APP1 to 226526 to get the Mobile Banking App today.**

Enrollment via Mobile app not available on all devices. Wireless fees may apply. For text message, supported carriers include: Alltel, AT&T, Cellular One, T-Mobile, Virgin Mobile, US Cellular, Verizon Wireless. Text STOP to 226526 to cancel and text HELP to 226526 for help. ARAE8DMC | AD-10-13-0587

EXHIBIT 13 page 5 of 6



## IMPORTANT INFORMATION: BANK DEPOSIT ACCOUNTS

Change of address - Please call us at the telephone number listed on the front of this statement to tell us about a change of address.

Deposit agreement - When you opened your account, you received a deposit agreement and fee schedule and agreed that your account would be governed by the terms of these documents, as we may amend them from time to time. These documents are part of the contract for your deposit account and govern all transactions relating to your account, including all deposits and withdrawals. Copies of both the deposit agreement and fee schedule which contain the current version of the terms and conditions of your account relationship may be obtained at our banking centers.

Electronic transfers: In case of errors or questions about your electronic transfers - If you think your statement or receipt is wrong or you need more information about an electronic transfer (e.g., ATM transactions, direct deposits or withdrawals, point-of-sale transactions) on the statement or receipt, telephone or write us at the address and number listed on the front of this statement as soon as you can. We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem appeared.

- Tell us your name and account number.
- Describe the error or transfer you are unsure about, and explain as clearly as you can why you believe there is an error or why you need more information.
- Tell us the dollar amount of the suspected error.

For consumer accounts used primarily for personal, family or household purposes, we will investigate your complaint and will correct any error promptly. If we take more than 10 business days (10 calendar days if you are a Massachusetts customer) (20 business days if you are a new customer, for electronic transfers occurring during the first 30 days after the first deposit is made to your account) to do this, we will credit your account for the amount you think is in error, so that you will have use of the money during the time it will take to complete our investigation.

For other accounts, we investigate, and if we find we have made an error, we credit your account at the conclusion of our investigation.

Reporting other problems - You must examine your statement carefully and promptly. You are in the best position to discover errors and unauthorized transactions on your account. If you fail to notify us in writing of suspected problems or an unauthorized transaction within the time period specified in the deposit agreement (which periods are no more than 60 days after we make the statement available to you and in some cases are 30 days or less), we are not liable to you for, and you agree to not make a claim against us for the problems or unauthorized transactions.

Direct deposits - If you have arranged to have direct deposits made to your account at least once every 60 days from the same person or company, you may call us at the telephone number listed on the front of this statement to find out if the deposit was made as scheduled.

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Equal Housing Lender

EXHIBIT 13 page 6 of 16



## Deposits and other credits

| Date                                    | Description    | Amount         |
|---|----------------|----------------|
| 12/03/13                                | Counter Credit | 34.00          |
| <b>Total deposits and other credits</b> |                | <b>\$34.00</b> |


## Service fees

| Date                      | Transaction description               | Amount          |
|---------------------------|---------------------------------------|-----------------|
| 12/02/13                  | Monthly Fee for Business Fundamentals | -17.00          |
| <b>Total service fees</b> |                                       | <b>-\$17.00</b> |

*Note your Ending Balance already reflects the subtraction of Service Fees.*

## Daily ledger balances

| Date  | Balance (\$) | Date  | Balance (\$) | Date  | Balance (\$) |
|-------|--------------|-------|--------------|-------|--------------|
| 12/01 | -17.00       | 12/02 | -34.00       | 12/03 | 0.00         |

 To help you **BALANCE YOUR CHECKING ACCOUNT**, visit [bankofamerica.com/statementbalance](http://bankofamerica.com/statementbalance) or the Statements and Documents tab in Online Banking for a printable version of the How to Balance Your Account Worksheet.



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P.O. Box 15284  
Wilmington, DE 19850

#### Customer service information

1.888.BUSINESS (1.888.287.4637)

bankofamerica.com

Bank of America, N.A.  
P.O. Box 25118  
Tampa, FL 33622-5118

JUAN J SANTANA  
CAMPAIGN ACCOUNT  
1190 W 56TH ST  
HIALEAH, FL 33012-2344

## Your Business Fundamentals Chk

for January 1, 2014 to January 31, 2014

Account number: [REDACTED]

JUAN J SANTANA CAMPAIGN ACCOUNT

### Account summary

|   |               |
|---|---------------|
| Beginning balance on January 1, 2014      | \$0.00        |
| Deposits and other credits                | 20.00         |
| Withdrawals and other debits              | -0.00         |
| Checks                                    | -0.00         |
| Service fees                              | -17.00        |
| <b>Ending balance on January 31, 2014</b> | <b>\$3.00</b> |

# of deposits/credits: 1

# of withdrawals/debits: 1

# of items-previous cycle<sup>1</sup>: 0

# of days in cycle: 31

Average ledger balance: \$2.25

<sup>1</sup>Includes checks paid, deposited items & other debits

#### Use our worksheet to help balance your account.

To make balancing your account easier, we have a step-by-step worksheet available. For a printable version of the **Balance Your Account** worksheet, go to [bankofamerica.com/statementbalance](http://bankofamerica.com/statementbalance) or the **Statements and Documents** page in Online Banking by hovering over the Accounts tab on your Accounts overview page.

## More time on the big picture. Less time on the details.

**Simply enroll in Account Management.<sup>1</sup>** Get an at-a-glance view of all account users, easily add or modify users, and allow them to make one-time payments through Bill Pay from accounts you specify. Plus: Simplify your operations with QuickBooks® integration. **New online chat 7 days a week.**

**Get started at [bankofamerica.com/youraccount](http://bankofamerica.com/youraccount)**

<sup>1</sup> The monthly fee for Account Management is \$15, however there's no monthly fee with Business Advantage Checking, Small Business Online Banking and the Account Management tool require Internet access, and Internet service provider fees may apply. QuickBooks® is a registered trademark of Intuit Inc., used under license. AR83RPBS | AD-10-13-1112-A.OL018

EXHIBIT 13 page 9 of 16



## IMPORTANT INFORMATION: BANK DEPOSIT ACCOUNTS

Change of address - Please call us at the telephone number listed on the front of this statement to tell us about a change of address.

Deposit agreement - When you opened your account, you received a deposit agreement and fee schedule and agreed that your account would be governed by the terms of these documents, as we may amend them from time to time. These documents are part of the contract for your deposit account and govern all transactions relating to your account, including all deposits and withdrawals. Copies of both the deposit agreement and fee schedule which contain the current version of the terms and conditions of your account relationship may be obtained at our banking centers.

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- Tell us your name and account number.
- Describe the error or transfer you are unsure about, and explain as clearly as you can why you believe there is an error or why you need more information.
- Tell us the dollar amount of the suspected error.

For consumer accounts used primarily for personal, family or household purposes, we will investigate your complaint and will correct any error promptly. If we take more than 10 business days (10 calendar days if you are a Massachusetts customer) (20 business days if you are a new customer, for electronic transfers occurring during the first 30 days after the first deposit is made to your account) to do this, we will credit your account for the amount you think is in error, so that you will have use of the money during the time it will take to complete our investigation.

For other accounts, we investigate, and if we find we have made an error, we credit your account at the conclusion of our investigation.

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Direct deposits - If you have arranged to have direct deposits made to your account at least once every 60 days from the same person or company, you may call us at the telephone number listed on the front of this statement to find out if the deposit was made as scheduled.

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EXHIBIT 13 page 10 of 16



**Deposits and other credits**

| Date                                    | Description    | Amount         |
|---|----------------|----------------|
| 01/03/14                                | Counter Credit | 20.00          |
| <b>Total deposits and other credits</b> |                | <b>\$20.00</b> |

**Service fees**

| Date                      | Transaction description               | Amount          |
|---------------------------|---------------------------------------|-----------------|
| 01/02/14                  | Monthly Fee for Business Fundamentals | -17.00          |
| <b>Total service fees</b> |                                       | <b>-\$17.00</b> |

Note your Ending Balance already reflects the subtraction of Service Fees.

**Daily ledger balances**

| Date  | Balance (\$) | Date  | Balance (\$) |
|-------|--------------|-------|--------------|
| 01/02 | -17.00       | 01/03 | 3.00         |



To help you BALANCE YOUR CHECKING ACCOUNT, visit [bankofamerica.com/statementbalance](http://bankofamerica.com/statementbalance) or the Statements and Documents tab in Online Banking for a printable version of the How to Balance Your Account Worksheet.



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Wilmington, DE 19850

#### Customer service information

1.888.BUSINESS (1.888.287.4637)

bankofamerica.com

Bank of America, N.A.  
P.O. Box 25118  
Tampa, FL 33622-5118

JUAN J SANTANA  
CAMPAIGN ACCOUNT  
22 W 32ND ST  
HIALEAH, FL 33012-5421

## Your Business Fundamentals Checking

for February 1, 2014 to February 28, 2014

Account number: [REDACTED]

JUAN J SANTANA CAMPAIGN ACCOUNT

### Account summary

|  |                 |
|--|-----------------|
| Beginning balance on February 1, 2014      | \$3.00          |
| Deposits and other credits                 | 0.00            |
| Withdrawals and other debits               | -0.00           |
| Checks                                     | -0.00           |
| Service fees                               | -17.00          |
| <b>Ending balance on February 28, 2014</b> | <b>-\$14.00</b> |

# of deposits/credits: 0

# of withdrawals/debits: 1

# of items-previous cycle<sup>1</sup>: 0

# of days in cycle: 28

Average ledger balance: -\$12.78

<sup>1</sup>Includes checks paid, deposited items & other debits

## "10 Tips to Help You Boost Your Retirement Savings —Whatever Your Age."

You'll find this article and more on the Merrill Edge website. **Go to [merrilledge.com/10tips2boost](http://merrilledge.com/10tips2boost)** and learn why it's never too early, or too late.



Merrill Edge<sup>®</sup> is available through Merrill Lynch, Pierce, Fenner & Smith Incorporated (MLPF&S), and consists of the Merrill Edge Advisory Center<sup>™</sup> (investment guidance) and self-directed online investing. MLPF&S is a registered broker-dealer, member SIPC and a wholly owned subsidiary of Bank of America Corporation. Merrill Lynch, Merrill Edge, the Merrill Edge logo, and Merrill Edge Advisory Center are trademarks of Bank of America Corporation.

Investment products:

Are Not FDIC Insured

Are Not Bank Guaranteed

May Lose Value

AR3FLY39 SSM-10-13-1246B

EXHIBIT 13 page 13 of 16



## IMPORTANT INFORMATION: BANK DEPOSIT ACCOUNTS

Change of address - Please call us at the telephone number listed on the front of this statement to tell us about a change of address.

Deposit agreement - When you opened your account, you received a deposit agreement and fee schedule and agreed that your account would be governed by the terms of these documents, as we may amend them from time to time. These documents are part of the contract for your deposit account and govern all transactions relating to your account, including all deposits and withdrawals. Copies of both the deposit agreement and fee schedule which contain the current version of the terms and conditions of your account relationship may be obtained at our banking centers.

Electronic transfers: In case of errors or questions about your electronic transfers- If you think your statement or receipt is wrong or you need more information about an electronic transfer (e.g., ATM transactions, direct deposits or withdrawals, point-of-sale transactions) on the statement or receipt, telephone or write us at the address and number listed on the front of this statement as soon as you can. We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem appeared.

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EXHIBIT 13 page 14 of 16



The quarterly business credit card bonus reward for customers enrolled in the Business Platinum Privileges program will be discontinued as of July 1, 2014. If you are enrolled in Business Platinum Privileges and have a business credit card, your last quarterly bonus will be for the quarter ending on June 30, 2014. This change will not impact any other existing business card rewards programs you may have. If you have questions about this change, or if we can help in any way, please call the number on the front of your statement.

## Service fees

| Date                      | Transaction description               | Amount          |
|---------------------------|---------------------------------------|-----------------|
| 02/03/14                  | Monthly Fee for Business Fundamentals | -17.00          |
| <b>Total service fees</b> |                                       | <b>-\$17.00</b> |

*Note your Ending Balance already reflects the subtraction of Service Fees.*

## Daily ledger balances

| Date  | Balance (\$) | Date  | Balance(\$) |
|-------|--------------|-------|-------------|
| 02/01 | 3.00         | 02/03 | -14.00      |

✓ To help you **BALANCE YOUR CHECKING ACCOUNT**, visit [bankofamerica.com/statementbalance](http://bankofamerica.com/statementbalance) or the Statements and Documents tab in Online Banking for a printable version of the How to Balance Your Account Worksheet.

We appreciate  
your business

To learn more about our other business products and services, please visit us at  
[bankofamerica.com/smallbusiness](http://bankofamerica.com/smallbusiness)

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

(1) JUAN JOSE SANTANA

**Name**

(2) 1190 W 56 STREET

**Address (number and street)**

HIALEAH, FL 33012

**City, State, Zip Code**

☐ CHECK IF ADDRESS HAS CHANGED

**OFFICE USE ONLY**

CLERK 10/04/13 PM 2:24

(3) ID Number: 12

(4) **Check appropriate box(es):**

☒ Candidate (office sought): MAYOR

☐ Political Committee

☐ Committee of Continuous Existence

☐ Party Executive Committee

☐ Electioneering Communication

☐ CHECK IF PC HAS DISBANDED

☐ CHECK IF CCE HAS DISBANDED

☐ CHECK IF NO OTHER ELECTIONEERING  
COMMUNICATION REPORTS WILL BE FILED

**(5) REPORT IDENTIFIERS**

Cover Period: From 07 / 01 / 13 To 04 / 28 / 13 Report Type F2

☒ Original    ☐ Amendment    ☐ Special Election Report    ☐ Independent Expenditure Report

**(6) CONTRIBUTIONS THIS REPORT**

Cash & Checks \$                     

Loans \$ 1050

Total Monetary \$                     

In-Kind \$                     

**(7) EXPENDITURES THIS REPORT**

Monetary Expenditures \$ 1023<sup>00</sup>

Transfers to Office Account \$                     

Total Monetary \$                     

(8) Other Distributions \$                     

(9) **TOTAL Monetary Contributions To Date**

\$ 1050

(10) **TOTAL Monetary Expenditures To Date**

\$ 1023<sup>00</sup>

**(11) CERTIFICATION**

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

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

(Type name) Juan Santana  
☐ Individual (only for electioneering commun.)    ☐ Treasurer    ☐ Deputy Treasurer

**X** [Signature]  
Signature

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

(Type name) JUAN SANTANA  
☒ Candidate    ☐ Chairperson (only for PC, PTY & electioneering commun. organization)

**X** [Signature]  
Signature



**CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS**

(1) Name Juan Jose Santana (2) I.D. Number # 12

(3) Cover Period 07/01/13 through 09/13/13 (4) Page 1 of 1

| (5)<br>Date               | (7)<br>Full Name<br>(Last, Suffix, First, Middle)<br>Street Address &<br>City, State, Zip Code | (8)<br>Contributor<br>Type Occupation | (9)<br>Contribution<br>Type | (10)<br>In-kind<br>Description | (11)<br>Amendment | (12)<br>Amount      |
|---------------------------|--|---------------------------------------|-----------------------------|--------------------------------|-------------------|---------------------|
| (6)<br>Sequence<br>Number |  |                                       |                             |                                |                   |                     |
| 07.13.13                  | Juan Santana<br>1190 W. 56 <sup>th</sup><br>Hialeah FL 33012                                   | I Self-<br>employed                   | LOA                         |                                |                   | \$150 <sup>00</sup> |
| 1                         |  |                                       |                             |                                |                   |                     |
| 08.15.13                  | Juan Santana<br>1190 W 56 <sup>th</sup><br>Hialeah FL 33012                                    | I Self-<br>employed                   | LOA                         |                                |                   | 400 <sup>00</sup>   |
| 2                         |  |                                       |                             |                                |                   |                     |
| 09.08.13                  | Juan Santana<br>1190 W. 56 <sup>th</sup><br>Hialeah FL 33012                                   | I Self<br>EMPLOYED                    | LOA                         |                                |                   | 400 <sup>00</sup>   |
| 3                         |  |                                       |                             |                                |                   |                     |
| 1                         |  |                                       |                             |                                |                   |                     |
| 1                         |  |                                       |                             |                                |                   |                     |
| 1                         |  |                                       |                             |                                |                   |                     |
| 1                         |  |                                       |                             |                                |                   |                     |
| 1                         |  |                                       |                             |                                |                   |                     |
| 1                         |  |                                       |                             |                                |                   |                     |
| 1                         |  |                                       |                             |                                |                   |                     |
| 1                         |  |                                       |                             |                                |                   |                     |
| 1                         |  |                                       |                             |                                |                   |                     |
| 1                         |  |                                       |                             |                                |                   |                     |



CLERK 10/04/13 PM 2:32

## CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

(1) Name Juan Jose Santana(2) I.D. Number 12(3) Cover Period 07/01/13 through 09/28<sup>th</sup>/13(4) Page 1 of 1

| (5)<br>Date | (7)<br>Full Name<br>(Last, Suffix, First, Middle)<br>Street Address &<br>City, State, Zip Code | (8)<br>Purpose<br>(add office sought if<br>contribution to a<br>candidate) | (9)<br>Expenditure<br>Type | (10)<br>Amendment | (11)<br>Amount    |
|-------------|--|--|----------------------------|-------------------|-------------------|
| 7/3/13      | Lowes  | Supplies   | MON                        |                   | 160 <sup>00</sup> |
| 1           | 1650 W 37 <sup>th</sup><br>Hialeah   |  |                            |                   |                   |
| 07/4/13     | Harbor freight tools   | Sign supplies  | MON                        |                   | 140 <sup>00</sup> |
|             | 410 W. 49 <sup>th</sup> Street<br>Hialeah FL 33012   |  |                            |                   |                   |
| 07/18/13    | Deals  | Office<br>Supplies   | MON                        |                   | 145 <sup>00</sup> |
|             | 596 W. 49 <sup>th</sup> Street<br>Hialeah FL 33012   |  |                            |                   |                   |
| 07/18/13    | Papa Johns   | Lunch for<br>helpers   | MON                        |                   | 35 <sup>00</sup>  |
|             | 414 W 49 <sup>th</sup> Street<br>Hialeah FL 33012  |  |                            |                   |                   |
| 07/19/13    | City of Hialeah  | Public Records   | MON                        |                   | 125 <sup>00</sup> |
|             | 501 <del>W</del> Palm Ave<br>Hialeah FL 33013  |  |                            |                   |                   |
| 07/30/13    | City of Hialeah  | Public Records   | MON                        |                   | 55 <sup>00</sup>  |
|             | 501 Palm Ave<br>Hialeah FL 33013   |  |                            |                   |                   |
| 08/25/13    | <del>City of Hialeah</del> Allied Signs  | Banner St<br>Post Cards  | MON                        |                   | 350 <sup>00</sup> |
|             | 349 E. 49 <sup>th</sup> St<br>Hialeah, FL 33012  |  |                            |                   |                   |
| 08/30/13    | City of Hialeah  | Public Record  | MON                        |                   | 13 <sup>00</sup>  |
|             | 501 Palm Ave<br>Hialeah FL 33012   |  |                            |                   |                   |



## CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

(1) Name Juan Santana(2) I.D. Number 12(3) Cover Period May 14, 2013 through June 30, 2013(4) Page 1 of 1July 1, 2013 Sept. 28, 2013

| (5)<br>Date               | (7)<br>Full Name<br>(Last, Suffix, First, Middle)<br>Street Address &<br>City, State, Zip Code | (8)<br>Purpose<br>(add office sought if<br>contribution to a<br>candidate) | (9)<br>Expenditure<br>Type | (10)<br>Amendment | (11)<br>Amount |
|---------------------------|--|--|----------------------------|-------------------|----------------|
| (6)<br>Sequence<br>Number |  |  |                            |                   |                |
| 7 18 113                  | Juan Santana<br>1190 West 56th<br>Hialeah, FL, 33012   | Filing<br>Fee<br>\$ 100  | Filing<br>Fee              | Add               | \$100          |
| 1 1                       |  |  |                            |                   |                |
| 1 1                       |  |  |                            |                   |                |
| 1 1                       |  |  |                            |                   |                |
| 1 1                       |  |  |                            |                   |                |
| 1 1                       |  |  |                            |                   |                |
| 1 1                       |  |  |                            |                   |                |
| 1 1                       |  |  |                            |                   |                |
| 1 1                       |  |  |                            |                   |                |
| 1 1                       |  |  |                            |                   |                |



City of Hialeah, Florida  
City Clerk's Office  
501 Palm Avenue  
Hialeah, FL 33010



**DUPLICATION & CERTIFICATION OF PUBLIC DOCUMENTS**  
**& SPECIAL SERVICES**

Duplication and certification of public documents; charges, special service charges and notary fees as follows:

|  |                               |                |
|--|-------------------------------|----------------|
| One sided - maximum 8 1/2 X 14"  | \$ 0.15 X (3)                 | \$ <u>45</u>   |
| Two sided - maximum 8 1/2 X 14"  | \$ 0.20 X ( )                 | \$ _____       |
| One sided - 11 X 17"   | \$ 0.20 X ( )                 | \$ _____       |
| Certification of copies per document   | \$ 1.00 X ( )                 | \$ _____       |
| Duplication of audio tapes<br>(\$5.00 plus cost of tape)   | \$ 7.00 X ( )                 | \$ _____       |
| Duplication of CD's and DVD's<br>(\$5.00 plus cost of CD and DVD)  | \$ 6.00 X (1)                 | \$ <u>6.00</u> |
| Photographs  | ACTUAL COST OF<br>DUPLICATION | \$ _____       |
| City Budget (One sided maximum 8 1/2 X 14")  | \$ 0.15 X ( )                 | \$ _____       |
| Notarial Act   | \$ 1.00 X ( )                 | \$ _____       |
| Lien Search per property address   | \$ 25.00 X ( )                | \$ _____       |
| Service fee for dishonored check:  |                               | \$ _____       |
| <input type="checkbox"/> \$25, if the face value does not exceed \$50.00   |                               |                |
| <input type="checkbox"/> \$30, if the face value does not exceed \$300   |                               |                |
| <input type="checkbox"/> \$40, if the face value exceeds \$300, or 5 percent of the<br>face amount of the check, whichever is greater. |                               |                |
| Special service charge   |                               | \$ _____       |
| Other:   |                               | \$ _____       |

Please make checks payable to: The City of Hialeah

Requested by:

Juan Santana  
Name

Total Amount Due: \$ 6.45

Address

Phone No.

FOR OFFICE USE ONLY

\$ \_\_\_\_\_ received from \_\_\_\_\_

Date

(Name and Title)

4/8 - 4/12/13

EXHIBIT 15 page 1 of 2

*[Handwritten signature]*



City of Hialeah, Florida  
City Clerk's Office  
501 Palm Avenue  
Hialeah, FL 33010

CITY OF HIALEAH

501 PALM AVENUE  
HIALEAH, FL 33010

PAYMENT # 320921  
AMOUNT \$31.18

ITEM: LIEN SEARCHES AND

**DUPLICATION & CERTIFICATION OF PUBLIC DOCUMENTS**  
**& SPECIAL SERVICES**

OTHER REVENUE

Duplication and certification of public documents; charges, special service charges and notary fees as follows:

|   |                               |          |
|---|-------------------------------|----------|
| One sided - maximum 8 1/2 X 11                                    | \$ 0.15 X ( <u>1</u> )        | \$ _____ |
| Two sided - maximum 8 1/2 X 14"                                   | \$ 0.20 X <u>H</u> ( )        | \$ _____ |
| One sided - 11 X 17"  | \$ 0.20 X ( )                 | \$ _____ |
| Certification of copies per document                              | \$ 1.00 X ( )                 | \$ _____ |
| Duplication of audio tapes<br>(\$5.00 plus cost of tape)          | \$ 7.00 X ( )                 | \$ _____ |
| Duplication of CD's and DVD's<br>(\$5.00 plus cost of CD and DVD) | \$ 6.00 X ( )                 | \$ _____ |
| Photographs   | ACTUAL COST OF<br>DUPLICATION | \$ _____ |
| City Budget (One sided maximum 8 1/2 X 14")                       | \$ 0.15 X ( )                 | \$ _____ |
| Notarial Act  | \$ 1.00 X ( )                 | \$ _____ |
| Lien Search per property address                                  | \$ 25.00 X ( )                | \$ _____ |

Service fee for dishonored check:

- ☐ \$25, if the face value does not exceed \$50.00  
☐ \$30, if the face value does not exceed \$300  
☐ \$40, if the face value exceeds \$300, or 5 percent of the face amount of the check, whichever is greater.

Special service charge

labor -

\$ 33.33

Other:

PER 2013-05-61 and 2013-05-62 and 2013-06-01

Please make checks payable to: The City of Hialeah

Requested by:

Juan Santana  
Name

Total Amount Due: \$

51.18

- 20.00 Cash  
w/ chg  
difference in  
separate invoice

Address

Phone No.

FOR OFFICE USE ONLY

\$ \_\_\_\_\_ received from \_\_\_\_\_

Date

(Name and Title)

CITY OF HIALEAH  
501 PALM AVE  
HIALEAH, FL 33010  
PAYMENT #: 320921  
AMOUNT: \$31.18  
ITEM: LIEN SEARCHES AND  
REFERENCE #: 06062013  
DATE: 6/6/2013 3:17:16 P  
LOCATION: CH  
USERNAME: DCPRIETO

EXHIBIT 15 page 2 of 3



City of Hialeah, Florida  
City Clerk's Office  
501 Palm Avenue  
Hialeah, FL 33010



**DUPLICATION & CERTIFICATION OF PUBLIC DOCUMENTS**  
**& SPECIAL SERVICES**

AMOUNT: \$20.00  
ITEM: LIEN SEARCHES AND

Duplication and certification of public documents; charges, special service charges and notary fees as follows:

|  |                               |          |
|--|-------------------------------|----------|
| One sided - maximum 8 1/2 X 11   | \$ 0.15 X ( )                 |          |
| Two sided - maximum 8 1/2 X 14"  | \$ 0.20 X ( )                 |          |
| One sided - 11 X 17"   | \$ 0.20 X ( )                 | \$ _____ |
| Certification of copies per document   | \$ 1.00 X ( )                 | \$ _____ |
| Duplication of audio tapes<br>(\$5.00 plus cost of tape)   | \$ 7.00 X ( )                 | \$ _____ |
| Duplication of CD's and DVD's<br>(\$5.00 plus cost of CD and DVD)  | \$ 6.00 X ( )                 | \$ _____ |
| Photographs  | ACTUAL COST OF<br>DUPLICATION | \$ _____ |
| City Budget (One sided maximum 8 1/2 X 14")  | \$ 0.15 X ( )                 | \$ _____ |
| Notarial Act   | \$ 1.00 X ( )                 | \$ _____ |
| Lien Search per property address   | \$ 25.00 X ( )                | \$ _____ |
| Service fee for dishonored check:  |                               | \$ _____ |
| <input type="checkbox"/> \$25, if the face value does not exceed \$50.00   |                               |          |
| <input type="checkbox"/> \$30, if the face value does not exceed \$300   |                               |          |
| <input type="checkbox"/> \$40, if the face value exceeds \$300, or 5 percent of the<br>face amount of the check, whichever is greater. |                               |          |

Special service charge \$ \_\_\_\_\_

Other \$ \_\_\_\_\_

Please make checks payable to: The City of Hialeah

Requested by:

Juan Santana  
Name

Total Amount Due: \$ 20.00

Address

Phone No.

**FOR OFFICE USE ONLY**

\$ \_\_\_\_\_ received from \_\_\_\_\_

Date

(Name and Title)

**EXHIBIT** 15 page 3 of 12



Florida  
Office  
Avenue  
Hialeah, FL 33010

2013-07-123  
2013-07-128



**DUPLICATION & CERTIFICATION OF PUBLIC DOCUMENTS**  
**& SPECIAL SERVICES**

Duplication and certification of public documents; charges, special service charges and notary fees as follows:

|  |                               |          |
|--|-------------------------------|----------|
| One sided - maximum 8 1/2 X 11   | \$ 0.15 X (5)                 | \$ .75¢  |
| Two sided - maximum 8 1/2 X 14"  | \$ 0.20 X ( )                 | \$ _____ |
| One sided - 11 X 17"   | \$ 0.20 X ( )                 | \$ _____ |
| Certification of copies per document   | \$ 1.00 X ( )                 | \$ _____ |
| Duplication of audio tapes<br>(\$5.00 plus cost of tape)   | \$ 7.00 X ( )                 | \$ _____ |
| Duplication of CD's and DVD's<br>(\$5.00 plus cost of CD and DVD)  | \$ 6.00 X ( )                 | \$ _____ |
| Photographs  | ACTUAL COST OF<br>DUPLICATION | \$ _____ |
| City Budget (One sided maximum 8 1/2 X 14")  | \$ 0.15 X ( )                 | \$ _____ |
| Notarial Act   | \$ 1.00 X ( )                 | \$ _____ |
| Lien Search per property address   | \$ 25.00 X ( )                | \$ _____ |
| Service fee for dishonored check:  |                               | \$ _____ |
| <input type="checkbox"/> \$25, if the face value does not exceed \$50.00   |                               |          |
| <input type="checkbox"/> \$30, if the face value does not exceed \$300   |                               |          |
| <input type="checkbox"/> \$40, if the face value exceeds \$300, or 5 percent of the<br>face amount of the check, whichever is greater. |                               |          |
| Special service charge   |                               | \$ _____ |
| Other:   |                               | \$ _____ |

Please make checks payable to: The City of Hialeah

Total Amount Due: \$ .75¢

Requested by:

Juan Santana

Name

1190 West 56 Street  
Hialeah, FL 33012

Address

(305) 763-7217

Phone No.

FOR OFFICE USE ONLY

\$ .75¢

received from

Juan Santana

Date

(Name and Title)

8/12 - 8/16/13

EXHIBIT 13 page 4 of 12



City of Hialeah, Florida  
City Clerk's Office  
501 Palm Avenue  
Hialeah, FL 33010

CITY OF HIALEAH  
501 PALM AVE  
HIALEAH, FL 33010

*Paid Cash*

DOCUMENTS



Duplication and ce  
follows:

ial service charges and notary fees as

One sided - max

0.15 X ( )

\$

Two sided - max

0.20 X ( )

\$

One sided - 1

0.20 X ( )

\$

Certification

\$ 1.00 X ( )

\$

Duplication  
(\$5.00 plus cost .

\$ 7.00 X ( )

\$

Duplication of CD's and DVD's  
(\$5.00 plus cost of CD and DVD)

\$ 6.00 X ( )

\$

Photographs

ACTUAL COST OF  
DUPLICATION

\$

City Budget (One sided maximum 8 1/2 X 14")

\$ 0.15 X ( )

\$

Notarial Act

\$ 1.00 X ( )

\$

Lien Search per property address

\$ 25.00 X ( )

\$

Service fee for dishonored check:

- ☐ \$25, if the face value does not exceed \$50.00  
☐ \$30, if the face value does not exceed \$300  
☐ \$40, if the face value exceeds \$300, or 5 percent of the  
face amount of the check, whichever is greater.

\$

Special service charge

*Redaction of Markelys  
Fatjo's personnel file*

\$

Other:

*2 hrs & 40 min @ \$19.08 = \$45.79*

\$

Please make checks payable to: The City of Hialeah

Total Amount Due: \$ *45.79*

Requested by:

*Juan Santana*  
Name  
*1190 W. 56 St.*  
*Hialeah, FL 33012*

Address  
*(305) 762-7217*  
Phone No.

FOR OFFICE USE ONLY

\$ received from

Date

(Name and Title)

EXHIBIT *15 page 54/12*



WDRK 2013-01067

City of Hialeah, Florida  
City Clerk's Office  
501 Palm Avenue  
Hialeah, FL 33010



**DUPLICATION & CERTIFICATION OF PUBLIC DOCUMENTS**  
**& SPECIAL SERVICES**

Duplication and certification of public documents; charges, special service charges and notary fees as follows:

|  |                               |          |
|--|-------------------------------|----------|
| One sided - maximum 8 1/2 X 11   | \$ 0.15 X (84)                | \$ 12.60 |
| Two sided - maximum 8 1/2 X 14"  | \$ 0.20 X ( )                 | \$ _____ |
| One sided - 11 X 17"   | \$ 0.20 X ( )                 | \$ _____ |
| Certification of copies per document   | \$ 1.00 X ( )                 | \$ _____ |
| Duplication of audio tapes<br>(\$5.00 plus cost of tape)   | \$ 7.00 X ( )                 | \$ _____ |
| Duplication of CD's and DVD's<br>(\$5.00 plus cost of CD and DVD)  | \$ 6.00 X ( )                 | \$ _____ |
| Photographs  | ACTUAL COST OF<br>DUPLICATION | \$ _____ |
| City Budget (One sided maximum 8 1/2 X 14")  | \$ 0.15 X ( )                 | \$ _____ |
| Notarial Act   | \$ 1.00 X ( )                 | \$ _____ |
| Lien Search per property address   | \$ 25.00 X ( )                | \$ _____ |
| Service fee for dishonored check:  |                               | \$ _____ |
| <input type="checkbox"/> \$25, if the face value does not exceed \$50.00   |                               |          |
| <input type="checkbox"/> \$30, if the face value does not exceed \$300   |                               |          |
| <input type="checkbox"/> \$40, if the face value exceeds \$300, or 5 percent of the<br>face amount of the check, whichever is greater. |                               |          |
| Special service charge   |                               | \$ _____ |
| Other:   |                               | \$ _____ |

Please make checks payable to: The City of Hialeah

Requested by:

Juan Santana  
Name

Total Amount Due: \$ 12.60

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
Phone No.

FOR OFFICE USE ONLY

\$ \_\_\_\_\_ received from \_\_\_\_\_  
Date \_\_\_\_\_ (Name and Title)

EXHIBIT 15 page 6 of 12

CITY OF HIALEAH  
501 PALM AVE  
HIALEAH, FL 33010  
PAYMENT #: 120606  
AMOUNT: \$12.60  
ITEM: LIEN/ FOR 1 PERS  
REFERENCE #: 093017  
USERNAME: AMFUEPON  
LOCATION: CITY HALL  
DATE: 9/30/2014 4:23:00 PM



**DUPLICATION & CERTIFICATION OF PUBLIC DOCUMENTS**  
**& SPECIAL SERVICES**

duplication and certification of public documents; charges, special service charges and notary fees as

One sided - maximum 8 1/2 X 11

\$ 0.15 X ( 9 )

\$ 1.35

One sided - maximum 8 1/2 X 14"

\$ 0.20 X ( )

\$ \_\_\_\_\_

Two sided - 11 X 17"

\$ 0.20 X ( )

\$ \_\_\_\_\_

Certification of copies per document

\$ 1.00 X ( )

\$ \_\_\_\_\_

Duplication of audio tapes

\$ 7.00 X ( )

\$ \_\_\_\_\_

(\$5.00 plus cost of tape)

Duplication of CD's and DVD's

\$ 6.00 X ( )

\$ \_\_\_\_\_

(\$5.00 plus cost of CD and DVD)

Photographs

ACTUAL COST OF  
DUPLICATION

\$ \_\_\_\_\_

City Budget (One sided maximum 8 1/2 X 14")

\$ 0.15 X ( )

\$ \_\_\_\_\_

Notarial Act

\$ 1.00 X ( )

\$ \_\_\_\_\_

Lien Search per property address

\$ 25.00 X ( )

\$ \_\_\_\_\_

Service fee for dishonored check:

- ☐ \$25, if the face value does not exceed \$50.00  
☐ \$30, if the face value does not exceed \$300  
☐ \$40, if the face value exceeds \$300, or 5 percent of the  
face amount of the check, whichever is greater.

\$ \_\_\_\_\_

Special service charge

\$ \_\_\_\_\_

Other:

\$ \_\_\_\_\_

Please make checks payable to: The City of Hialeah

Requested by:

Juan Santana  
Name

Total Amount Due: \$ 1.35

Address

Phone No.

FOR OFFICE USE ONLY

(Name and Title)

EXHIBIT

15 page 7 of 12

\$ 1.35 received from

Date

8/20/13

Geno Maldonado  
City Clerk

ASH



Florida  
Office  
Venue  
FL 33010



**DUPLICATION & CERTIFICATION OF PUBLIC DOCUMENTS**  
**& SPECIAL SERVICES**

Duplication and certification of public documents; charges, special service charges and notary fees as follows:

|  |                               |          |
|--|-------------------------------|----------|
| One sided - maximum 8 1/2 X 11   | \$ 0.15 X ( 5 )               | \$ .75   |
| Two sided - maximum 8 1/2 X 14"  | \$ 0.20 X ( )                 | \$ _____ |
| One sided - 11 X 17"   | \$ 0.20 X ( )                 | \$ _____ |
| Certification of copies per document   | \$ 1.00 X ( )                 | \$ _____ |
| Duplication of audio tapes<br>(\$5.00 plus cost of tape)   | \$ 7.00 X ( )                 | \$ _____ |
| Duplication of CD's and DVD's<br>(\$5.00 plus cost of CD and DVD)  | \$ 6.00 X ( )                 | \$ _____ |
| Photographs  | ACTUAL COST OF<br>DUPLICATION | \$ _____ |
| City Budget (One sided maximum 8 1/2 X 14")  | \$ 0.15 X ( )                 | \$ _____ |
| Notarial Act   | \$ 1.00 X ( )                 | \$ _____ |
| Lien Search per property address   | \$ 25.00 X ( )                | \$ _____ |
| Service fee for dishonored check:  |                               | \$ _____ |
| <input type="checkbox"/> \$25, if the face value does not exceed \$50.00   |                               |          |
| <input type="checkbox"/> \$30, if the face value does not exceed \$300   |                               |          |
| <input type="checkbox"/> \$40, if the face value exceeds \$300, or 5 percent of the<br>face amount of the check, whichever is greater. |                               |          |

Special service charge \$ \_\_\_\_\_

Other: \$ \_\_\_\_\_

Please make checks payable to: The City of Hialeah

Requested by:

Juan Santana  
Name

Total Amount Due: \$ .75

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
Phone No.

FOR OFFICE USE ONLY

\$ \_\_\_\_\_ received from \_\_\_\_\_

Date

(Name and Title)

9/23-9/27/13

EXHIBIT 13 page 8 1/2

*[Handwritten signature]*



City of Hialeah, Florida  
City Clerk's Office  
501 Palm Avenue  
Hialeah, FL 33010



DUPLICATION & CERTIFICATION OF PUBLIC DOCUMENTS  
& SPECIAL SERVICES

Duplication and certification of public documents; charges, special service charges and notary fees as follows:

|  |                               |          |
|--|-------------------------------|----------|
| One sided - maximum 8 1/2 X 11   | \$ 0.15 X (14)                | \$ 2.10  |
| Two sided - maximum 8 1/2 X 14"  | \$ 0.20 X ( )                 | \$ _____ |
| One sided - 11 X 17"   | \$ 0.20 X ( )                 | \$ _____ |
| Certification of copies per document   | \$ 1.00 X ( )                 | \$ _____ |
| Duplication of audio tapes<br>(\$5.00 plus cost of tape)   | \$ 7.00 X ( )                 | \$ _____ |
| Duplication of CD's and DVD's<br>(\$5.00 plus cost of CD and DVD)  | \$ 6.00 X ( )                 | \$ _____ |
| Photographs  | ACTUAL COST OF<br>DUPLICATION | \$ _____ |
| City Budget (One sided maximum 8 1/2 X 14")  | \$ 0.15 X ( )                 | \$ _____ |
| Notarial Act   | \$ 1.00 X ( )                 | \$ _____ |
| Lien Search per property address   | \$ 25.00 X ( )                | \$ _____ |
| Service fee for dishonored check:  |                               | \$ _____ |
| <input type="checkbox"/> \$25, if the face value does not exceed \$50.00   |                               |          |
| <input type="checkbox"/> \$30, if the face value does not exceed \$300   |                               |          |
| <input type="checkbox"/> \$40, if the face value exceeds \$300, or 5 percent of the<br>face amount of the check, whichever is greater. |                               |          |
| Special service charge   |                               | \$ _____ |
| Other:   |                               | \$ _____ |

Please make checks payable to: The City of Hialeah

Total Amount Due: \$ 2.10

Requested by: Juan Santana  
Name

Address

Phone No.

FOR OFFICE USE ONLY

\$ \_\_\_\_\_ received from \_\_\_\_\_  
Date \_\_\_\_\_ (Name and Title)

EXHIBIT 13 page 9 of 12

CITY OF HIALEAH  
501 PALM AVE  
HIALEAH, FL 33010  
PAYMENT #: 12726  
AMOUNT: \$2.10  
ITEMS LISTED / COPY #1  
REFERENCE #: 10031  
USERNAME: ENDEAVOR  
LOCATION: CITY HALL  
DATE: 10/2/2014



City of Hialeah, Florida  
City Clerk's Office  
501 Palm Avenue  
Hialeah, FL 33010



**DUPLICATION & CERTIFICATION OF PUBLIC DOCUMENTS**  
**& SPECIAL SERVICES**

Duplication and certification of public documents; charges, special service charges and notary fees as follows:

|  |                               |                |
|--|-------------------------------|----------------|
| One sided - maximum 8 1/2 X 11   | \$ 0.15 X ( )                 | \$ _____       |
| Two sided - maximum 8 1/2 X 14"  | \$ 0.20 X ( )                 | \$ _____       |
| One sided - 11 X 17"   | \$ 0.20 X ( )                 | \$ _____       |
| Certification of copies per document   | \$ 1.00 X ( )                 | \$ _____       |
| Duplication of audio tapes<br>(\$5.00 plus cost of tape)   | \$ 7.00 X ( )                 | \$ _____       |
| Duplication of CD's and DVD's<br>(\$5.00 plus cost of CD and DVD)  | \$ 6.00 X ( 1 )               | \$ <u>6.00</u> |
| Photographs  | ACTUAL COST OF<br>DUPLICATION | \$ _____       |
| City Budget (One sided maximum 8 1/2 X 14")  | \$ 0.15 X ( )                 | \$ _____       |
| Notarial Act   | \$ 1.00 X ( )                 | \$ _____       |
| Lien Search per property address   | \$ 25.00 X ( )                | \$ _____       |
| Service fee for dishonored check:  |                               | \$ _____       |
| <input type="checkbox"/> \$25, if the face value does not exceed \$50.00   |                               |                |
| <input type="checkbox"/> \$30, if the face value does not exceed \$300   |                               |                |
| <input type="checkbox"/> \$40, if the face value exceeds \$300, or 5 percent of the<br>face amount of the check, whichever is greater. |                               |                |
| Special service charge   |                               | \$ _____       |
| Other:   |                               | \$ _____       |

Please make checks payable to: The City of Hialeah

Requested by:

Juan Santana  
Name

Total Amount Due: \$ 6.00

Address

Phone No.

**FOR OFFICE USE ONLY**

\$ \_\_\_\_\_ received from \_\_\_\_\_  
Date \_\_\_\_\_ (Name and Title)

**EXHIBIT** 15 page 10 y/2

CITY OF HIALEAH  
501 PALM AVE  
HIALEAH, FL 33010  
PAYMENT #: 327052  
AMOUNT: \$6.00  
ITEM: LIEN/ COPY FEE  
REFERENCE #: 100113  
USERNAME: BMEEROS  
LOCATION: CITY HALL  
DATE: 10/17/2013 10:01:55



2013-09-65



**DUPLICATION & CERTIFICATION OF PUBLIC DOCUMENTS**  
**& SPECIAL SERVICES**

Duplication and certification of public documents; charges, special service charges and notary fees as follows:

|  |                               |              |
|--|-------------------------------|--------------|
| One sided - maximum 8 1/2 X 11   | \$ 0.15 X (5)                 | \$ <u>75</u> |
| Two sided - maximum 8 1/2 X 14"  | \$ 0.20 X ( )                 | \$ _____     |
| One sided - 11 X 17"   | \$ 0.20 X ( )                 | \$ _____     |
| Certification of copies per document   | \$ 1.00 X ( )                 | \$ _____     |
| Duplication of audio tapes<br>(\$5.00 plus cost of tape)   | \$ 7.00 X ( )                 | \$ _____     |
| Duplication of CD's and DVD's<br>(\$5.00 plus cost of CD and DVD)  | \$ 6.00 X ( )                 | \$ _____     |
| Photographs  | ACTUAL COST OF<br>DUPLICATION | \$ _____     |
| City Budget (One sided maximum 8 1/2 X 14")  | \$ 0.15 X ( )                 | \$ _____     |
| Notarial Act   | \$ 1.00 X ( )                 | \$ _____     |
| Lien Search per property address   | \$ 25.00 X ( )                | \$ _____     |
| Service fee for dishonored check:  |                               | \$ _____     |
| <input type="checkbox"/> \$25, if the face value does not exceed \$50.00   |                               |              |
| <input type="checkbox"/> \$30, if the face value does not exceed \$300   |                               |              |
| <input type="checkbox"/> \$40, if the face value exceeds \$300, or 5 percent of the<br>face amount of the check, whichever is greater. |                               |              |
| Special service charge   |                               | \$ _____     |
| Other:   |                               | \$ _____     |

Please make checks payable to: The City of Hialeah

Requested by:

Juan Santana  
Name

Total Amount Due: \$ 75

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
Phone No.

FOR OFFICE USE ONLY

\$ \_\_\_\_\_ received from \_\_\_\_\_  
Date \_\_\_\_\_ (Name and Title)

EXHIBIT 12 page 11 of 12

9/30-10/4/13



City of Hialeah, Florida  
City Clerk's Office  
501 Palm Avenue  
Hialeah, FL 33010

OKR 2013-08-129



DUPLICATION & CERTIFICATION OF PUBLIC DOCUMENTS  
& SPECIAL SERVICES

Duplication and certification of public documents; charges, special service charges and notary fees as follows:

|  |                               |          |
|--|-------------------------------|----------|
| One sided - maximum 8 1/2 X 11   | \$ 0.15 X 2                   | \$ 0.30  |
| Two sided - maximum 8 1/2 X 14"  | \$ 0.20 X ( )                 | \$ _____ |
| One sided - 11 X 17"   | \$ 0.20 X ( )                 | \$ _____ |
| Certification of copies per document   | \$ 1.00 X ( )                 | \$ _____ |
| Duplication of audio tapes<br>(\$5.00 plus cost of tape)   | \$ 7.00 X ( )                 | \$ _____ |
| Duplication of CD's and DVD's<br>(\$5.00 plus cost of CD and DVD)  | \$ 6.00 X ( )                 | \$ _____ |
| Photographs  | ACTUAL COST OF<br>DUPLICATION | \$ _____ |
| City Budget (One sided maximum 8 1/2 X 14")  | \$ 0.15 X ( )                 | \$ _____ |
| Notarial Act   | \$ 1.00 X ( )                 | \$ _____ |
| Lien Search per property address   | \$ 25.00 X ( )                | \$ _____ |
| Service fee for dishonored check:  |                               | \$ _____ |
| <input type="checkbox"/> \$25, if the face value does not exceed \$50.00   |                               |          |
| <input type="checkbox"/> \$30, if the face value does not exceed \$300   |                               |          |
| <input type="checkbox"/> \$40, if the face value exceeds \$300, or 5 percent of the<br>face amount of the check, whichever is greater. |                               |          |
| Special service charge   |                               | \$ _____ |
| Other:   |                               | \$ _____ |

Please make checks payable to: The City of Hialeah

Requested by:

Juan Santana  
Name

Total Amount Due: \$ 0.30

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
Phone No.

took 2 pictures.

FOR OFFICE USE ONLY

\$ \_\_\_\_\_ received from \_\_\_\_\_  
Date \_\_\_\_\_ (Name and Title)

12/16 - 12/20/13

EXHIBIT 13 page 12 of 12

*Carth*



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

(1) Juan SANTANA  
Name

(2) 1190 w 56TH STREET  
Address (number and street)  
hialeah , fl, 33012  
City, State, Zip Code

OFFICE USE ONLY

*10/19/2013  
10:47 a.m.*

☐ CHECK IF ADDRESS HAS CHANGED

(3) ID Number: 12

(4) Check appropriate box(es):

☒ Candidate (office sought): MAYOR

☐ Political Committee

☐ Committee of Continuous Existence

☐ Party Executive Committee

☐ Electioneering Communication

☐ CHECK IF PC HAS DISBANDED

☐ CHECK IF CCE HAS DISBANDED

☐ CHECK IF NO OTHER ELECTIONEERING  
COMMUNICATION REPORTS WILL BE FILED

**(5) REPORT IDENTIFIERS**

Cover Period: From 07 / 01 / 13 To 09 / 28 / 13 Report Type F1

☐ Original ☒ Amendment ☐ Special Election Report ☐ Independent Expenditure Report

**(6) CONTRIBUTIONS THIS REPORT**

Cash & Checks \$ \_\_\_\_\_

Loans \$ 1,150.00

Total Monetary \$ \_\_\_\_\_

In-Kind \$ \_\_\_\_\_

**(7) EXPENDITURES THIS REPORT**

Monetary Expenditures \$ 943.00

Transfers to Office Account \$ \_\_\_\_\_

Total Monetary \$ \_\_\_\_\_

**(8) Other Distributions**

\$ \_\_\_\_\_

**(9) TOTAL Monetary Contributions To Date**

\$ 1,150.00

**(10) TOTAL Monetary Expenditures To Date**

\$ 943.00

**(11) CERTIFICATION**

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

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

(Type name) JUAN SANTANA

☐ Individual (only for electioneering commun.) ☒ Treasurer ☐ Deputy Treasurer

**X** [Signature]  
Signature

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

(Type name) JUAN SANTANA

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

**X** [Signature]  
Signature



# CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

(1) Name Juan Santana (2) I.D. Number 12

(3) Cover Period 07/01/13 through 09/28/13 (4) Page 12 of 12

| (5)<br>Date               | (7)<br>Full Name<br>(Last, Suffix, First, Middle)<br>Street Address &<br>City, State, Zip Code | (8)<br>Contributor<br>Type Occupation | (9)<br>Contribution<br>Type | (10)<br>In-kind<br>Description | (11)<br>Amendment | (12)<br>Amount      |
|---------------------------|--|---------------------------------------|-----------------------------|--------------------------------|-------------------|---------------------|
| (6)<br>Sequence<br>Number |  |                                       |                             |                                |                   |                     |
| 07/08/13                  | Santana, Juan<br>1190 W 56 St<br>Hialeah   | I Self<br>Employed                    | LOA                         |                                |                   | \$100 <sup>00</sup> |
| 1                         |  |                                       |                             |                                |                   |                     |
| 07/18/13                  | Santana Juan<br>1190 W 56 St<br>Hialeah  | I Self-<br>Employed                   | LOA                         |                                |                   | \$250 <sup>00</sup> |
| 2                         |  |                                       |                             |                                |                   |                     |
| 08/15/13                  | Santana Juan<br>1190 W 56 St<br>Hialeah FL 33012   | I Self-<br>Employed                   | LOA                         |                                |                   | \$400 <sup>00</sup> |
| 3                         |  |                                       |                             |                                |                   |                     |
| 09/08/13                  | Santana Juan<br>1190 W 56 St<br>Hialeah FL 33012   | I Self<br>Employed                    | LOA                         |                                |                   | \$400 <sup>00</sup> |
| 4                         |  |                                       |                             |                                |                   |                     |
| 1                         |  |                                       |                             |                                |                   |                     |
|                           |  |                                       |                             |                                |                   |                     |
| 1                         |  |                                       |                             |                                |                   |                     |
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| 1                         |  |                                       |                             |                                |                   |                     |
|                           |  |                                       |                             |                                |                   |                     |
| 1                         |  |                                       |                             |                                |                   |                     |
|                           |  |                                       |                             |                                |                   |                     |



# CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

(1) Name Juan Santana

(2) I.D. Number 12

(3) Cover Period 07 / 01 / 13 through 09 / 28 / 13

(4) Page 1 of 1

| (5)<br>Date  | (7)<br>Full Name<br>(Last, Suffix, First, Middle)<br>Street Address &<br>City, State, Zip Code | (8)<br>Purpose<br>(add office sought if<br>contribution to a<br>candidate) | (9)<br>Expenditure<br>Type | (10)<br>Amendment | (11)<br>Amount |
|--------------|--|--|----------------------------|-------------------|----------------|
| 07 / 03 / 13 | Lowes<br>1650 w 37 street<br>hialeah fl  | supplies   | mon                        |                   | \$160.00       |
| 1            |  |  |                            |                   |                |
| 07 / 04 / 13 | harbor freight tools<br>410 w 49 street<br>hialeah fl  | sign supplies  | MON                        |                   | \$140.00       |
| 2            |  |  |                            |                   |                |
| 07 / 08 / 13 | CITY OF HIALEAH<br>501 PALM AVE<br>HIALEAH FL 33013  | FILING FEE   | MON                        |                   | \$100.00       |
| 3            |  |  |                            |                   |                |
| 07 / 18 / 13 | DEALS<br>596 W 49TH STREET<br>HIALEAH FL 33012   | OFFICE<br>SUPPLIES   | MON                        |                   | \$140.00       |
| 4            |  |  |                            |                   |                |
| 07 / 18 / 13 | PAPA JOHNS<br>419 W 49 STREET<br>HIALEAH FL 33012  | LUNCH FOR<br>HELPERS   | MON                        |                   | \$35.00        |
| 5            |  |  |                            |                   |                |
| 08 / 25 / 13 | ALLIES SIGNS<br>349 E 49STREET<br>HIALEAH FL 33013   | BANNERS & POST<br>CARDS  | MON                        |                   | \$350.00       |
| 6            |  |  |                            |                   |                |
| 08 / 30 / 13 | CITY OF HIALEAH<br>501 PALM AVE<br>HIALEAH FL 33013  | PUBLIC RECORDS   | MON                        |                   | \$13.00        |
| 7            |  |  |                            |                   |                |
| / /          |  |  |                            |                   |                |
|              |  |  |                            |                   |                |



ER

To: Erin Riley or Whom it may concern

2015 AUG 18 P 3:35

Case No # FEC 14-172

I was never told anything about this I  
Did not get any emails or phone calls about this  
case. If I own any money please tell me  
How much of the 13 dollars of fees it been  
two years so I don't remember about. So  
I call Ms. Erin Riley she told me something  
about \$13. So I will contact my city  
clerk office this week. I also told her that  
I was never told anything about this. I  
am also on a fix income. So if I don't fix  
this with my city clerk I will need the  
Florida Election Commission help with this.

Thanks Juan Santana





# Miami-Dade County Elections

**November 5, 2013 Miami-Dade County Special Election**

Website last updated 11/12/2013  
12:07:08 PM EST

Registered Voters: 1,275,653  
Ballots Cast: 145,172  
Voter Turnout: 11.38 %

Precincts Completely Reported: 829 of 829

Results are official.  
There was a recount for Miami Beach Mayor.

Please see addendum for results



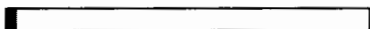
[Click here to filter the contests that appear below](#)  
(23 of 23)

[Next >>](#)

Go To Page  Display



## HIALEAH: MAYOR

52 of 52 Precincts Reporting

|   | Percent | Votes  |
|---|---------|--------|
| Carlos Hernandez   | 81.21%  | 14,826 |
| Julio J. Martinez  | 15.69%  | 2,864  |
| Juan Santana       | 3.10%   | 566    |
|   |         | 18,256 |



## HIALEAH: COUNCILMEMBER - GROUP V

52 of 52 Precincts Reporting

|   | Percent | Votes  |
|---|---------|--------|
| Luis Gonzalez    | 75.31%  | 12,027 |
| Julio Rodriguez  | 24.69%  | 3,944  |
|   |         | 15,971 |



## HIALEAH: COUNCILMEMBER - GROUP VI

52 of 52 Precincts Reporting

|  | Percent | Votes  |
|--|---------|--------|
| Paul 'Pablito' Hernandez  | 76.19%  | 12,687 |
| Marcos Miralles           | 23.81%  | 3,964  |
|  |         | 16,651 |

## HOMESTEAD: MAYOR

16 of 16 Precincts Reporting

|  | Percent | Votes |
|--|---------|-------|
| Mark Bell                 | 44.87%  | 1,343 |
| Jeffrey D. 'Jeff' Porter  | 55.13%  | 1,650 |
|  |         | 2,993 |

## HOMESTEAD: VICE MAYOR

16 of 16 Precincts Reporting

|  | Percent | Votes |
|--|---------|-------|
| Norman L. Hodge, Jr.  | 24.80%  | 701   |
| Stephen Shelley       | 49.49%  | 1,399 |

**EXHIBIT**



| HOMESTEAD: VICE MAYOR   |         |       |
|-------------------------|---------|-------|
|                         | Percent | Votes |
| Jimmie L. Williams, III | 25.72%  | 727   |
|                         |         | 2,827 |

[Next >>](#)Powered by - [SOE Software](#)EXHIBIT 18 page 2 of 3





## CITY OF HIALEAH 2013 ELECTION

### TREASURER'S REPORT DATES

Primary Election: November 5, 2013  
General Election: November 19, 2013

#### REPORTING DATES FOR PRIMARY ELECTION<sup>1</sup> (Florida Statutes § 106.07)

| <u>Due Dates</u> | <u>Reporting Periods</u>              | <u>Type of Reports</u> |
|------------------|---------------------------------------|------------------------|
| April 10, 2013   | January 1, 2013 – March 31, 2013      | Quarterly (Q1)         |
| July 10, 2013    | April 1, 2013 – June 30, 2013         | Quarterly (Q4)         |
| October 5, 2013  | July 1, 2013 – September 28, 2013     | 32nd day prior (F1)    |
| October 19, 2013 | September 29, 2013 – October 12, 2013 | 18th day prior (F2)    |
| November 2, 2013 | October 13, 2013 – November 1, 2013   | 4th day prior (F3)     |

#### REPORT DATES FOR GENERAL ELECTION (Fla. Stat. § 106.07)

| <u>Due Date</u>   | <u>Reporting Period</u>              | <u>Type of Report</u> |
|-------------------|--------------------------------------|-----------------------|
| November 16, 2013 | November 1, 2013 – November 15, 2013 | 4th day prior (G4)    |

#### DISPOSITION OF SURPLUS FUNDS BY CANDIDATE AND FINAL REPORT (Fla. Stat. § 106.07 and 106.141)

Following the last day of qualifying for office, an unopposed candidate must file a report within 90 days after the date such candidate became unopposed. Such report shall contain all previously unreported contributions and expenditures, and shall reflect disposition of surplus funds.

90 days after Qualifying Period – October 21, 2013

Candidates who withdraw their candidacy, become unopposed, are eliminated or elected to office shall, within 90 days, dispose of the funds on deposit in their campaign account and file a report reflecting the disposition of all remaining funds.

90 days after the Primary Election – February 3, 2014  
90 days after the General Election – February 17, 2014

<sup>1</sup> Dates are subject to change. Please contact the City Clerk's Office for possible updates.



An elected candidate who transfers funds to an office account must file a report on the 10th day following the end of each calendar quarter until the office account is closed.

### **LATE REPORTS – FINES**

(Fla. Stat. § 106.07)

The fine shall be \$50.00 per day for the first 3 days late and, thereafter, \$500.00 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.

For the reports immediately preceding each primary and general election, the fine shall be \$500.00 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.

For reports reflecting the disposition of surplus funds and/or the final report, the fine is \$50.00 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.

Fines are not allowable campaign expenditures, and must be paid from the candidate's personal funds.

### **INCOMPLETE REPORTS**

(Fla. Stat. § 106.07)

Any report which is deemed to be incomplete by the City Clerk shall be accepted on a conditional basis, and the campaign treasurer shall be notified by registered mail as to why the report is incomplete and be given 7 days from receipt of such notice to file an addendum to the report providing all information necessary to complete the report. Failure to file a complete report after such notice constitutes a violation of Chapter 106.

Note that in lieu of the notice by reregistered mail, the City Clerk's Office may notify the campaign treasure by telephone that the report is incomplete and request the information necessary to complete the report. If, however, the City Clerk does not receive such information within 3 days after the telephone request, notice shall be sent by registered mail.

### **LIMITATIONS ON CONTRIBUTIONS**

(Fla. Stat. § 106.08)

Any contribution received by a candidate with opposition in an election or by the campaign treasurer or a deputy campaign treasurer of such a candidate on the day of that election or less than 5 days prior to the day of that election must be returned by him or her to the person or committee contributing it and may not be used or expended by or on behalf of the candidate.

### **INCOMPLETE REPORTS**

(Fla. Stat. § 106.07)

**ALL REPORTS MUST BE SENT TO:**

**CITY OF HIALEAH  
OFFICE OF THE CITY CLERK  
501 PALM AVENUE, 3<sup>RD</sup> FLOOR  
HIALEAH, FL 33010**

While we attempt to provide accurate information, **you are legally responsible to ensure that your actions comply with applicable laws and regulations.** Therefore, we strongly urge you to familiarize yourself with Chapter 106, Florida Statutes, entitled Campaign Financing.

**EXHIBIT** 19 page 2 of 3



TA

**AFFIDAVIT OF FILING OFFICER**

**Case Number: FEC 14-172**

1. Please provide certified copies of the listed items from the following candidate's campaign file: **Juan Santana**.

| Check | ITEM   |
|-------|--|
| X     | The Statement of Candidate form for 2013 campaign for Mayor, City of Hialeah.  |
| X     | Statements of financial interest (Form 1 and Form 6) for 2013 campaign for Mayor, City of Hialeah.   |
| X     | Copy of letter Acknowledging receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository (Form DS-DE9) for 2013 campaign for Mayor, City of Hialeah. |
| X     | Other: Un-redacted copy of filing fee check  |

2. Please check each item provided to the candidate or his or her staff, and list the date that the item was provided. **(If the item is published by the Division of Elections, it is unnecessary to provide a copy of the item. If your office published the item, please send a copy of the item with this affidavit.)**

| Check | ITEM   | DATE  |
|-------|--|---|
| X     | Chapter 106, <i>Florida Statutes</i>   | 7/8/2013  |
|       | Chapter 104, <i>Florida Statutes</i> – PUBLISHED BY THE DIVISION OF ELECTIONS ONLINE |   |
| X     | Candidate Handbook <u>Please indicate Year</u> November 2011                         | 7/8/2013  |
| X     | Political ad and disclaimer supplement –   | 7/8/2013<br>Letter dated<br>11/18/2013                          |
| X     | Calendar of Election dates   | 5/14/2013,<br>7/8/2013,<br>7/11/2013,<br>7/15/2013,<br>1/9/2014 |

EXHIBIT 20 page 1 of 6

FEC 21 A 1036



|   |  |          |
|---|--|----------|
| X | <p>Any other election related document, <b>Please indicate the title of the related document:</b></p> <p>Summary of CS/CS/CS for House Bill 569 – Campaign Finance Reports</p> <p>Miami Dade County Ordinance No. 13-05 creating reporting requirements for County and Municipal candidates regarding paid and volunteer campaign workers participating in absentee ballot related campaign activities</p> <p>Miami Dade Legislative Item File Number: 112169 – Ordinance regarding absentee ballots</p> <p>Recent Legislative Changes</p> | 7/8/2013 |
|---|--|----------|

3. Please list all other written materials provided to the candidate or his or her staff, the date of receipt, and a brief description of the written materials. Did you notify the candidate that the campaign handbook was available on the Division of Elections website?

As evidenced by a memo addressed to all candidates for the Office of Mayor and City Council from myself, provided to Mr. Santana on July 8, 2013, he was provided with a hard copy of the Candidate and Campaign Treasurer Handbook – November 2011 edition, and was advised that the handbook was available on the Division of Elections website.

On June 11, 2013 my staff sent Mr. Santana a letter, via certified mail, providing the webpages in which to locate all necessary qualifying documents forms, which includes the Florida Commission on Ethics website and the Florida Division of Elections website.

On June 28, 2013, my staff sent Mr. Santana a letter, via certified mail, reminding him of the due date of the second quarter report. The United States Postal Service posted the status of the letter as *unclaimed*.

On July 1, 2013 my staff mailed Mr. Santana a letter advising him of a Campaign Skills Seminar to be held on July 22, 2013 at the Miami Beach City Commission Chambers.

On July 11, 2013 my staff sent Mr. Santana a letter, via certified mail, which confirms that Mr. Santana received a copy of the 2011 Candidate and Campaign Treasurer Handbook on July 8, 2013, as well as the Treasurer's Report due dates on May 14, 2013. Attached hereto is proof of delivery from the United States Postal Service.

On July 15, 2013 my staff sent Mr. Santana a letter, via certified mail, which included the Treasurer's Report due dates.

On August 1, 2013 my staff sent Mr. Santana a letter, via certified mail, advising him of his ballot number. Per the United States Postal Service, the letter was returned to sender as *unclaimed*.

On August 20, 2013, I sent Mr. Santana a letter advising him of a Campaign Skills Seminar to be held at the William F. "Bill" Dickinson Community Center on September 4, 2013.

EXHIBIT 20 page 2 1/6



On September 23, 2013 my staff sent Mr. Santana a letter, via certified mail, advising him of the procedure to designate poll watchers for Early Voting. Attached hereto is proof of delivery from the United States Postal Service.

On September 30, 2013 my staff sent Mr. Santana a letter, via certified mail, providing him with notice of the time and location of the public pre-election test of the automatic tabulating equipment for the election, as well as the Canvassing Board Schedule. Attached hereto is proof of delivery from the United States Postal Service.

On October 7, 2013 my staff sent Mr. Santana a letter via certified mail, advising him of the process to designate poll watchers for Election Day. Attached hereto is proof of delivery from the United States Postal Service.

On October 16, 2013 my staff sent Mr. Santana, via certified mail, the Early Voting Schedule. Attached hereto is proof of delivery from the United States Postal Service.

On November 18, 2013 my staff sent Mr. Santana a letter advising him of the date in which all political campaign signs should be removed by, as well as information as to filing a termination report. Attached hereto is proof of delivery from the United States Postal Service.

On January 9, 2014 at 2:09 p.m. I sent Mr. Santana an email, once again providing him with information as to the Termination Report, as well as the Treasurer's Reports due dates.

4. Please list all training seminars that were attended by the candidate, along with the date of attendance. If a staff member attended for the candidate, list his name and position. If available, please attach a copy of any attendance sheets from the seminar(s).

I am not aware of any seminars attended by Mr. Santana.

5. Please list the subjects covered during these seminars. If available, please provide a copy of the syllabus and outline for the seminar.

Not Applicable.

6. Please list any other contacts with this candidate by you or your staff concerning a provision of Chapter 104, Section 105.071, or Chapter 106, *Florida Statutes*. Indicate whether the contact was in person, in writing, or by telephone and the subject matter of the contact. Also, provide copies of any documentation of the contact. Please provide a separate affidavit from any member of your staff who was in contact with this candidate or his or her staff, detailing the subject matter of the contact.

Attached hereto, per my conversation with Ms. Tracie Aulet on December 4, 2015, is an affidavit by Carmen Hernandez, Deputy City Clerk, and an affidavit by me as the City Clerk.



7. Please list all late filings of campaign reports by the candidate. If there was correspondence with the candidate other than what has already been provided in the complaint concerning the late filings, please provide copies of that correspondence.

**Campaign Treasurer's Report due on July 10, 2013:**

On Friday, June 28, 2013 my staff mailed Mr. Santana a letter, via certified mail, reminding him that his second quarter report was due on July 10, 2013, reflecting the contributions and expenditures from April 1 through June 30, 2013. *(A copy of this letter has already been provided under item number 3 of this affidavit)*

On July 11, 2013 my staff sent Mr. Santana a letter, via certified mail, providing notice that the report was not received on the due date. *(A copy of this letter has already been provided under item number 3 of this affidavit)*

On Friday, July 12, 2013, two days late, an incomplete Campaign Treasurer's Report was submitted to the Office of the City Clerk.

On July 12, 2013 at 12:16 p.m. I received an email message from Mr. Santana's treasurer at the time, Ashley Vega, advising that she would like to appeal the fine.

On July 12, 2013 at 2:41 p.m. the Office of the City Clerk received a handwritten letter from Ms. Ashley Vega, advising that on July 8, 2013 she tried to turn in the campaign treasurer's report and it was denied. Attached hereto is the letter, as well as a copy of an incident report written by me.

On July 15, 2013 at 1:55 p.m. I received an email from Ms. Ashley Vega stating "I really am sorry for all of this bull we keep giving you guys. Trust me if I had any say so I never would of even gave the lady the letter. I didn't want to write it nor did I want to turn it in. But as you said I'm an adult and have to face up to the consequences."

On July 15, 2013 my staff sent Mr. Santana a letter, via certified mail, advising him that the second quarter report which was due on July 10, 2013 was received by the Office of the City Clerk on July 12, 2013. Mr. Santana was also provided notice that the campaign treasurer's report was incomplete.

*The \$100.00 fine was never paid.*

On August 19, 2013 at 6:15 p.m. I received a letter from Ms. Ashley Vega advising me that she was resigning from Mr. Santana's campaign.

I responded to Ms. Vega's email on August 20, 2013 at 11:39 a.m. advising her that pursuant to section 106.021 of the Florida Statutes, no resignation shall be effective until it has been submitted to the candidate in writing and a copy thereof has been filed with the City Clerk.

On August 20, 2013 at 11:43 a.m. I received an email from Ms. Vega advising me that she informed Mr. Santana of her resignation as treasurer a few weeks ago in writing. I also received an email from Ms. Vega on the same day at 1:33 p.m. advising me that Mr. Santana has the letter



and she cannot make contact with him as she has filed a police report against Mr. Santana for threatening her. On the same day at 2:07 p.m. I received an email from Ms. Vega advising me that she did not have a copy of the letter.

On August 23, 2013 the Office of the City Clerk received Mr. Santana's appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates, designating himself as the treasurer.

On August 23, 2013 at 1:26 p.m. Mr. Santana submitted a Waiver of Report for the reporting period of May 14, 2013 through June 30, 2013.

**Campaign Treasurer's Report due on February 3, 2014:**

On Tuesday, February 4, 2014, one day late, Mr. Santana submitted an incomplete Campaign Treasurer's Report.

On February 18, 2014 my staff sent Mr. Santana a letter, via certified mail, advising him that the report was received one day late. The letter further provided Mr. Santana with notice that the report was deemed incomplete and had been accepted on a conditional basis. The correspondence was returned to the Office of the City Clerk by the United States Postal Service as unclaimed.

**Campaign Treasurer's Report due on October 5, 2013:**

On February 20, 2014 my staff sent Mr. Santana a letter, via certified mail, advising him that he was in noncompliance with the second amended F1 Treasurer's Report for the reporting period of July 1, 2013 through September 28, 2013. The correspondence was returned to the Office of the City Clerk by the United States Postal Service on March 8, 2014 as unclaimed.

On March 17, 2014 at 3:28 p.m. the receptionist in the Office of the City Clerk, Eva Price, advised me via a post-it note that Mr. Santana came to our office to make a public records request and was advised that he had pending letters to pick up and he said he did not want to wait and would pick them up the next day.

On April 3, 2014 my staff sent Mr. Santana a letter, via certified mail, and enclosed was included the letter dated February 18, 2014 (*second attempt*) and the letter dated February 20, 2014 (*second attempt*), but the correspondence was returned to sender by the United States Postal Service on April 24, 2014 as unclaimed.

On April 11, 2014 at 4:15 p.m. I sent Mr. Santana an email advising him that the letters dated February 18, 2014 and February 20, 2014 were returned to our office as unclaimed. A copy of the correspondence was provided to him via email.

On June 20, 2014 at 10:30 a.m. the receptionist in the Office of the City Clerk, Eva Price, advised me via a post-it note that she attempted to provide Mr. Santana with a copy of his unclaimed letter and Mr. Santana refused to pick it up stating he had only come to our office to pick up the records responsive to a public records request he had made.

*The \$50.00 fine was never paid.*

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On December 10, 2015 at 1:49 p.m. Mr. Santana submitted a third amendment to his F2 campaign treasurer's report for the reporting period of September 29, 2013 through October 12, 2013.

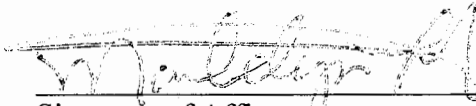
8. Please list all fines paid by the candidate and provide copies of all correspondence concerning the fines.

Mr. Santana has not paid any fine to the Office of the City Clerk.

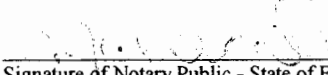
9. Please list each year the candidate ran for office, the office the candidate ran for, the dates of the elections, and the results of the elections.

2013 Elections – Mr. Santana ran for Mayor of Hialeah. The date of the election was November 5, 2013.

**I SWEAR OR AFFIRM THAT THE INFORMATION CONTAINED IN THIS DOCUMENT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.**

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

Sworn to (or affirmed) and subscribed before me this 15 day of  
December, 2015

  
\_\_\_\_\_  
Signature of Notary Public - State of Florida  
Print, Type, or Stamp Commissioned Name of Notary Public  
Notary Public State of Florida  
Melissa Swann  
My Commission FF 224959  
Expires 04/28/2019

Personally Known        or Produced Identification       

Type of Identification Produced: \_\_\_\_\_

Case Investigator: ta

EXHIBIT 2D page 6 of 6



# **CANDIDATE AND CAMPAIGN TREASURER HANDBOOK**



November 2011

Florida Department of State  
Division of Elections  
R.A. Gray Building, Room 316  
500 South Bronough Street  
Tallahassee, Florida 32399-0250  
Phone: 850.245.6240

<http://elections.myflorida.com>

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# Chapter 1

## Background

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The information contained in this publication is intended as a quick reference guide only and is current upon publication. Chapters 97-106, Florida Statutes, the Constitution of the State of Florida, Division of Elections' opinions and rules, Attorney General opinions, county charters, city charters and ordinances, and other sources should be reviewed in their entirety for complete information regarding campaign financing and qualifying.

In addition, the following publications produced by the Florida Department of State, Division of Elections should be reviewed for further information:

- State Qualifying Handbook
- Federal Qualifying Handbook
- Candidate Petition Handbook
- Candidate Electronic Filing System User's Guide (Form DS-DE 110A)
- Calendar of Reporting Dates

**All forms and publications mentioned in this handbook are available on the Division of Elections' website at <http://elections.myflorida.com>.**

Please direct any questions to either your county supervisor of elections or the Florida Department of State, Division of Elections at 850.245.6240. Below you will find some other useful websites:

|  |   |
|--|---|
| Florida Division of Elections .....      | <a href="http://elections.myflorida.com">http://elections.myflorida.com</a>   |
| Florida Elections Commission .....       | <a href="http://www.fec.state.fl.us">http://www.fec.state.fl.us</a>   |
| Florida Elected Officials .....          | <a href="http://election.dos.state.fl.us/contact-us/contact-elected-officials.shtml">http://election.dos.state.fl.us/contact-us/contact-elected-officials.shtml</a> |
| Florida Supervisors of Elections .....   | <a href="https://doe.dos.state.fl.us/SOE/supervisor_elections.shtml">https://doe.dos.state.fl.us/SOE/supervisor_elections.shtml</a>                                 |
| Florida Association of City Clerks ..... | <a href="http://www.floridaclerks.org">http://www.floridaclerks.org</a>   |
| Florida Attorney General .....           | <a href="http://myfloridalegal.com">http://myfloridalegal.com</a>   |
| Federal Election Commission .....        | <a href="http://www.fec.gov">http://www.fec.gov</a>   |

This publication is available in alternate format upon request by contacting 850.245.6240.



## Chapter 2

# The Campaign Financing Act

---

Chapter 106, Florida Statutes, regulates campaign financing for all candidates, including judicial candidates, political committees, committees of continuous existence, electioneering communication organizations, and political parties. ***It does not regulate campaign financing for candidates for federal office or candidates for a political party executive committee.***

The Division of Elections:

- Oversees the interpretation of and provides guidance on the election laws.
- Provides advisory opinions to supervisors of elections, candidates, local officers having election related duties, political parties, political committees, committees of continuous existence, or other persons or organizations engaged in political activity, relating to any provisions or possible violations of Florida election laws with respect to actions such person or entity has taken or proposes to take. (Section 106.23(2), F.S.)
- Conducts audits with respect to reports and statements filed under chapter 106. (Section 106.22, F.S.)
- Reports to the Florida Elections commission any apparent violations of Chapter 106. (Section 106.22(7), F. S.)
- Prescribes rules and regulations to carry out the provisions of Chapter 106, Florida Statutes. (Section 106.22(9), F.S.)

EXHIBIT 21 page 6 of 11



# Chapter 11

## Expenditures

---

### Definition

An expenditure is a purchase, payment, distribution, loan, advance, transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or certificate of deposit, or gift of money or anything of value made for the purpose of influencing the results of an election or making an electioneering communication.

### General Requirements

A candidate **shall**:

1. Pay all campaign expenditures by a check drawn on the campaign account (except petty cash);
2. Pay the qualifying fee by a check drawn on the campaign account;
3. Pay for all expenses authorized or incurred for the purchase of goods or services upon final delivery and acceptance of the goods or services; and
4. Pay for public utilities such as telephone, electric, gas, water and like services when the bill is received. Utility companies providing services to candidates must charge a deposit sufficient to meet all anticipated charges during a billing period.

**IMPORTANT:** No candidate, campaign manager, treasurer, deputy treasurer, or any person acting on behalf of the foregoing, shall authorize any expenses, unless there are sufficient funds on deposit in the primary depository account of the candidate to pay the full amount of the authorized expense, to honor all other checks draw on such account, which checks are outstanding, and to meet all expenses previously authorized but not yet paid.

Sufficient funds means that the funds at issue have been delivered for deposit to the financial institution at which such account is maintained and not that such funds are available for withdrawal in accordance with the deposit rules or the funds availability policies of such financial institution.

### Checks

**IMPORTANT:** Only a campaign treasurer or deputy campaign treasurer is allowed to sign checks drawn on the campaign account. The campaign treasurer or deputy campaign treasurer who signs a check shall be responsible for the completeness and accuracy of the information on the check and for ensuring it is an authorized expenditure. **Candidates are prohibited from signing campaign checks unless they appointed themselves campaign treasurer or deputy treasurer.**

EXHIBIT 21 page 2 of 11



## Chapter 16

# Filing Campaign Reports

---

Each campaign treasurer designated by a candidate shall file regular reports of all contributions received and all expenditures made by or on behalf of such candidate.

The candidate and his or her campaign treasurer shall certify as to the correctness of each report. Each person so certifying shall bear the responsibility for the accuracy and veracity of each report. Any campaign treasurer or candidate who willfully certifies the correctness of any report while knowing that such report is incorrect, false or incomplete commits a misdemeanor of the first degree.

*(Section 106.07, F.S.)*

### Where to File

Reports are filed with the officer before whom the candidate qualifies. Candidates filing reports with the Division of Elections are required to file by means of the **Electronic Filing System (EFS)**. If the candidate's filing officer is other than the Division of Elections, contact the appropriate filing officer to find out the requirements.

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

### When to File

Except for the third calendar quarter immediately preceding a general election, reports must be filed on the 10<sup>th</sup> day following the end of each calendar quarter (January, April, July, and October) from the time the campaign treasurer is appointed, except that if the 10<sup>th</sup> day occurs on a Saturday, Sunday or legal holiday, the report shall be filed on the next business day that is not a Saturday, Sunday or legal holiday.

Reports must also be filed on the 32<sup>nd</sup>, 18<sup>th</sup> and 4<sup>th</sup> days immediately preceding the primary election and on the 46<sup>th</sup>, 32<sup>nd</sup>, 18<sup>th</sup>, and 4<sup>th</sup> days immediately preceding the general election.

Unless the electronic filing requirements of Section 106.0705, Florida Statutes, apply, reports shall be filed no later than 5 p.m. of the day designated. A report postmarked by the U.S. Postal Service no later than midnight of the day designated is deemed timely filed. A report received by the filing officer within 5 days after the designated due date that was delivered by the U.S. Postal Service is deemed timely filed unless it has a postmark indicating the report was mailed after the designated due date. A certificate of mailing obtained from and dated by the U.S. Postal Service at the time of mailing or a receipt from an established courier company, which bears a date on or before the date on which the report is due, is proof of mailing in a timely manner. **Reports filed with the Division of Elections through the Electronic Filing System (EFS) are due no later than midnight, Eastern Time, of the due date.** (See Chapter 19, *Electronic Filing of Campaign Reports*.)

Once a candidate becomes unopposed the candidate need only file a 90-day termination report.

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



## Reporting Contributions

Each report must contain:

1. Full name, address, specific occupation, amount, and date of each person making a contribution. Reports must provide as clear a description as practicable of the principal type of business conducted for corporations contributing. **The principal type of business or the occupations are not required if the contribution is \$100 or less, or from a relative provided the relationship is reported.**
2. Name, address, amount, and date of each political committee making any transfer of funds.
3. Full name, address, specific occupation, principal place of business of the lender and endorser, date and amount of each loan.
4. Statement of each contribution, rebate, refund, or other receipts not listed in 1. through 3. above.

*(Sections 106.07(4) and 112.312(21), F.S.)*

## Returning Contributions

Contributions **must be returned** to the contributor if:

1. A candidate receives a contribution in excess of the limitations provided by law.
2. A candidate with opposition in an election receives a contribution on the day of that election or less than five days prior to the date of that election.
3. A candidate receives a contribution once he or she is elected, defeated, becomes unopposed, or withdraws his or her candidacy.

If the contribution to be returned has not been deposited into the campaign account, report the contribution as a contribution returned using form DS-DE 02.

If the contribution has been deposited into the campaign account:

1. Report the contribution; and
2. Write a check from the campaign account to the contributor for the amount of the contribution and report this on the itemized contribution report using the contribution type "Refund." This amount is reported as a negative. The candidate may also wish to submit a written explanation to the filing officer.

*(Section 106.08, F.S.)*



## Chapter 17

### Termination Reports

---

Once a candidate withdraws, becomes unopposed, is eliminated, or elected to office, he or she may **only** expend funds from the campaign account to:

1. Purchase "thank you" advertising for up to 75 days after he or she withdraws, becomes unopposed, is eliminated, or elected to office.
2. Pay for items which were obligated before he or she withdrew, became unopposed, was eliminated, or elected to office.
3. Pay for expenditures necessary to close down the campaign office and to prepare final campaign reports.
4. Dispose of surplus funds as provided in Section 106.141, F.S.

*(Section 106.11(5), F.S.)*

### Prior to Disposing of Surplus Funds

A candidate may be reimbursed by the campaign for any previously reported contributions by the candidate to the campaign, in full or in part.

A candidate who filed an oath stating that he or she was unable to pay the election assessment or fee for verification of petition signatures without imposing an undue burden on his or her personal resources or on resources otherwise available to him or her, or who filed both such oaths, or who qualified by the petition method and was not required to pay an election assessment, must reimburse the state or local government entity, whichever is applicable, for such waived assessment or fee or both prior to disposing of any funds under the surplus provisions contained in Section 106.141(4), F.S. Such reimbursement must be made in the following order:

1. The cost of petition verification; and
2. If funds remain, the amount of the election assessment.

*(Section 106.141, F.S.)*

### Disposing of Surplus Funds

Once a candidate withdraws, becomes unopposed, is eliminated, or elected to office, the candidate must dispose of the funds on deposit in his or her campaign account and file a campaign treasurer's report (termination report) reflecting the disposition of funds.

A candidate required to dispose of surplus funds must, at the option of the candidate, dispose of such funds within 90 days by any of the following means, or a combination thereof:

1. Return pro rata to each contributor the funds that have not been spent or obligated.



2. Donate the funds that have not been spent or obligated to a charity organization or organizations that meet the qualifications of Section 501(c)(3) of the Internal Revenue Code.
3. Give funds that have not been spent or obligated to the political party of which such candidate is a member.
4. Give the funds that have not been spent or obligated:
  - a. In the case of a candidate for state office, to the state to be deposited in the General Revenue Fund; or
  - b. In the case of a candidate for office of a political subdivision, to such political subdivision, to be deposited in the general fund thereof.
5. Transfer some funds to an office account (See Chapter 19, Office Accounts).

The termination report must include:

1. The name and address of each person or unit of government to whom any of the funds were distributed and the amounts thereof;
2. The name and address of each person to whom an expenditure was made together with the amount and purpose; and
3. The amount of such funds transferred to an office account together with the name and address of the bank in which the office account is located.

**If a refund check is received after all surplus funds have been disposed of**, the check may be endorsed by the candidate and the refund disposed of pursuant to Section 106.141, F.S. An amended termination report must be filed with the filing officer.

All reports must be signed by the candidate and the campaign treasurer and certified as true and correct.

(Section 106.141, F.S.)

### **Money from Separate Interest-Bearing Account or Certificate of Deposit**

A campaign treasurer of any candidate who withdraws, becomes unopposed, or is eliminated, or elected to office, and who has funds on deposit in any interest-bearing account or certificate of deposit, must, within seven days, transfer such funds and accumulated interest earned thereon to the primary campaign account for disposal. However, when funds are in an account in which penalties will apply for withdrawal within the seven day period, the campaign treasurer must transfer such funds and accumulated interest earned thereon as soon as the funds can be withdrawn without penalty, or within 90 days after the candidate becomes unopposed, withdraws his or her candidacy, or is elected, or eliminated, whichever comes first.

(Section 106.141, F.S.)

EXHIBIT 21 page 11 of 11



# STATEMENT OF CANDIDATE

(Section 106.023, F.S.)

(Please print or type)

## OFFICE USE ONLY

CLERK 07/08/13 PM 546

I, Juan Santana,  
candidate for the office of Mayor;  
have been provided access to read and understand the requirements of  
Chapter 106, Florida Statutes.

X



Signature of Candidate

06/15/13

Date

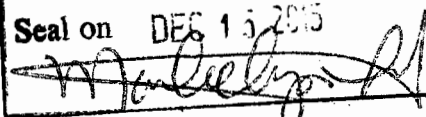
Each candidate must file a statement with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository is filed. Willful failure to file this form is a first degree misdemeanor and a civil violation of the Campaign Financing Act which may result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

DS-DE 84 (05/11)

EXHIBIT 22

A certified true copy of the  
Original Document on file  
with the City of Hialeah  
WITNESS my hand and Official

Seal on DEC 15 2015



CITY CLERK  
CITY OF HIALEAH, FLORIDA





**FLORIDA ELECTIONS COMMISSION**

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

November 24, 2015

Juan Santana  
5601 West 10<sup>th</sup> Avenue  
Hialeah, FL 33012-2339

**RE: Case No.: FEC 14-172; Respondent: Juan Santana**

Dear Mr. Santana:

On July 8, 2014, 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(2)(b)1., Florida Statutes:** Juan Santana, 2013 candidate for mayor for the City of Hialeah, failed to timely make necessary amendments to his 2013 F1 and 2014 TR reports, as alleged in the complaint.

**Section 106.07(5), Florida Statutes:** Juan Santana, 2013 candidate for mayor for the City of Hialeah, certified that his 2014 Termination report was true, correct, and complete when it was not, as alleged in the complaint.

**Section 106.11(1)(a), Florida Statutes:** Juan Santana, 2013 candidate for mayor for the City of Hialeah, paid a campaign expense using something other than a blank check, as alleged in the complaint.

**Section 106.141(1), Florida Statutes:** Juan Santana, 2013 candidate for mayor for the City of Hialeah, failed to timely file his 2014 Termination Report, as alleged in the complaint.



**Section 106.141(1), Florida Statutes:** Juan Santana, 2013 candidate for mayor for the City of Hialeah, failed to timely dispose of the surplus funds on deposit in his campaign account, as alleged in the complaint.

**Section 106.19(1)(b), Florida Statutes:** Juan Santana, 2013 candidate for mayor for the City of Hialeah, failed to report one or more contributions required to be reported by Chapter 106, Florida Statutes, as alleged in the complaint.

**Sections 106.19(1)(c), Florida Statutes:** Juan Santana, 2013 candidate for mayor for the City of Hialeah, falsely reported or deliberately failed to include information required by Chapter 106, as alleged in the complaint.

**Section 106.19(1)(d), Florida Statutes:** Juan Santana, 2013 candidate for mayor for the City of Hialeah, made or authorized one or more expenditures prohibited by Chapter 106, Florida Statutes.

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

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

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

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

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

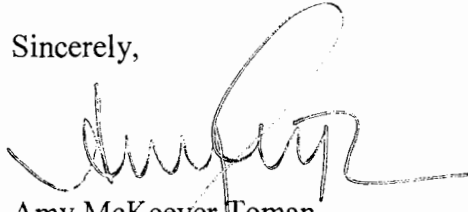
Under section 106.25, Florida Statutes, complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 and 106, Florida Statutes, are confidential until the Commission finds probable cause or no probable cause. The confidentiality provision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



apply to you unless you waive confidentiality in writing. The confidentiality provision does not preclude you from seeking legal counsel. However, if you retain counsel, your attorney must file a notice of appearance with the Commission before any member of the Commission staff can discuss this case with him or her.

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

Sincerely,



Amy McKeever Toman  
Executive Director

AMT/enr




To: Erin Riley or Whom it may concern

2015 AUG 18 P 3:35

Case No # FEC 14-172

I was never told anything about this I  
 Did not get any emails or phone calls about this  
 case. If I own any money please tell me  
 How much of the 13 dollars of fine it been  
 two years so I don't remember about. So  
 I call Ms. Erin Riley she told me something  
 about \$13. So I will contact my city  
 clerk office this week. I also told her that  
 I was never told anything about this. I  
 am also on a fix income. So if I don't fix  
 this with my city clerk I will need the  
 Florida Election Commission help with this.

Thanks Juan Santos 



14-172

**STATE OF FLORIDA**  
**FLORIDA ELECTIONS COMMISSION**  
107 West Gaines Street, Suite 224, Tallahassee, Florida 32399-1050  
Telephone Number: (850) 922-4539  
[www.fec.state.fl.us](http://www.fec.state.fl.us)

RECEIVED

2014 JUL -8 A 9:55

**CONFIDENTIAL COMPLAINT FORM**

The Commission's records and proceedings in a case are confidential until the Commission rules on probable cause. A copy of the complaint will be provided to the person against whom the complaint is brought.

**1. PERSON BRINGING COMPLAINT:**

Name: Marbelys Fatjo Work Phone: (305) 883-5820  
Address: 501 Palm Avenue Home Phone: ( )  
City: Hialeah County: Miami-Dade State: Florida Zip Code: 33010

**2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:**

A person can be an individual, political committee, committee of continuous existence, political party, electioneering communication organization, club, corporation, partnership, company, association, or any other type of organization. If both an individual and a committee or organization are involved, name both.

Name of individual: Juan Santana  
Address: 1190 West 56 Street Phone: (786) 334-4908  
City: Hialeah County: Miami-Dade State: Florida Zip Code: 33012

If individual is a candidate, list the office or position sought: Mayoral Candidate, City of Hialeah

Name of committee or organization: N/A  
Address: N/A Phone: (N/A)  
City: N/A County: N/A State: N/A Zip Code: N/A

Have you filed this complaint with the State Attorney's Office? (check one) ☐ Yes ☒ No

**3. ALLEGED VIOLATION(S):**

Please list the provisions of The Florida Election Code that you believe the person named above may have violated. The Commission has jurisdiction only to investigate the following provisions: **Chapter 104, Chapter 106, Section 98.122, and Section 105.071, Florida Statutes.** Also, please include:

- ✓ The facts and actions that you believe support the violations you allege,
- ✓ The names and telephone numbers of persons you believe may be witnesses to the facts,
- ✓ A copy or picture of the political advertisements you mention in your statement,
- ✓ A copy of the documents you mention in your statement, and
- ✓ Other evidence that supports your allegations.

Sections 106.07(1), 106.07(8)(a), 106.07(5), 106.11(1)(a), and 106.141 of the Florida Statutes (2013).

Please see the attached for facts and actions which support the violations, as well as supporting documentation.



Lined area for text entry.

Additional materials attached (check one)? ☒ Yes ☐ No

4. **OATH**

STATE OF FLORIDA  
COUNTY OF Miami-Dade

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

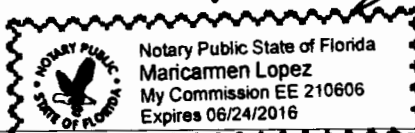
*Maricarmen Lopez*  
Original Signature of Person Bringing Complaint

RECEIVED  
2014 JUL -8 A 9:55  
STATE OF FLORIDA  
ELECTIONS COMMISSION

Sworn to and subscribed before me this 01 day of

July, 20 14

*Maricarmen Lopez*  
Signature of Officer Authorized to Administer Oaths or Notary public.



(Print, Type or Stamp the Full Name of Notary Public)

Personally known ☒ Or Produced Identification ☐

Type of Identification Produced \_\_\_\_\_

Any person who files a complaint while knowing that the allegations are false or without merit commits a misdemeanor of the first degree, punishable as provided in Sections 775.082 and 775.083, Florida Statutes.



**Carlos Hernandez**

Mayor

**Isis Garcia-Martinez**

Council President

**Luis Gonzalez**

Council Vice President



Council Members

**Jose F. Caragol**

**Vivian Casals-Muñoz**

**Katharine E. Cue-Fuente**

**Paul B. Hernandez**

**Lourdes Lozano**

# City of Hialeah

July 1, 2014

State of Florida  
Florida Elections Commission  
107 West Gaines Street  
Suite 224  
Tallahassee, Florida 32399-1050

To Whom It May Concern:

I hereby submit a complaint to the Florida Elections Commission against Mr. Juan Santana, a City of Hialeah Mayoral candidate for the November 5, 2013 election.

Enclosed please find the State of Florida – Florida Elections Commission Confidential Complaint Form, along with all supporting documentation.

I respectfully ask that you accept this complaint from me as Acting City Clerk, on behalf of the City of Hialeah, for several alleged violations of Chapter 106 of the Florida Statutes (2013).

Cordially,

Marbelys L. Fatjo, Esq.  
Acting City Clerk

Enclosures

RECEIVED  
2014 JUL -8 A 9:55  
STATE OF FLORIDA  
ELECTIONS COMMISSION





### **Alleged Violations:**

Mr. Juan Santana has violated §106.07(1) of the Florida Statutes (2013), which provides that each campaign treasurer designated by a candidate shall file regular reports of all contributions received, and all expenditures made, by or on behalf of such candidate. Mr. Santana's final Campaign Treasurer's Report was submitted with zero amounts on each section listed in the form. This report was deemed incomplete by the officer with whom the candidate qualified, and was therefore accepted on a conditional basis. To date Mr. Santana has failed to amend the report.

Mr. Juan Santana submitted his final Campaign Treasurer's Report one day late. Mr. Santana was verbally informed on the day he submitted the report that the report was deemed one day late. Pursuant to § 106.07(8)(a) of the Florida Statutes (2013), any candidate failing to file a report on the designated due date is subject to a fine as provided in paragraph (b) for each late day.

Mr. Juan Santana has violated §106.07(5) of the Florida Statutes (2013) which provides that the candidate and his campaign treasurer shall certify as to the correctness of each report; and each person so certifying shall bear the responsibility for the accuracy and veracity of each report. The section of the statute further provides that any campaign treasurer or candidate who willfully certifies the correctness of any report while knowing that such report is incorrect, false, or incomplete commits a misdemeanor of the first degree. Mr. Santana has reported a zero amount on every part of his final Campaign Treasurer's Report, including the total Monetary Contributions/Expenditures to date sections of the form, evidencing the filing of a false report. Moreover, he has certified a false/incomplete report.

Mr. Juan Santana has also violated §106.11(1)(a) of the Florida Statutes (2013), which provides that the campaign treasurer of a candidate shall make expenditures from funds on deposit in the primary campaign depository only by means of a bank check drawn upon the campaign account of the candidate or a campaign debit card. Mr. Santana reported in his F1 Campaign Treasurer's Report that a total of thirteen dollars was expended from campaign funds to the City of Hialeah for the purpose of public records. The City of Hialeah has not received funds from Mr. Santana by means of a bank check drawn upon the campaign account of the candidate or a campaign debit card for a public records request fee.

Mr. Juan Santana may have potentially violated §106.141 of the Florida Statutes (2013) if he did not dispose of the funds on deposit in his campaign account within 90 days of being eliminated as a candidate. Although Mr. Santana submitted his final Campaign Treasurer's Report with a zero on every portion of the form, the reports previously submitted by the candidate/treasurer reflect that there is a balance of eighty-seven dollars in his campaign bank account, which he has not reported how it was disposed of.

### **Facts:**

On July 8, 2013 Mr. Juan Santana qualified as a Mayoral Candidate in the November 5, 2013 City of Hialeah election. On August 23, 2013 Mr. Santana submitted a new Appointment of Campaign Treasurer (DS-DE 9) form appointing himself as treasurer of the campaign (*see attached Exhibit "1"*).



On October 28, 2013 Mr. Santana submitted his second and final amendment to his Campaign Treasurer's Report for the reporting period of July 1, 2013 to September 28, 2013. Said report reflects \$1,150.00 as the total monetary contributions to date, and \$938.00 as the total monetary expenditures to date (*see attached Exhibit "2"*).

On October 28, 2013 Mr. Santana submitted his first and final amendment to his Campaign Treasurer's Report for the reporting period of September 29, 2013 to October 12, 2013. Said report reflects \$1,200.00 as the total monetary contributions to date, and \$1,113.00 as the total Monetary Expenditures to Date (*see attached Exhibit "3"*).

On November 1, 2013 Mr. Santana submitted a Waiver of Report for the reporting period of October 13, 2013 through November 1, 2013 (*see attached Exhibit "4"*).

On November 18, 2013 I sent Mr. Santana letter via certified mail advising him that he must dispose of the funds on deposit in his campaign account and file a Campaign Treasurer's Report (termination report) reflecting the disposition of funds, by Monday, February 3, 2014, which was ninety days after Mr. Santana had been eliminated as a candidate (*see attached Exhibit "5"*).

Mr. Santana submitted his termination report on February 4, 2014, one day late. Moreover, said report contains a \$0.00 on section (6) contributions this report, section (7) expenditures this report, (8) other distributions, (9) total monetary contributions to date, and (10) total monetary expenditures to date (*see attached Exhibit "6"*).

On February 18, 2014 I sent Mr. Santana a letter via certified mail, return receipt requested, advising Mr. Santana that the Campaign Treasurer's Report was received one day late. The letter further advised Mr. Santana that I was unable to assess a fine at this time, since the report reflects a total of zero for the contributions and expenditures for the reporting period covered by the report. Moreover, the letter informed Mr. Santana that the report had deemed incomplete and was accepted on a conditional basis. According to Campaign Treasurer's Reports submitted by Mr. Santana, there is a balance of eighty-seven dollars in his campaign bank account that he has either failed to dispose of or has failed to report how he disposed of the funds. The United States Postal Service unsuccessfully delivered this letter to Mr. Santana. The letter was returned to me, the sender, by the United States Postal Service on March 7, 2014 as **unclaimed** (*see attached Exhibit "7"*).

On February 20, 2014 I sent Mr. Santana a notice of non-compliance via certified mail, return receipt requested, advising Mr. Santana that he reported on the Campaign Treasurer's Report submitted for the reporting period of July 1, 2013 to September 28, 2013 that a total of thirteen dollars (\$13.00) was expended from his campaign bank account to the City of Hialeah for the purpose of public records. The letter further advised Mr. Santana that personnel of the Office of the City Clerk reviewed the City's records as to copies of receipts provided to Mr. Santana as acknowledgment of fees received by the City from Mr. Santana for records provided to him on August 30, 2013 (the date reported by Mr. Santana as having expended the funds), and the City does not have any record of thirteen dollars having been expended from Mr. Santana's campaign bank account for public records on said date (*see attached Exhibit "8"*). The United States Postal Service unsuccessfully delivered this letter to Mr. Santana. The



letter was returned to me, the sender, by the United States Postal Service on March 7, 2014 as **unclaimed** (see attached Exhibit "9").

On March 17, 2014 at 3:28 p.m., Mr. Santana visited the Office of the City Clerk to make a public records request, and the office receptionist, Ms. Eva Price, advised him that she was going to give him two letters reference his Campaign Treasurer's Reports which had been sent to him via certified mail and were returned to us as unclaimed, and Mr. Santana said he did not wish to take the documentation and would return the next day for the letters. Mr. Santana never came to the Office of the City Clerk on March 18, 2014 to pick up the letters.

I contacted the Miami-Dade County Elections Department for advice on how to handle the situation, and I was advised to resend the letters via Certified Mail and via email if the candidate had provided our office with an e-mail address. As referenced in his Appointment of Campaign Treasurer form, Mr. Santana's email address is bpracing1@gmail.com. This is the email address Mr. Santana has continuously used to communicate with the Office of the City Clerk.

On April 3, 2014 I mailed the two letters, dated February 18 and February 20, 2014 to Mr. Santana via certified mail. The United States Postal Service returned both letters to our office as **unclaimed** on April 22, 2014 (see attached Exhibit "10").

On April 11, 2014 I emailed Mr. Santana at bpracing1@gmail.com advising him that our office had attempted to send a letter dated February 18, 2014 and a letter dated February 20, 2014 via certified mail, and that both letters had been returned to sender as unclaimed. I attached both letters as attachments to the email; however, I did not receive a response from Mr. Santana (see attached Exhibit "11").

On June 20, 2014 at 10:30 a.m. Mr. Santana visited the Office of the City Clerk to pick up documentation in response to a public records request, and our office receptionist, Ms. Eva Price, advised Mr. Santana that the City had made unsuccessful attempts to send him two letters reference his Campaign Treasurer's Reports, and Mr. Santana refused to accept the letters.



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

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

(PLEASE PRINT OR TYPE)

CLERK 08/23/13 PM 1:06

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

OFFICE USE ONLY

**1. CHECK APPROPRIATE BOX(ES):**

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

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

Juan Santans

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

1190 west SG St

4. Telephone

(305) 763-7217

5. E-mail address

bpracing1@gmail.com

Hialeah FL, 33012

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

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    ☒ Independent Party candidate.

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

10. Name of Treasurer or Deputy Treasurer

Juan Santans

11. Mailing Address

1190 west SG St

12. Telephone

(305) 763-7217

13. City

Hialeah

14. County

Dade

15. State

FL

16. Zip Code

33012

17. E-mail address

bpracing1@gmail.com

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

19. Name of Bank

Bank of America

20. Address

900 West 49 St

21. City

Hialeah

22. County

Dade

23. State

FL

24. Zip Code

33012

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

Aug 23, 2013

26. Signature of Candidate

X 

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

I, Juan Santans, do hereby accept the appointment  
(Please Print or Type Name)

designated above as:

☒ Campaign Treasurer

☐ Deputy Treasurer.

Aug 23, 2013

Date

X

  
Signature of Campaign Treasurer or Deputy Treasurer



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

(1) Juan Santana

Name

(2) 1190 W 56 St

Address (number and street)

Hialeah FL 33012

City, State, Zip Code

☐ CHECK IF ADDRESS HAS CHANGED

OFFICE USE ONLY

CLERK 10/28/13 PM 1:50

(3) ID Number: 12

(4) Check appropriate box(es):

☒ Candidate (office sought): MAYOR

☐ Political Committee

☐ Committee of Continuous Existence

☐ Party Executive Committee

☐ Electioneering Communication

☐ CHECK IF PC HAS DISBANDED

☐ CHECK IF CCE HAS DISBANDED

☐ CHECK IF NO OTHER ELECTIONEERING  
COMMUNICATION REPORTS WILL BE FILED

**(5) REPORT IDENTIFIERS**

Cover Period: From 7/1/13 To 9/28/13 Report Type F21

☐ Original ☒ Amendment ☐ Special Election Report ☐ Independent Expenditure Report

**(6) CONTRIBUTIONS THIS REPORT**

Cash & Checks \$ \_\_\_\_\_

Loans \$ 1150<sup>00</sup>

Total Monetary \$ \_\_\_\_\_

In-Kind \$ \_\_\_\_\_

**(7) EXPENDITURES THIS REPORT**

Monetary Expenditures \$ 938<sup>00</sup>

Transfers to Office Account \$ \_\_\_\_\_

Total Monetary \$ \_\_\_\_\_

**(8) Other Distributions**

\$ \_\_\_\_\_

**(9) TOTAL Monetary Contributions To Date**

\$ 1150<sup>00</sup>

**(10) TOTAL Monetary Expenditures To Date**

\$ 938

**(11) CERTIFICATION**

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

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

(Type name)

Juan Santana  
☐ Individual (only for electioneering commun.) ☒ Treasurer ☐ Deputy Treasurer

**X**

Signature

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

(Type name)

Juan Santana  
☒ Candidate ☐ Chairperson (only for PC, PTY & electioneering commun. organization)

**X**

Signature



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

(1) Juan Santana  
Name

(2) 1190 W 56 St  
Address (number and street)

Hialeah FL 33012  
City, State, Zip Code

☐ CHECK IF ADDRESS HAS CHANGED

OFFICE USE ONLY  
CLERK 10/28/13 PM 1:50

(3) ID Number: 12

(4) Check appropriate box(es):

☒ Candidate (office sought): Mayor

☐ Political Committee

☐ Committee of Continuous Existence

☐ Party Executive Committee

☐ Electioneering Communication

☐ CHECK IF PC HAS DISBANDED

☐ CHECK IF CCE HAS DISBANDED

☐ CHECK IF NO OTHER ELECTIONEERING  
COMMUNICATION REPORTS WILL BE FILED

(5) REPORT IDENTIFIERS

Cover Period: From 09/29/13 To 10/12/13 Report Type F2

☐ Original ☐ Amendment ☐ Special Election Report ☐ Independent Expenditure Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks \$ \_\_\_\_\_

Loans \$ 50.00

Total Monetary \$ \_\_\_\_\_

In-Kind \$ \_\_\_\_\_

(7) EXPENDITURES THIS REPORT

Monetary Expenditures \$ 175.00

Transfers to Office Account \$ \_\_\_\_\_

Total Monetary \$ \_\_\_\_\_

(8) Other Distributions  
\$ \_\_\_\_\_

(9) TOTAL Monetary Contributions To Date  
\$ 1200.00

(10) TOTAL Monetary Expenditures To Date  
\$ 1113.00

(11) CERTIFICATION

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

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

(Type name)

Juan Santana

☐ Individual (only for electioneering commun.)

☒ Treasurer

☐ Deputy Treasurer

**X**

Signature

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

(Type name)

Juan Santana

☒ Candidate

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

**X**

Signature



# WAIVER OF REPORT

(Section 106.07(7), F.S.)

(PLEASE TYPE)

CLERK 11/01/13 AM 9:12

OFFICE USE ONLY

Juan Santana

Name

Mayor

Office Sought

1100 W 56<sup>th</sup>

Address

Hialeah

City

FL

State

33012

Zip Code



Candidate



Committee of Continuous Existence



Electioneering Communication Organization



Political Committee



Party Executive Committee



Check box if address has changed since last report.



Check here if PC, CCE, or ECO has DISBANDED and will no longer file reports.

## TYPE OF REPORT (Check Appropriate Box)

### QUARTERLY REPORTS

- ☐ January  
☐ April  
☐ July  
☐ October

### PRIMARY ELECTION

- ☐ 32nd day prior  
☐ 18th day prior  
☒ 4th day prior

### GENERAL ELECTION

- ☐ 46th day prior  
☐ 32nd day prior  
☐ 18th day prior  
☐ 4th day prior

☐ TERMINATION REPORT

☐ SPECIAL ELECTION

## NOTIFICATION OF NO ACTIVITY IN CAMPAIGN ACCOUNT FOR THE REPORTING PERIOD OF

10/13/13

THROUGH

11/1/13

X

Juan Santana

Signature

11/1/13

Date

X

[Signature]

Signature

11/1/13

Date

## SIGNATURES REQUIRED FOR:

### Candidates:

Candidate and Campaign Treasurer or Deputy Treasurer (s. 106.07(5), F.S.)

### Political Committees:

Chairman and Campaign Treasurer or Deputy Treasurer (s. 106.07(5), F.S.)

### Committees of Continuous Existence and Electioneering Communication Organizations:

Treasurer (s. 106.04(4)(c), F.S.)

### Party Executive Committees:

Treasurer and Chairman (s. 106.29(2), F.S.)

In any reporting period when there has been no activity in the account (no funds expended or received) the filing of the required report is waived. However, the filing officer must be notified in writing on the prescribed reporting date that no report is being filed.



**Carlos Hernandez**  
Mayor

**Isis Garcia-Martinez**  
Council President

**Luis Gonzalez**  
Council Vice President



Council Members

**Jose F. Caragol**  
**Vivian Casals-Muñoz**  
**Katharine E. Cue-Fuente**  
**Paul B. Hernandez**  
**Lourdes Lozano**

# City of Hialeah

November 18, 2013

Juan Santana  
1190 West 56 Street  
Hialeah, FL 33012

RE: REMOVAL OF CAMPAIGN SIGNS & FINAL CAMPAIGN TREASURER'S REPORT

Dear Mr. Santana:

Now that the election process is over, please be advised that pursuant to City of Hialeah Code § 74-148(c) (3) and §106.1435 of the Florida Statutes, removal of all of your political campaign signs should be completed by **December 5, 2013**.

Campaign signs that are not removed within the specified time will be removed by the City. The City will charge the owner of the property in which the sign is located and/or the candidate, the actual costs for such removal. Unpaid costs may constitute a lien on the affected property. The signs and banners must be removed from private property as well as the public right-of-way. The right-of-way includes, but is not limited to, all roadsides, swales, streets, sidewalks and highway median strips including utility poles, traffic and street lighting poles, and traffic control devices.

Your cooperation in removing all of your political signs, throughout the City, is greatly appreciated.

Please note that once a candidate is eliminated or elected to office, the candidate must dispose of the funds on deposit in his or her campaign account and file a campaign treasurer's report (termination report) reflecting the disposition of funds. A candidate required to dispose of surplus funds must dispose of such funds and file a termination report within **90 days after the candidate has been eliminated or elected to office, February 3, 2013**. I have enclosed a copy of page 51 of the Candidate and Campaign Treasurer Handbook, provided to you during qualifying, which provides information on the means by which you are permitted to dispose of surplus funds.

Should you have any questions, please do not hesitate to contact our office at (305) 883-5820.

Sincerely,

CITY OF HIALEAH, FLORIDA

Marbelys Fatjo, Esq.  
Acting City Clerk

Enclosures

000011



## Chapter 18

# Termination Reports

---

Once a candidate withdraws, becomes unopposed, is eliminated, or elected to office, he or she may **only** expend funds from the campaign account to:

1. Purchase "thank you" advertising for up to 75 days after he or she withdraws, becomes unopposed, is eliminated, or elected to office.
2. Pay for items which were obligated before he or she withdrew, became unopposed, was eliminated, or elected to office.
3. Pay for expenditures necessary to close down the campaign office and to prepare final campaign reports.
4. Dispose of surplus funds as provided in Section 106.141, F.S.

*(Section 106.11(5), F.S.)*

### Prior to Disposing of Surplus Funds

A candidate may be reimbursed by the campaign for any previously reported contributions by the candidate to the campaign, in full or in part.

A candidate who filed an oath stating that he or she was unable to pay the election assessment or fee for verification of petition signatures without imposing an undue burden on his or her personal resources or on resources otherwise available to him or her, or who filed both such oaths, or who qualified by the petition method and was not required to pay an election assessment, must reimburse the state or local government entity, whichever is applicable, for such waived assessment or fee or both prior to disposing of any funds under the surplus provisions contained in Section 106.141(4), F.S. Such reimbursement must be made in the following order:

1. The cost of petition verification; and
2. If funds remain, the amount of the election assessment.

*(Section 106.141, F.S.)*

### Disposing of Surplus Funds

Once a candidate withdraws, becomes unopposed, is eliminated, or elected to office, the candidate must dispose of the funds on deposit in his or her campaign account and file a campaign treasurer's report (termination report) reflecting the disposition of funds.

A candidate required to dispose of surplus funds must, at the option of the candidate, dispose of such funds within 90 days by any of the following means, or a combination thereof:

1. Return pro rata to each contributor the funds that have not been spent or obligated.



2. Donate the funds that have not been spent or obligated to a charity organization or organizations that meet the qualifications of Section 501(c)(3) of the Internal Revenue Code.
3. Give not more than \$10,000 of the funds that have not been spent or obligated to the political party of which such candidate is a member, except that a candidate for the Florida Senate may give not more than \$30,000 of such funds to the political party of which the candidate is a member.
4. Give the funds that have not been spent or obligated:
  - a. In the case of a candidate for state office, to the state to be deposited in the General Revenue Fund; or
  - b. In the case of a candidate for office of a political subdivision, to such political subdivision, to be deposited in the general fund thereof.
5. Transfer some funds to an office account (See Chapter 18, Office Accounts).

The termination report must include:

1. The name and address of each person or unit of government to whom any of the funds were distributed and the amounts thereof;
2. The name and address of each person to whom an expenditure was made together with the amount and purpose; and
3. The amount of such funds transferred to an office account together with the name and address of the bank in which the office account is located.

**If a refund check is received after all surplus funds have been disposed of**, the check may be endorsed by the candidate and the refund disposed of pursuant to Section 106.141, F.S. An amended termination report must be filed with the filing officer.

All reports must be signed by the candidate and the campaign treasurer and certified as true and correct.

*(Section 106.141, F.S.)*

## **Money from Separate Interest-Bearing Account or Certificate of Deposit**

A campaign treasurer of any candidate who withdraws, becomes unopposed, or is eliminated, or elected to office, and who has funds on deposit in any interest-bearing account or certificate of deposit, must, within seven days, transfer such funds and accumulated interest earned thereon to the primary campaign account for disposal. However, when funds are in an account in which penalties will apply for withdrawal within the seven day period, the campaign treasurer must transfer such funds and accumulated interest earned thereon as soon as the funds can be withdrawn without penalty, or within 90 days after the candidate becomes unopposed, withdraws his or her candidacy, or is elected, or eliminated, whichever comes first.

*(Section 106.141, F.S.)*



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE.

**CERTIFIED MAIL<sup>TM</sup>**



7008 1140 0002 6176 6160  
7008 1140 0002 6176 6160

**U.S. Postal Service<sup>TM</sup>**  
**CERTIFIED MAIL<sup>TM</sup> RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com).

**OFFICIAL USE**

|  |    |
|--|----|
| Postage  | \$ |
| Certified Fee                                  |    |
| Return Receipt Fee (Endorsement Required)      |    |
| Restricted Delivery Fee (Endorsement Required) |    |
| Total Postage & Fees                           | \$ |

**Postmark Here**  
 HIALEAH MAIN POST OFFICE  
 NOV 22 2013

Sent To: Juan Santana  
 Street, Apt. No., or PO Box No. 1190 W. 56 St  
 City, State, Zip+4 Hialeah FL 33013

PS Form 3800, August 2006 See Reverse for Instructions

Juan Santana  
 1190 West 56 Street  
 Hialeah, FL 33012



**CITY OF HIALEAH, FLORIDA**  
 P.O. BOX 110040  
 HIALEAH, FLORIDA 33011-0040

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
Juan Santana  
1190 west 56 street  
Hialeah FL 33012

2. Article Number  
 (Transfer from service label)

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature [Signature] ☐ Agent ☒ Addressee

B. Received by (Printed Name) [Signature] C. Date of Delivery 11/28

D. Is delivery address different from item 1? ☒ Yes  
 If YES, enter delivery address below: [Signature] ☒ No

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

7008 1140 0002 6176 6160



# CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Juan Santans

Name

(2) 1190 West 56 St

Address (number and street)

Hialeah FL, 33012

City, State, Zip Code

☐ Check here if address has changed

|                        |
|------------------------|
| OFFICE USE ONLY        |
| CLERK 02/04/14 PM 1:09 |

(3) ID Number: \_\_\_\_\_

(4) Check appropriate box(es):

☒ Candidate Office Sought: Mayor

☐ Political Committee (PC)

☐ Electioneering Communications Org. (ECO)

☐ Party Executive Committee (PTY)

☐ Independent Expenditure (IE) (also covers an individual making electioneering communications)

☐ Check here if PC or ECO has disbanded

☐ Check here if PTY has disbanded

☐ Check here if no other IE or EC reports will be filed

## (5) Report Identifiers

Cover Period: From \_\_\_\_ / \_\_\_\_ / \_\_\_\_ To Feb / 3 / 14 Report Type: TR

☒ Original

☐ Amendment

☐ Special Election Report

## (6) Contributions This Report

Cash & Checks \$ 0 , 0 , 0 . 0

Loans \$ 0 , 0 , 0 . 0

Total Monetary \$ 0 , 0 , 0 . 0

In-Kind \$ 0 , 0 , 0 . 0

## (7) Expenditures This Report

Monetary Expenditures \$ 0 , 0 , 0 . 0

Transfers to Office Account \$ 0 , 0 , 0 . 0

Total Monetary \$ 0 , 0 , 0 . 0

## (8) Other Distributions

\$ 0 , 0 , 0 . 0

## (9) TOTAL Monetary Contributions To Date

\$ 0 , 0 , 0 . 0

## (10) TOTAL Monetary Expenditures To Date

\$ 0 , 0 , 0 . 0

## (11) Certification

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

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

(Type name)

Juan Santans

☒ Individual (only for IE or electioneering comm.)

☐ Treasurer

☐ Deputy Treasurer

X

Signature

(Type name)

☐ Candidate

☐ Chairperson (only for PC and PTY)

X

Signature



(1) Name Juan Santos (2) I.D. Number \_\_\_\_\_

| (5)<br>Date               | (7)<br>Full Name<br>(Last, Suffix, First, Middle)<br>Street Address &<br>City, State, Zip Code | (8)<br>Contributor<br>Type      Occupation |  | (9)<br>Contribution<br>Type | (10)<br>In-kind<br>Description | (11)<br>Amendment | (12)<br>Amount |
|---------------------------|--|--|--|-----------------------------|--------------------------------|-------------------|----------------|
| (6)<br>Sequence<br>Number |  |  |  |                             |                                |                   |                |
| 1                         |  |  |  |                             |                                |                   |                |
| 2                         |  |  |  |                             |                                |                   |                |
| 3                         |  |  |  |                             |                                |                   |                |
| 4                         |  |  |  |                             |                                |                   |                |
| 5                         |  |  |  |                             |                                |                   |                |
| 6                         |  |  |  |                             |                                |                   |                |
| 7                         |  |  |  |                             |                                |                   |                |
| 8                         |  |  |  |                             |                                |                   |                |
| 9                         |  |  |  |                             |                                |                   |                |
| 10                        |  |  |  |                             |                                |                   |                |
| 11                        |  |  |  |                             |                                |                   |                |
| 12                        |  |  |  |                             |                                |                   |                |
| 13                        |  |  |  |                             |                                |                   |                |
| 14                        |  |  |  |                             |                                |                   |                |
| 15                        |  |  |  |                             |                                |                   |                |
| 16                        |  |  |  |                             |                                |                   |                |
| 17                        |  |  |  |                             |                                |                   |                |
| 18                        |  |  |  |                             |                                |                   |                |
| 19                        |  |  |  |                             |                                |                   |                |
| 20                        |  |  |  |                             |                                |                   |                |
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| 77                        |  |  |  |                             |                                |                   |                |
| 78                        |  |  |  |                             |                                |                   |                |



(1) Name Juan Santos (2) I.D. Number \_\_\_\_\_  
(3) Cover Period \_\_\_\_\_ through Feb 3, 14 (4) Page \_\_\_\_\_ of \_\_\_\_\_

06,00 27



**Carlos Hernandez**  
Mayor

**Isis Garcia-Martinez**  
Council President

**Luis Gonzalez**  
Council Vice President



Council Members

**Jose F. Caragol**  
**Vivian Casals-Muñoz**  
**Katharine E. Cue-Fuente**  
**Paul B. Hernandez**  
**Lourdes Lozano**

# City of Hialeah

**VIA CERTIFIED MAIL - RETURN RECEIPT**

February 18, 2014

Juan Santana  
1190 West 56 Street  
Hialeah, FL 33012

Dear Mr. Santana:

On February 4, 2014 the Office of the City Clerk received your Campaign Treasurer's Report (Termination Report). Since the report was due on February 3, 2014, it has been deemed one (1) day late. Pursuant to § 106.07(8)(b) of the Florida Statutes, I must impose a fine of \$50.00 per day for each day late, and not to exceed twenty-five (25) percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. In the present case, since the Termination Report you filed presently reflects a total of zero for the contributions and expenditures for the period covered by this report, you are not being assessed a fine at this time.

Please note that your report has been deemed incomplete, and I have accepted the report on a conditional basis. According to your reports as amended, you have a balance of eighty-seven dollars (\$87.00) in your campaign account that you have not disposed of or have failed to report how you disposed of the funds. Per section 106.141 of the Florida Statutes (2013) each candidate who is eliminated as a candidate shall within ninety (90) days, dispose of the funds on deposit in his or her campaign account and file a report reflecting the disposition of all remaining funds.

Per section 106.07(2)(b)1. of the Florida Statutes (2013), you must file an addendum to the report **within seven (7) days** after receipt of this notice, reflecting how you disposed of the eighty-seven dollars (\$87.00) left in your campaign account. Failure to file a complete report constitutes a violation of Chapter 106, Election Laws of the State of Florida.

If you have any questions, please do not hesitate to contact my office at 305-883-5820.

Sincerely,

CITY OF HIALEAH, FLORIDA

Marbelys L. Fatjo, Esq.  
Acting City Clerk

q:\elections\elections 2013\correspondence to candidates\jsantana treasurer's report tr late.doc

000018





CITY OF HIALEAH, FLORIDA  
P.O. BOX 110040  
HIALEAH, FLORIDA 33011-0040

Juan Santana  
1190 West 56th Street  
Hialeah, FL 33012

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**CERTIFIED MAIL™**



7008 0500 0000 8344 1208  
7008 0500 0000 8344 1208

**SENDER: COMPLETE THIS SECTION**

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Juan Santana  
1190 W 56<sup>th</sup> Street  
Hialeah, FL 33012

2. Article Number

(Transfer from service label)

7008 0500 0000 8344 1208

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

- ☐ Agent
- ☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

- D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☒ No

3. Service Type

- ☒ Certified Mail
- ☐ Express Mail
- ☐ Registered
- ☐ Return Receipt for Merchandise
- ☐ Insured Mail
- ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

- ☐ Yes

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**POSTAGE & FEES USE**

| Postage | Certified Fee | Return Receipt Fee (Endorsement Required) | Restricted Delivery Fee (Endorsement Required) | Total Postage & Fees |
|---------|---------------|---|--|----------------------|
| \$      |               |   |  | \$                   |

Postmark Here

Sent To: Juan Santana  
Street, Apt. No.: 1190 W 56<sup>th</sup> Street  
or PO Box No.:  
City, State, ZIP+4: Hialeah, FL 33012

PS Form 3800, August 2006 See Reverse for Instructions



English

Customer Service

USPS Mobile



## Quick Tools

Track

Enter up to 10 Tracking #Find

Find USPS Locations

Buy Stamps

Schedule a Pickup

Calculate Postage

Look Up Mail Code

Hold Mail

Change of Address

USPS Tracking™

Ship a Package

Send Me

Tracking Number: 7008050000083441208

## Product &amp; Tracking Information

Postal Product:

Features:

Certified Mail™

| DATE & TIME                 | STATUS OF ITEM                                  | LOCATION          |
|-----------------------------|---|-------------------|
| February 19, 2014, 12:28 pm | Notice Left (No Authorized Recipient Available) | HIALEAH, FL 33012 |
| February 18, 2014, 11:19 pm | Processed through USPS Sort Facility            | MIAMI, FL 33152   |
| February 18, 2014           | Depart USPS Sort Facility                       | MIAMI, FL 33152   |

## Track Another Package

What's your tracking (or receipt) number?

Track It

# U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com).

CITY OF HIALEAH FL USE

Postage

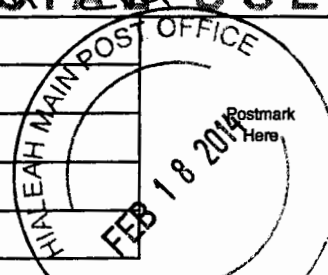
\$

Certified Fee

Return Receipt Fee  
(Endorsement Required)Restricted Delivery Fee  
(Endorsement Required)

Total Postage &amp; Fees

\$



Sent To

Juan Santana

Street, Apt. No.,  
or PO Box No.

1190 W 56 Street

City, State, ZIP+4

Hialeah, FL 33012

PS Form 3800, August 2006

See Reverse for Instructions

## Available Actions

Email Updates

Late TR

-2/24/14 @ 6:32 (same status)  
 -2/25/14 @ 4:05 " "  
 -2/27/14 @ 10:23 " "  
 -2/28/14 @ 4:06 " "  
 -3/3/14 @ 12:33 " "  
 -3/6/14 @ 3:07 " "  
 -3/7/14 @ 6:40 am item was  
 returned to sender (unclaimed)

## LEGAL

Privacy Policy

Terms of Use

FOIA

No FEAR Act EEO Data

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Inspector General

Postal Explorer



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000020





HIALEAH, FLORIDA  
BOX 110040  
FLORIDA 33011-0040



7008 0500 0000 8344 1208

Hasler

02/18/2014

US POSTAGE

\$06.48<sup>0</sup>



ZIP 33010  
011D11636847

Juan Santana  
1190 West 56th Street  
Hialeah, FL 33012

NIXIE

333 DE 1009

0003/08/14

RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD

3301100040  
3301232344 20

BC: 33011004040

\*0806-03303-18-40



000021



**Carlos Hernandez**  
Mayor

**Isis Garcia-Martinez**  
Council President

**Luis Gonzalez**  
Council Vice President



Council Members

**Jose F. Caragol**  
**Vivian Casals-Muñoz**  
**Katharine E. Cue-Fuente**  
**Paul B. Hernandez**  
**Lourdes Lozano**

# City of Hialeah

**SENT VIA CERTIFIED MAIL – RETURN RECEIPT**

February 20, 2014

Mr. Juan Santana  
Mayoral Candidate  
1190 West 56 Street  
Hialeah, Florida 33012

**NOTICE OF NON-COMPLIANCE**  
**F1 Original Campaign Treasurer's Report**  
**Due Date: 10/05/2013**  
**Period Covered: 7/01/2013 – 9/28/2013**

Dear Mr. Santana,

The F1 Campaign Treasurer's Report filed with our office, which was submitted on 10/4/2013, and amended, does not comply with the requirements of Section 106.07(2) of the Florida Statutes for the following reason(s):

- **You have reported in item 7 of the Itemized Expenditures of your Campaign Treasurer's Report that on August 30, 2013 a total of thirteen dollars (\$13.00) was expended from your campaign bank account to the City of Hialeah for the purpose of public records.**

The Office of the City Clerk has reviewed the City's records as to receipts provided to you as acknowledgment of fees received by the City from you for public records provided to you on August 30, 2013, and the City does not have any record of \$13.00 having been expended from your campaign bank account for public records on August 30, 2013.

Per Section 106.07(2)(b)1., of the Florida Statutes (2013), you must file an addendum to the report providing all information necessary to complete the report in compliance with Florida law, **within seven (7) days** after your receipt of this notice. Failure to file a complete report constitutes a violation of Chapter 106, Election Laws of the State of Florida.

If you have any questions, please contact our office at 305-883-5820.

Sincerely,

Marbelys Fatjo, Esq.  
Acting City Clerk

Enclosure: Copy of F1 Report

q:\elections\elections 2013\correspondence to candidates\juan santana -incomplete f1 report 2-20-14.docx

000022



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

(1) Juan Santana

Name

(2) 1190 W 56 St

Address (number and street)

Hialeah FL 33012

City, State, Zip Code

☐ CHECK IF ADDRESS HAS CHANGED

OFFICE USE ONLY

CLERK 10/28/13 PM 1:50

(3) ID Number: 12

(4) Check appropriate box(es):

☒ Candidate (office sought):

MAYOR

☐ Political Committee

☐ CHECK IF PC HAS DISBANDED

☐ Committee of Continuous Existence

☐ CHECK IF CCE HAS DISBANDED

☐ Party Executive Committee

☐ Electioneering Communication

☐ CHECK IF NO OTHER ELECTIONEERING  
COMMUNICATION REPORTS WILL BE FILED

(5) REPORT IDENTIFIERS

Cover Period: From 7/1/13 To 9/28/13 Report Type F1

☐ Original ☒ Amendment ☐ Special Election Report ☐ Independent Expenditure Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks \$ \_\_\_\_\_

Loans \$ 1150<sup>00</sup>

Total Monetary \$ \_\_\_\_\_

In-Kind \$ \_\_\_\_\_

(7) EXPENDITURES THIS REPORT

Monetary Expenditures \$ 938<sup>00</sup>

Transfers to Office Account \$ \_\_\_\_\_

Total Monetary \$ \_\_\_\_\_

(8) Other Distributions

\$ \_\_\_\_\_

(9) TOTAL Monetary Contributions To Date  
\$ 1150<sup>00</sup>

(10) TOTAL Monetary Expenditures To Date  
\$ 938

(11) CERTIFICATION

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

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

(Type name)

Juan Santana

☐ Individual (only for electioneering commun.)

☒ Treasurer

☐ Deputy Treasurer

**X**

Signature

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

(Type name)

Juan Santana

☒ Candidate

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

**X**

Signature



# CAMPAIGN TREASURER'S REPORT – ITEMIZED EXPENDITURES

(1) Name Juan Santana

(2) I.D. Number 12

(3) Cover Period 07 / 01 / 13 through 09 / 28 / 13

(4) Page 1 of 1

| (5)<br>Date  | (7)<br>Full Name<br>(Last, Suffix, First, Middle)<br>Street Address &<br>City, State, Zip Code | (8)<br>Purpose<br>(add office sought if<br>contribution to a<br>candidate) | (9)<br>Expenditure<br>Type | (10)<br>Amendment | (11)<br>Amount |
|--------------|--|--|----------------------------|-------------------|----------------|
| 07 / 03 / 13 | Lowes<br>1650 w 37 street<br>hialeah fl  | supplies   | mon                        |                   | \$160.00       |
| 1            |  |  |                            |                   |                |
| 07 / 04 / 13 | harbor freight tools<br>410 w 49 street<br>hialeah fl  | sign supplies  | MON                        |                   | \$140.00       |
| 2            |  |  |                            |                   |                |
| 07 / 08 / 13 | CITY OF HIALEAH<br>501 PALM AVE<br>HIALEAH FL 33013  | FILING FEE   | MON                        |                   | \$100.00       |
| 3            |  |  |                            |                   |                |
| 07 / 18 / 13 | DEALS<br>596 W 49TH STREET<br>HIALEAH FL 33012   | OFFICE<br>SUPPLIES   | MON                        |                   | \$140.00       |
| 4            |  |  |                            |                   |                |
| 07 / 18 / 13 | PAPA JOHNS<br>419 W 49 STREET<br>HIALEAH FL 33012  | LUNCH FOR<br>HELPERS   | MON                        |                   | \$35.00        |
| 5            |  |  |                            |                   |                |
| 08 / 25 / 13 | ALLIES SIGNS<br>349 E 49STREET<br>HIALEAH FL 33013   | BANNERS & POST<br>CARDS  | MON                        |                   | \$350.00       |
| 6            |  |  |                            |                   |                |
| 08 / 30 / 13 | CITY OF HIALEAH<br>501 PALM AVE<br>HIALEAH FL 33013  | PUBLIC RECORDS   | MON                        |                   | \$13.00        |
| 7            |  |  |                            |                   |                |
| / /          |  |  |                            |                   |                |
|              |  |  |                            |                   |                |





CITY OF HIALEAH, FLORIDA  
P.O. BOX 110040  
HIALEAH, FLORIDA 33011-0040

Mr. Juan Santana  
1190 West 56 Street  
Hialeah, FL 33012

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

**CERTIFIED MAIL**



7008 0500 0000 8344 1253  
7008 0500 0000 8344 1253

**CERTIFIED MAIL**  
(Domestic Mail Only: No Insurance Coverage Provided)  
For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL EVIDENCE**

Sent to: Juan Santana  
Street, Apt. No.: 1190 W 56 Street  
or PO Box No.: Hialeah, FL 33012  
City, State, ZIP+4

Postage \$  
Certified Fee  
Return Receipt Fee (Endorsement Required)  
Restricted Delivery Fee (Endorsement Required)  
Total Postage & Fees \$

Postmark Here

PS Form 3800, August 2005 See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Juan Santana  
1190 W 56 Street  
Hialeah, FL 33012

2. Article Number

(Transfer from service label)

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

- ☐ Agent  
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

- D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☒ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

- ☐ Yes

7008 0500 0000 8344 1253

06/0025



English

Customer Service

USPS Mobile



## Quick Tools

Track

Enter up to 10 Tracking #Find

Find USPS Locations

Buy Stamps

Schedule a Pickup

Calculate ZIP Code

Look Up Code

Hold Mail

Change of Address

USPS Tracking™

Ship a Package

Send Mail

Tracking Number: 7008050000083441253

## Product &amp; Tracking Information

Postal Product:

Features:

Certified Mail™

| DATE & TIME                 | STATUS OF ITEM                                  | LOCATION          |
|-----------------------------|---|-------------------|
| February 21, 2014, 11:49 am | Notice Left (No Authorized Recipient Available) | HIALEAH, FL 33012 |
| February 20, 2014, 11:55 pm | Processed through USPS Sort Facility            | MIAMI, FL 33152   |
| February 20, 2014           | Depart USPS Sort Facility                       | MIAMI, FL 33152   |

## Track Another Package

What's your tracking (or receipt) number?

Track It

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FOIA ›

No FEAR Act EEO Data ›

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U.S. Postal Service™

CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

City, State, ZIP+4

Postage

Certified Fee

Return Receipt Fee  
(Endorsement Required)Restricted Delivery Fee  
(Endorsement Required)

Total Postage &amp; Fees

\$

\$

\$

\$

\$

Postmark

Sent To

Street, Apt. No.,  
or PO Box No.

City, State, ZIP+4

PS Form 3800, August 2006

See Reverse for Instructions

## Available Actions

Email Updates

F1 - Non Compliance

- 2/25/14 @ 4:05 (same status)  
 - 2/27/14 @ 10:23 " "  
 - 2/28/14 @ 4:07 " "  
 - 3/3/14 @ 12:33 " "  
 - 3/6/14 @ 3:08 " "

add  
 - 3/7/14 @ 6:40 am item was  
 returned to sender (unclaimed)



Copyright© 2014 USPS. All Rights Reserved.

010026





**CERTIFIED MAIL**



7008 0500 0000 8344 1253

Hasler  
02/20/2014  
**US POSTAGE**

**\$06.48<sup>0</sup>**



ZIP 33010  
011D11636847

OF HIALEAH, FLORIDA  
O. BOX 110040  
FLORIDA 33011-0040

Mr. Juan Santana  
1190 West 56 Street  
Hialeah, FL 33012

*N/C*  
*2/24/12*  
*2/2/16*

NIXIE 333 DE 1009 0003/08/14

RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD

BC: 33011004040 \*0506-03835-20-38

33011004040





**Carlos Hernandez**  
Mayor

**Isis Garcia-Martinez**  
Council President

**Luis Gonzalez**  
Council Vice President



Council Members

**Jose F. Caragol**  
**Vivian Casals-Muñoz**  
**Katharine E. Cue-Fuente**  
**Paul B. Hernandez**  
**Lourdes Lozano**

# City of Hialeah

## VIA CERTIFIED MAIL - RETURN RECEIPT

April 3, 2014

Juan Santana  
1190 West 56 Street  
Hialeah, FL 33012

Dear Mr. Santana:

On February 18, 2014 the Office of the City Clerk attempted to send you the enclosed letter dated February 18, 2014, via certified mail. The Office of the City Clerk also attempted to send you the enclosed letter dated February 20, 2014, via certified mail. However, both letters were returned to the Office of the City Clerk as unclaimed on March 8, 2014. This is our second attempt to contact you in reference to the Campaign Treasurer's Reports (Termination Report) and (F1) you submitted to our office. Enclosed are the original letters.

If you have any questions, please do not hesitate to contact my office at 305-883-5820.

Sincerely,

CITY OF HIALEAH, FLORIDA

Marbelys L. Fatjo, Esq.  
Acting City Clerk

q:\elections\elections 2013\correspondence to candidates\santana treasurer's report tr late.doc



**Carlos Hernandez**  
Mayor

**Isis Garcia-Martinez**  
Council President

**Luis Gonzalez**  
Council Vice President



Council Members

**Jose F. Caragol**  
**Vivian Casals-Muñoz**  
**Katharine E. Cue-Fuente**  
**Paul B. Hernandez**  
**Lourdes Lozano**

## City of Hialeah

### VIA CERTIFIED MAIL - RETURN RECEIPT

February 18, 2014

Juan Santana  
1190 West 56 Street  
Hialeah, FL 33012

Dear Mr. Santana:

On February 4, 2014 the Office of the City Clerk received your Campaign Treasurer's Report (Termination Report). Since the report was due on February 3, 2014, it has been deemed one (1) day late. Pursuant to § 106.07(8)(b) of the Florida Statutes, I must impose a fine of \$50.00 per day for each day late, and not to exceed twenty-five (25) percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. In the present case, since the Termination Report you filed presently reflects a total of zero for the contributions and expenditures for the period covered by this report, you are not being assessed a fine at this time.

Please note that your report has been deemed incomplete, and I have accepted the report on a conditional basis. According to your reports as amended, you have a balance of eighty-seven dollars (\$87.00) in your campaign account that you have not disposed of or have failed to report how you disposed of the funds. Per section 106.141 of the Florida Statutes (2013) each candidate who is eliminated as a candidate shall within ninety (90) days, dispose of the funds on deposit in his or her campaign account and file a report reflecting the disposition of all remaining funds.

Per section 106.07(2)(b)1. of the Florida Statutes (2013), you must file an addendum to the report **within seven (7) days** after receipt of this notice, reflecting how you disposed of the eighty-seven dollars (\$87.00) left in your campaign account. Failure to file a complete report constitutes a violation of Chapter 106, Election Laws of the State of Florida.

If you have any questions, please do not hesitate to contact my office at 305-883-5820.

Sincerely,

CITY OF HIALEAH, FLORIDA

Marbelys L. Fatjo, Esq.  
Acting City Clerk

q:\elections\elections 2013\correspondence to candidates\santana treasurer's report tr late.doc

501 Palm Avenue, Hialeah, Florida - 33010-4719  
[www.hialeahfl.gov](http://www.hialeahfl.gov)

000029



English

Customer Service

USPS Mobile



Quick Tools

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Change of Address

USPS Tracking™

Ship a Package

Send Me

Tracking Number: 708050000083441208

## Product &amp; Tracking Information

Postal Product:

Features:

Certified Mail™

| DATE & TIME                 | STATUS OF ITEM                                  | LOCATION         |
|-----------------------------|---|------------------|
| February 19, 2014, 12:28 pm | Notice Left (No Authorized Recipient Available) | HALEAH, FL 33012 |
| February 18, 2014, 11:19 pm | Processed through USPS Sort Facility            | MIAMI, FL 33152  |
| February 18, 2014           | Depart USPS Sort Facility                       | MIAMI, FL 33152  |

## Track Another Package

What's your tracking (or receipt) number?

Track It

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CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

CASH ON HAND - EYE USE

Postage \$

Certified Fee

Return Receipt Fee

(Endorsement Required)

Restricted Delivery Fee

(Endorsement Required)

Total Postage &amp; Fees \$

Sent to

Juan Santana

Street, Apt. No.,

or PO Box No.

1190 W 56 Street

City, State, ZIP+4

Hialeah, FL 33012

PS Form 3800, August 2006

See Reverse for Instructions

## Available Actions

Email Updates

Late TK

-2/24/14 @ 6:52 (same status)  
 -2/25/14 @ 4:05 " "  
 -2/27/14 @ 10:23 " "  
 -2/28/14 @ 4:06 " "  
 -3/3/14 @ 12:33 " "  
 -3/6/14 @ 3:07 " "  
 -3/7/14 @ 6:40 am item was  
 returned to sender (unclaimed)

## LEGAL

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**CERTIFIED MAIL**



CITY OF HIALEAH, FLORIDA  
P.O. BOX 110040  
HIALEAH, FLORIDA 33011-0040



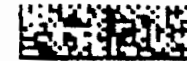
7008 0500 0000 8344 1208

Hasler

02/18/2014

**US POSTAGE**

\$06.48<sup>00</sup>



ZIP 33010  
011D11636847

Juan Santana  
1190 West 56th Street  
Hialeah, FL 33012

*Handwritten:* 7/16/14

NIXIE

333 DE 1009

0003/08/14

RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD

33011-0040

SC: 33011004040

\*0806-03303-18-40

060031



**Carlos Hernandez**  
Mayor

**Isis Garcia-Martinez**  
Council President

**Luis Gonzalez**  
Council Vice President



Council Members

**Jose F. Caragol**  
**Vivian Casals-Muñoz**  
**Katharine E. Cue-Fuente**  
**Paul B. Hernandez**  
**Lourdes Lozano**

## City of Hialeah

**SENT VIA CERTIFIED MAIL – RETURN RECEIPT**

February 20, 2014

Mr. Juan Santana  
Mayoral Candidate  
1190 West 56 Street  
Hialeah, Florida 33012

**NOTICE OF NON-COMPLIANCE**  
**F1 Original Campaign Treasurer's Report**  
**Due Date: 10/05/2013**  
**Period Covered: 7/01/2013 – 9/28/2013**

Dear Mr. Santana,

The F1 Campaign Treasurer's Report filed with our office, which was submitted on 10/4/2013, and amended, does not comply with the requirements of Section 106.07(2) of the Florida Statutes for the following reason(s):

- You have reported in Item 7 of the Itemized Expenditures of your Campaign Treasurer's Report that on August 30, 2013 a total of thirteen dollars (\$13.00) was expended from your campaign bank account to the City of Hialeah for the purpose of public records.

The Office of the City Clerk has reviewed the City's records as to receipts provided to you as acknowledgment of fees received by the City from you for public records provided to you on August 30, 2013, and the City does not have any record of \$13.00 having been expended from your campaign bank account for public records on August 30, 2013.

Per Section 106.07(2)(b)1., of the Florida Statutes (2013), you must file an addendum to the report providing all information necessary to complete the report in compliance with Florida law, **within seven (7) days** after your receipt of this notice. Failure to file a complete report constitutes a violation of Chapter 106, Election Laws of the State of Florida.

If you have any questions, please contact our office at 305-883-5820.

Sincerely,

Marbelys Fatjo, Esq.  
Acting City Clerk

Enclosure: Copy of F1 Report

q:\elections\elections 2013\correspondence to candidates\juan santana -incomplete f1 report 2-20-14 docx



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

(1) Juan Santana  
Name  
(2) 1190 W 56 St  
Address (number and street)  
Hialeah FL 33012  
City, State, Zip Code

OFFICE USE ONLY

CLERK 10/28/13 PM 1:50

☐ CHECK IF ADDRESS HAS CHANGED

(3) ID Number: 12

(4) Check appropriate box(es):

☒ Candidate (office sought): MAYOR

☐ Political Committee

☐ CHECK IF PC HAS DISBANDED

☐ Committee of Continuous Existence

☐ CHECK IF CCE HAS DISBANDED

☐ Party Executive Committee

☐ Electioneering Communication

☐ CHECK IF NO OTHER ELECTIONEERING  
COMMUNICATION REPORTS WILL BE FILED

**(5) REPORT IDENTIFIERS**

Cover Period: From 11/1/13 To 9/28/13 Report Type F-1

☐ Original ☒ Amendment ☐ Special Election Report ☐ Independent Expenditure Report

**(6) CONTRIBUTIONS THIS REPORT**

Cash & Checks \$ \_\_\_\_\_

Loans \$ 1150

Total Monetary \$ \_\_\_\_\_

In-Kind \$ \_\_\_\_\_

**(7) EXPENDITURES THIS REPORT**

Monetary Expenditures \$ 938

Transfers to Office Account \$ \_\_\_\_\_

Total Monetary \$ \_\_\_\_\_

(8) Other Distributions \$ \_\_\_\_\_

(9) TOTAL Monetary Contributions To Date  
\$ 1150

(10) TOTAL Monetary Expenditures To Date  
\$ 938

**(11) CERTIFICATION**

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

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

(Type name)

Juan Santana

☐ Individual (only for electioneering commun.)

☒ Treasurer

☐ Deputy Treasurer

**X**

Signature

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

(Type name)

Juan Santana

☒ Candidate

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

**X**

Signature



# **CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES**

(1) Name Juan Santana (2) I.D. Number 12  
 (3) Cover Period 07 / 01 / 13 through 09 / 28 / 13 (4) Page 1 of 1

| (5)<br>Date  | (7)<br>Full Name<br>(Last, Suffix, First, Middle)<br>Street Address &<br>City, State, Zip Code | (8)<br>Purpose<br>(add office sought if<br>contribution to a<br>candidate) | (9)<br>Expenditure<br>Type | (10)<br>Amendment | (11)<br>Amount |
|--------------|--|--|----------------------------|-------------------|----------------|
| 07 / 03 / 13 | Lowes<br>1650 w 37 street<br>hialeah fl  | supplies   | mon                        |                   | \$160.00       |
| 1            |  |  |                            |                   |                |
| 07 / 04 / 13 | harbor freight tools<br>410 w 49 street<br>hialeah fl  | sign supplies  | MON                        |                   | \$140.00       |
| 2            |  |  |                            |                   |                |
| 07 / 08 / 13 | CITY OF HIALEAH<br>501 PALM AVE<br>HIALEAH FL 33013  | FILING FEE   | MON                        |                   | \$100.00       |
| 3            |  |  |                            |                   |                |
| 07 / 18 / 13 | DEALS<br>596 W 49TH STREET<br>HIALEAH FL 33012   | OFFICE<br>SUPPLIES   | MON                        |                   | \$140.00       |
| 4            |  |  |                            |                   |                |
| 07 / 18 / 13 | PAPA JOHNS<br>419 W 49 STREET<br>HIALEAH FL 33012  | LUNCH FOR<br>HELPERS   | MON                        |                   | \$35.00        |
| 5            |  |  |                            |                   |                |
| 08 / 25 / 13 | ALLIES SIGNS<br>349 E 49STREET<br>HIALEAH FL 33013   | BANNERS & POST<br>CARDS  | MON                        |                   | \$350.00       |
| 6            |  |  |                            |                   |                |
| 08 / 30 / 13 | CITY OF HIALEAH<br>501 PALM AVE<br>HIALEAH FL 33013  | PUBLIC RECORDS   | MON                        |                   | \$13.00        |
| 7            |  |  |                            |                   |                |
| / /          |  |  |                            |                   |                |
|              |  |  |                            |                   |                |

DS-DE 14 (Rev. 08/03)

SEE REVERSE FOR INSTRUCTIONS AND CODE VALUES

000034



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Calculate Postage

Locate a Post Office

Hold Mail

Change of Address

USPS Tracking™

Ship a Package

Send Mail

Tracking Number: 7008050000083441253

## Product &amp; Tracking Information

Postal Product:

Features:  
Certified Mail™

| DATE & TIME                 | STATUS OF ITEM                                  | LOCATION          |
|-----------------------------|---|-------------------|
| February 21, 2014, 11:49 am | Notice Left (No Authorized Recipient Available) | HIALEAH, FL 33012 |
| February 20, 2014, 11:55 pm | Processed through USPS Sort Facility            | MIAMI, FL 33152   |
| February 20, 2014           | Depart USPS Sort Facility                       | MIAMI, FL 33152   |

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For delivery information visit our website at www.usps.com.

City Clerk's Office

|  |    |                     |
|--|----|---------------------|
| Postage  | \$ | Postmark<br>Hialeah |
| Certified Fee                                  |    |                     |
| Return Receipt Fee (Endorsement Required)      |    |                     |
| Restricted Delivery Fee (Endorsement Required) |    |                     |
| Total Postage & Fees                           | \$ |                     |

|                                 |                   |
|---------------------------------|-------------------|
| Sent To                         | Juan Santana      |
| Street, Apt. No., or PO Box No. | 1190 W 56 Street  |
| City, State, ZIP+4              | Hialeah, FL 33012 |

PS Form 3800, August 2005

See Reverse for Instructions

## Available Actions

Email Updates FI - Non Compliance

- 2/25/14 @ 4:05 (same status)  
 - 2/27/14 @ 10:23 " "  
 - 2/28/14 @ 4:07 " "  
 - 3/3/14 @ 12:33 " "  
 - 3/6/14 @ 3:08 " "

- 3/7/14 @ 6:40 am item was  
 returned to sender (undelivered)

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CITY OF HIALEAH, FLORIDA  
P.O. BOX 110040  
HIALEAH, FLORIDA 33011-0040

**CERTIFIED MAIL**



7008 0500 0000 8344 1253

Hasler

02/20/2014

**US POSTAGE**

\$06.48<sup>00</sup>



ZIP 33010  
011D11636847

Mr. Juan Santana  
1190 West 56 Street  
Hialeah, FL 33012

NIXIE

333 DE 1009 0003/08/14

RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD

BC: 33011004040 \*0506-03835-20-38

33011004040

000036



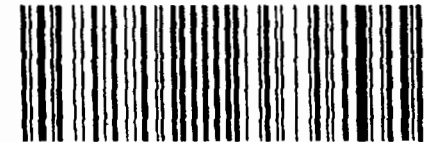


CITY OF HIALEAH, FLORIDA  
P.O. BOX 110040  
HIALEAH, FLORIDA 33011-0040

Juan Santana  
1190 West 56th Street  
Hialeah, FL 33012

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**CERTIFIED MAIL**



7008 1140 0002 6176 6733

7008 1140 0002 6176 6733

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

Juan Santana  
1190 West 56th Street  
Hialeah, FL 33012

**COMPLETE THIS SECTION ON DELIVERY**

**A. Signature**

X

☐ Agent

☐ Addressee

**B. Received by (Printed Name)**

**C. Date of Delivery**

- D. Is delivery address different from item 1?** ☐ Yes  
If YES, enter delivery address below: ☒ No

**3. Service Type**

- ☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

**4. Restricted Delivery? (Extra Fee)**

☐ Yes

**2. Article Number**

(Transfer from service label)

7008 1140 0002 6176 6733

U.S. Postal Service

**CERTIFIED MAIL** RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage

Certified Fee

Return Receipt Fee  
(Endorsement Required)

Restricted Delivery Fee  
(Endorsement Required)

Total Postage & Fees

Postmark  
Here

Sent to  
Juan Santana

Street, Apt. No. or PO Box No. 1190 West 56th Street

City, State, ZIP+4 Hialeah, FL 33012

PS Form 3800, August 2005

See Reverse for Instructions

000037





CITY OF HIALEAH, FLORIDA  
P.O. BOX 110040  
HIALEAH, FLORIDA 33011-0040

Juan Santana  
1190 West 56th Street  
Hialeah, FL 33012

060038



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Have questions? We're here to help.

Tracking Number: 70081140000261766733

**Product & Tracking Information**

Postal Product:

Features:

Certified Mail™

**Available Actions 2<sup>nd</sup> TRFI**

USPS Text Tracking™

| DATE & TIME              | STATUS OF ITEM                                  | LOCATION          |
|--------------------------|---|-------------------|
| April 4, 2014 , 10:59 am | Notice Left (No Authorized Recipient Available) | HIALEAH, FL 33012 |
| April 4, 2014 , 4:44 am  | Processed through USPS Sort Facility            | MIAMI, FL 33152   |
| April 4, 2014            | Depart USPS Sort Facility                       | MIAMI, FL 33152   |

Email Updates

4/8/14 @ 12:23 (same status)  
 4/9/14 @ 12:11 ( " " )  
 4/14/14 @ 10:07 ( " " )  
 4/17/14 @ 12:21 ( " " )  
 4/18/14 @ 9:55 ( " " )  
 \*4/18/14 @ 10:59 (Notice left)  
 2<sup>nd</sup> Attempt

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Have questions? We're here to help.

Tracking Number: 70081140000261766733

Your item was returned to the sender on April 22, 2014 at 7:01 am in HIALEAH, FL 33012 because it was not claimed by the addressee.

## Product & Tracking Information

Postal Product:

Features:  
Certified Mail™

## Available Actions

[USPS Text Tracking™](#)[Email Updates](#)

| DATE & TIME               | STATUS OF ITEM                                  | LOCATION          |
|---------------------------|---|-------------------|
| April 22, 2014 , 7:01 am  | Unclaimed                                       | HIALEAH, FL 33012 |
| April 18, 2014 , 10:59 am | Notice Left (No Authorized Recipient Available) | HIALEAH, FL 33012 |
| April 4, 2014 , 10:59 am  | Notice Left (No Authorized Recipient Available) | HIALEAH, FL 33012 |
| April 4, 2014 , 4:44 am   | Processed through USPS Sort Facility            | MIAMI, FL 33152   |
| April 4, 2014             | Depart USPS Sort Facility                       | MIAMI, FL 33152   |

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000039



**CERTIFIED MAIL**

Hasler

FIRST-CLASS MAIL

04/03/2014

**US POSTAGE**

**\$06.69**



ZIP 33010  
011D11636847



7008 1140 0002 6176 6733

OF HIALEAH, FLORIDA  
P.O. BOX 110040  
H, FLORIDA 33011-0040

Juan Santana  
1190 West 56th Street  
Hialeah, FL 33012

NIXIE

NL 0404-14  
RT4/21

333 DE 1009 0004/24/14

RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD

EC: 33011004040 \*0006-00615-04-05

3301202344 0031

000041



## Fatjo, Marbelys

---

**From:** Fatjo, Marbelys  
**Sent:** Friday, April 11, 2014 4:15 PM  
**To:** 'juan santana'  
**Subject:** Notice of Non-Compliance with Campaign Treasurer's Reports F1 and TR

**Attachments:** REG. MAIL.pdf



REG. MAIL.pdf (260  
KB)

ood afternoon Mr. Santana.

My office has attempted to send you the attached correspondence via certified mail unsuccessfully. Letters dated February 18, 2014 and February 20, 2014 were sent to you via certified mail - return receipt requested regarding non-compliance with the FI Original Campaign Treasurer's Report and Final Campaign Treasurer's Report you submitted to our office. The United States Postal Service returned both letters to the City as unclaimed.

On April 3, 2014 we mailed you both letters via certified mail - return receipt requested, and via regular mail. To assure that you have receive said notifications, I am emailing you all correspondence that has been mailed to you, attached to this email. Please note that this is the email address you provided to our office for correspondence purposes as candidate for Mayor in the 2013 elections.

If you have any questions, please do not hesitate to contact me or email me.

Thank you,

Marbelys L. Rubio-Fatjo, Esq.  
Acting City Clerk  
City of Hialeah  
501 Palm Avenue, Floor 3  
Hialeah, Florida 33010  
(305) 883-5820



**Carlos Hernandez**  
Mayor

**Isis Garcia-Martinez**  
Council President

**Luis Gonzalez**  
Council Vice President



Council Members

**Jose F. Caragol**  
**Vivian Casals-Muñoz**  
**Katharine E. Cue-Fuente**  
**Paul B. Hernandez**  
**Lourdes Lozano**

# City of Hialeah

## VIA CERTIFIED MAIL - RETURN RECEIPT

April 3, 2014

Juan Santana  
1190 West 56 Street  
Hialeah, FL 33012

Dear Mr. Santana:

On February 18, 2014 the Office of the City Clerk attempted to send you the enclosed letter dated February 18, 2014, via certified mail. The Office of the City Clerk also attempted to send you the enclosed letter dated February 20, 2014, via certified mail. However, both letters were returned to the Office of the City Clerk as unclaimed on March 8, 2014. This is our second attempt to contact you in reference to the Campaign Treasurer's Reports (Termination Report) and (F1) you submitted to our office. Enclosed are the original letters.

If you have any questions, please do not hesitate to contact my office at 305-883-5820.

Sincerely,

CITY OF HIALEAH, FLORIDA

Marbelys L. Fatjo, Esq.  
Acting City Clerk

q:\elections\elections 2013\correspondence to candidates\santana treasurer's report tr late.doc



**Carlos Hernandez**  
Mayor

**Isis Garcia-Martinez**  
Council President

**Luis Gonzalez**  
Council Vice President



Council Members

**Jose F. Caragol**  
**Vivian Casals-Muñoz**  
**Katharine E. Cue-Fuente**  
**Paul B. Hernandez**  
**Lourdes Lozano**

## City of Hialeah

### VIA CERTIFIED MAIL - RETURN RECEIPT

February 18, 2014

Juan Santana  
1190 West 56 Street  
Hialeah, FL 33012

Dear Mr. Santana:

On February 4, 2014 the Office of the City Clerk received your Campaign Treasurer's Report (Termination Report). Since the report was due on February 3, 2014, it has been deemed one (1) day late. Pursuant to § 106.07(8)(b) of the Florida Statutes, I must impose a fine of \$50.00 per day for each day late, and not to exceed twenty-five (25) percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. In the present case, since the Termination Report you filed presently reflects a total of zero for the contributions and expenditures for the period covered by this report, you are not being assessed a fine at this time.

Please note that your report has been deemed incomplete, and I have accepted the report on a conditional basis. According to your reports as amended, you have a balance of eighty-seven dollars (\$87.00) in your campaign account that you have not disposed of or have failed to report how you disposed of the funds. Per section 106.141 of the Florida Statutes (2013) each candidate who is eliminated as a candidate shall within ninety (90) days, dispose of the funds on deposit in his or her campaign account and file a report reflecting the disposition of all remaining funds.

Per section 106.07(2)(b)1. of the Florida Statutes (2013), you must file an addendum to the report **within seven (7) days** after receipt of this notice, reflecting how you disposed of the eighty-seven dollars (\$87.00) left in your campaign account. Failure to file a complete report constitutes a violation of Chapter 106, Election Laws of the State of Florida.

If you have any questions, please do not hesitate to contact my office at 305-883-5820.

Sincerely,

CITY OF HIALEAH, FLORIDA

Marbelys L. Fatjo, Esq.  
Acting City Clerk

q:\elections\elections 2013\correspondence to candidates\jsantana treasurer's report tr late.doc



English

Customer Service

USPS Mobile

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Enter up to 10 Tracking # Find

Find USPS Locations

Buy Stamps

Schedule a Pickup

Calculate Postage

Tools &amp; Resources

Hold Mail

Change of Address

Ship a Package

Send Mail

Tracking Number: 7008050000083441208

## Product &amp; Tracking Information

Postal Product:

Features:  
Certified Mail™

| DATE & TIME                 | STATUS ON ITEM                                  | LOCATION         |
|-----------------------------|---|------------------|
| February 19, 2014, 12:28 pm | Notice Left (No Authorized Recipient Available) | HALEAH, FL 33012 |
| February 18, 2014, 11:19 pm | Processed through USPS Sort Facility            | MIAMI, FL 33152  |
| February 18, 2014           | Depart USPS Sort Facility                       | MIAMI, FL 33152  |

## Track Another Package

What's your tracking (or receipt) number?

Track It

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# U.S. Postal Service™

## CERTIFIED MAIL™ RECEIPT

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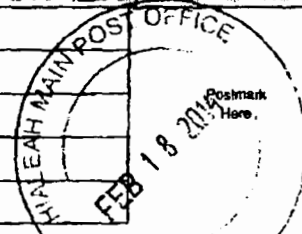
City of Miami - FL 33132

Postage \$

Certified Fee

Return Receipt Fee  
(Endorsement Required)Restricted Delivery Fee  
(Endorsement Required)

Total Postage &amp; Fees \$



Sent to

Juan Santana

Street, Apt. No.,

1190 W 56 Street

or PO Box No.

City, State, ZIP+4

Hialeah, FL 33012

PS Form 3800 August 2006

See Reverse for Instructions

## Available Actions

Email Updates

Late TR

-2/24/14 @ 6:52 (same status)  
-2/25/14 @ 4:05 " "  
-2/27/14 @ 10:23 " "  
-2/28/14 @ 4:06 " "  
-3/3/14 @ 12:33 " "  
-3/6/14 @ 3:07 " "  
-3/7/14 @ 6:40 am item was  
returned to sender (unclaimed)





CITY OF HIALEAH, FLORIDA  
P.O. BOX 110040  
HIALEAH, FLORIDA 33011-0040

**CERTIFIED MAIL**



7008 0500 0000 8344 1206

Hasler

02/18/2014

**US POSTAGE**

\$06.48<sup>0</sup>



ZIP 33010  
011D:1636847

Juan Santana  
1190 West 56th Street  
Hialeah, FL 33012

NIXIE

333 DE 1809

0003/08/14

RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD

SC: 33011004040

\*0806-03303-18-40

33011004040

000046



**Carlos Hernandez**  
Mayor

**Isis Garcia-Martinez**  
Council President

**Luis Gonzalez**  
Council Vice President



Council Members

**Jose F. Caragol**  
**Vivian Casals-Muñoz**  
**Katharine E. Cue-Fuente**  
**Paul B. Hernandez**  
**Lourdes Lozano**

## City of Hialeah

**SENT VIA CERTIFIED MAIL – RETURN RECEIPT**

February 20, 2014

Mr. Juan Santana  
Mayoral Candidate  
1190 West 56 Street  
Hialeah, Florida 33012

**NOTICE OF NON-COMPLIANCE**  
**F1 Original Campaign Treasurer's Report**  
**Due Date: 10/05/2013**  
**Period Covered: 7/01/2013 – 9/28/2013**

Dear Mr. Santana,

The F1 Campaign Treasurer's Report filed with our office, which was submitted on 10/4/2013, and amended, does not comply with the requirements of Section 106.07(2) of the Florida Statutes for the following reason(s):

- You have reported in Item 7 of the Itemized Expenditures of your Campaign Treasurer's Report that on August 30, 2013 a total of thirteen dollars (\$13.00) was expended from your campaign bank account to the City of Hialeah for the purpose of public records.

The Office of the City Clerk has reviewed the City's records as to receipts provided to you as acknowledgment of fees received by the City from you for public records provided to you on August 30, 2013, and the City does not have any record of \$13.00 having been expended from your campaign bank account for public records on August 30, 2013.

Per Section 106.07(2)(b)1., of the Florida Statutes (2013), you must file an addendum to the report providing all information necessary to complete the report in compliance with Florida law, within seven (7) days after your receipt of this notice. Failure to file a complete report constitutes a violation of Chapter 106, Election Laws of the State of Florida.

If you have any questions, please contact our office at 305-883-5820.

Sincerely,

Marbelys Fatjo, Esq.  
Acting City Clerk

Enclosure: Copy of F1 Report

q:\elections\elections 2013\correspondence to candidates\juan santana -incomplete f1 report 2-20-14.docx



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

(1) Juan Santana  
Name  
(2) 1190 W 56 St  
Address (number and street)  
Hialeah FL 33012  
City, State, Zip Code

OFFICE USE ONLY

CLERK 10/28/13 PM 1:50

☐ CHECK IF ADDRESS HAS CHANGED

(3) ID Number: 12

(4) Check appropriate box(es):

☒ Candidate (office sought): MAYOR

☐ Political Committee

☐ CHECK IF PC HAS DISBANDED

☐ Committee of Continuous Existence

☐ CHECK IF CCE HAS DISBANDED

☐ Party Executive Committee

☐ Electioneering Communication

☐ CHECK IF NO OTHER ELECTIONEERING  
COMMUNICATION REPORTS WILL BE FILED

**(5) REPORT IDENTIFIERS**

Cover Period: From 7/1/13 To 9/28/13 Report Type F-1

☐ Original ☒ Amendment ☐ Special Election Report ☐ Independent Expenditure Report

**(6) CONTRIBUTIONS THIS REPORT**

Cash & Checks \$ \_\_\_\_\_

Loans \$ 1150

Total Monetary \$ \_\_\_\_\_

In-Kind \$ \_\_\_\_\_

**(7) EXPENDITURES THIS REPORT**

Monetary Expenditures \$ 938

Transfers to Office Account \$ \_\_\_\_\_

Total Monetary \$ \_\_\_\_\_

(8) Other Distributions \$ \_\_\_\_\_

(9) TOTAL Monetary Contributions To Date  
\$ 1150

(10) TOTAL Monetary Expenditures To Date  
\$ 938

**(11) CERTIFICATION**

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

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

(Type name) Juan Santana  
☐ Individual (only for electioneering commun.) ☒ Treasurer ☐ Deputy Treasurer

X  
Signature

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

(Type name) Juan Santana  
☒ Candidate ☐ Chairperson (only for PC, PTY & electioneering commun. organization)

X  
Signature



# **CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES**

(1) Name Juan Santana (2) I.D. Number 12  
 (3) Cover Period 07 / 01 / 13 through 09 / 28 / 13 (4) Page 1 of 1

| (5)<br>Date  | (7)<br>Full Name<br>(Last, Suffix, First, Middle)<br>Street Address &<br>City, State, Zip Code | (8)<br>Purpose<br>(add office sought if<br>contribution to a<br>candidate) | (9)<br>Expenditure<br>Type | (10)<br>Amendment | (11)<br>Amount |
|--------------|--|--|----------------------------|-------------------|----------------|
| 07 / 03 / 13 | Lowes<br>1650 w 37 street<br>hialeah fl  | supplies   | mon                        |                   | \$160.00       |
| 1            |  |  |                            |                   |                |
| 07 / 04 / 13 | harbor freight tools<br>410 w 49 street<br>hialeah fl  | sign supplies  | MON                        |                   | \$140.00       |
| 2            |  |  |                            |                   |                |
| 07 / 08 / 13 | CITY OF HIALEAH<br>501 PALM AVE<br>HIALEAH FL 33013  | FILING FEE   | MON                        |                   | \$100.00       |
| 3            |  |  |                            |                   |                |
| 07 / 18 / 13 | DEALS<br>596 W 49TH STREET<br>HIALEAH FL 33012   | OFFICE<br>SUPPLIES   | MON                        |                   | \$140.00       |
| 4            |  |  |                            |                   |                |
| 07 / 18 / 13 | PAPA JOHNS<br>419 W 49 STREET<br>HIALEAH FL 33012  | LUNCH FOR<br>HELPERS   | MON                        |                   | \$35.00        |
| 5            |  |  |                            |                   |                |
| 08 / 25 / 13 | ALLIES SIGNS<br>349 E 49STREET<br>HIALEAH FL 33013   | BANNERS & POST<br>CARDS  | MON                        |                   | \$350.00       |
| 6            |  |  |                            |                   |                |
| 08 / 30 / 13 | CITY OF HIALEAH<br>501 PALM AVE<br>HIALEAH FL 33013  | PUBLIC RECORDS   | MON                        |                   | \$13.00        |
| 7            |  |  |                            |                   |                |
| / /          |  |  |                            |                   |                |
|              |  |  |                            |                   |                |

DS-DE 14 (Rev. 08/03)

SEE REVERSE FOR INSTRUCTIONS AND CODE VALUES

000049



English

Customer Service

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Enter up to 10 Tracking # Find

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Change of Address

Ship a Package

USPS Tracking™

Tracking Number: 7008050000083441253

## Product &amp; Tracking Information

Postal Product:

Features:

Certified Mail™

## DATE &amp; TIME

## STATUS OF ITEM

## LOCATION

February 21, 2014, 11:49  
amNotice Left (No  
Authorized  
Recipient  
Available)

HIALEAH, FL 33012

February 20, 2014, 11:55  
pmProcessed through  
USPS Sort Facility

MIAMI, FL 33152

February 20, 2014

Depart USPS Sort  
Facility

MIAMI, FL 33152

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What's your tracking (or receipt) number?

Track It

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# U.S. Postal Service

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City Clerk's Evd F5 C

Postage

\$

Certified Fee

1

Return Receipt Fee  
(Endorsement Required)

71.00

Restricted Delivery Fee  
(Endorsement Required)

Total Postage &amp; Fees

\$

Postmark

Feb 21 2014

Sent To

Street, Apt. No.,  
or PO Box No.

City, State, ZIP+4

PS Form 3830, August 2005

See Reverse for Instructions

## Available Actions

Email Updates

F1 - Non Compliance

- 2/25/14 @ 4:05 (same status)  
 - 2/27/14 @ 10:23 " "  
 - 2/28/14 @ 4:07 " "  
 - 3/3/14 @ 12:33 " "  
 - 3/6/14 @ 3:08 " "

- 3/7/14 @ 6:40 am item was  
 returned to sender (undelivered)





CITY OF HIALEAH, FLORIDA  
P.O. BOX 110040  
HIALEAH, FLORIDA 33011-0040

**CERTIFIED MAIL**



7008 0500 0000 8344 1253

Hasler

02/20/2014

**US POSTAGE**

\$06.48<sup>0</sup>



ZIP 33010  
011011636847

Mr. Juan Santana  
1190 West 56 Street  
Hialeah, FL 33017

NIXIE

333 DE 1009 0003/08/14

RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD

BC: 33011004040 \*0506-03835-20-38

33011004040

060051



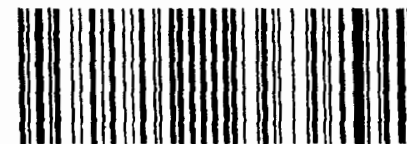


CITY OF HIALEAH, FLORIDA  
P.O. BOX 110040  
HIALEAH, FLORIDA 33011-0040

Juan Santana  
1190 West 56th Street  
Hialeah, FL 33012

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**CERTIFIED MAIL**<sup>TM</sup>



7008 1140 0002 6176 6733

7008 1140 0002 6176 6733

**SENDER: COMPLETE THIS SECTION**

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Juan Santana  
1190 West 56<sup>th</sup> Street  
Hialeah, FL 33012

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☒ Agent  
**X** ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from Item 1? ☐ Yes  
If YES, enter delivery address below: ☒ No

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number  
(Transfer from service label)

7008 1140 0002 6176 6733

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Certified Fee  
Return Receipt Fee  
(Endorsement Required)  
Restricted Delivery Fee  
(Endorsement Required)  
Total Postage & Fees \$

Postmark  
Here

Sent to Juan Santana  
Street Apt No. 1190 West 56<sup>th</sup> Street  
or PO Box No. Hialeah, FL 33012  
City, State, ZIP+4<sup>®</sup>  
PS Form 3800, August 2006 See Reverse for Instructions





CITY OF HIALEAH, FLORIDA  
P.O. BOX 110040  
HIALEAH, FLORIDA 33011-0040

Juan Santana  
1190 West 56th Street  
Hialeah, FL 33012

000053



RECEIVED

2014 JUL -8 A 9:54

STATE OF FLORIDA  
ELECTIONS COMMISSION



CITY OF HIALEAH, FLORIDA  
P.O. BOX 110040  
HIALEAH, FLORIDA 33011-0040

State of Florida  
Florida Elections Commission  
107 West Gaines Street  
Suite 224  
Tallahassee, Florida 32399-1050