

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: JOSE CANCIO, RESPONDENT**

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**Case No.: FEC 11-296**

**NOTICE OF HEARING ON APPEAL OF AUTOMATIC FINE**

<b>TO:</b> Jose Cancio 799 Crandon Blvd. #307 Key Biscayne, FL 33149	The Honorable Penelope Townsley Miami-Dade Co. Supervisor of Elections 2700 NW 87 <sup>th</sup> Avenue Doral, Florida 33172
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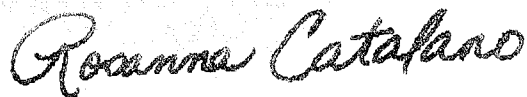
**PLEASE TAKE NOTICE** that on **February 21, 2011**, at **8:30am** or thereafter as the parties can be heard, the Florida Elections Commission will bring on to be heard Respondent's appeal of the fine imposed by the filing officer for Respondent failing to file timely a campaign treasurer's report. The Commission shall meet at: **City Hall, City Commission Chambers, 300 S. Adams Street, Tallahassee, Florida.**

Respondent and staff shall have the opportunity to briefly present their case to the Commission. Failure to appear in accordance with this notice will constitute a waiver of your right to a hearing, and the Commission will decide this case on the record before it. Convenience of location is not a basis for continuing or postponing the scheduled hearing. **See reverse side for additional instructions.**

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

**PLEASE GOVERN YOURSELF ACCORDINGLY.**

Dated on January 19, 2012.



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Rosanna Catalano  
Executive Director

## INSTRUCTIONS FOR HEARING ON APPEAL OF AUTOMATIC FINE

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

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

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

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

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

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

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

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

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

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

**FLORIDA ELECTIONS COMMISSION**  
**CASE REPORT**  
Case Number: **FEC-11-296**

**NAME:** JOSE CANCIO

**DATE APPEAL RECEIVED:** 11/21/11

**DATE HEARING REQUEST RECEIVED:** 11/21/11

**DATE REPORT DUE:** 8/22/11 (2011 TR)

**DATE OF ELECTRONIC RECEIPT:** 11/4/11

**DATE FILING OFFICER RECEIVED REPORT:** 11/4/11

**NUMBER OF DAYS LATE:** 74

**AMOUNT OF FINE:** \$3,700.00\*

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

**TOTAL RECEIPTS FOR REPORTING PERIOD:** \$0.00

**TOTAL EXPENDITURES FOR REPORTING PERIOD:** \$159,741.51

**DATE OF FIRST NOTIFICATION:** Failure to file letter dated 10/27/11

CANDIDATE <input checked="" type="checkbox"/>	STATE <input type="checkbox"/>
PC <input type="checkbox"/>	DISTRICT <input type="checkbox"/>
CCE <input type="checkbox"/>	COUNTY <input checked="" type="checkbox"/>
POLITICAL PARTY <input type="checkbox"/>	CITY <input type="checkbox"/>

**SUMMARY:** Jose Cancio was a candidate for Mayor in the 2011 elections. Marili Cancio was his treasurer.

Mr. Cancio is appealing the fine claiming that he did not receive notice from the filing officer that the report was due. According to Mr. Cancio, he did not receive notice of the report being due until November.

Documents from the Miami-Dade Supervisor of Elections' office reflect that a letter dated 4/21/11 was delivered to Mr. Cancio on 4/23/11 which listed the report due dates for the 2011 election.

**PRIOR CASES:** Mr. Cancio has not had any prior cases before the Commission.

**CORRECTION OF FINE:** \*For termination reports, the assessed fine is calculated at \$50 per day for each late day not to exceed 25% of total receipts or expenditures, whichever is greater. Rule 2B-1.0055(2)(g), *F.A.C.*, states that the failure of the filing officer to notify the candidate that the report is late no later than seven days after the report was due shall constitute unusual circumstances if the appealing party establishes that lack of notice clearly interfered with the timely filing of the report, and that the fine shall be reduced to the amount that would have been imposed if the report had been filed 13 days late. The filing officer assessed a fine of \$3,700 based on the number of days the report was late. However, it appears that Mr. Cancio did not receive notice that the report was past due until 11/1/11. Therefore, the corrected fine amount is \$650.

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

**Jose "Pepe" Cancio**  
**799 Crandon Blvd. #307**  
**Key Biscayne, FL 33149**  
**(305) 469-6186**

RECEIVED  
2011 NOV 21 P 2: 16  
STATE OF FLORIDA  
ELECTIONS COMMISSION

November 17, 2011

Florida Elections Commission  
107 West Gaines St.  
Collins Building, Suite 224  
Tallahassee, FL 32399-1050

Re: Appeal of Fine due to Late Filing

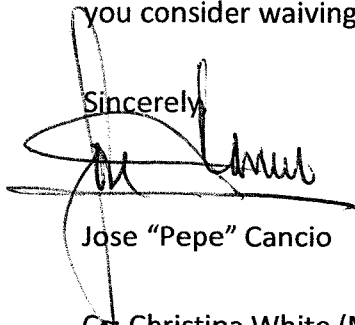
Dear Election Commissioner:

Enclosed please find a Notice of Late Filing – Fine Due in connection with my failed bid for Miami-Dade County Mayor. I would like to request a hearing in connection with this notice.

We filed the final report within the notification period issued by the Miami Dade Department of Elections. However, the Miami Dade Department of Elections must have known since August that my report was late and my campaign was not informed until November (although the letter was dated October). In addition, when my treasurer immediately called, we were told that the fine would not exceed 25% of contribution which there were none during that period. My treasurer also had difficulty accessing the Miami Dade County's website to complete the mandatory online final report due to a problem with the password.

Nevertheless we believe that if any fine is due, it should be \$150 for the 3 days from notice to filing the final report and not for the days that we were unaware of the default. I request that you consider waiving or reducing the fine.

Sincerely,



Jose "Pepe" Cancio

Cc: Christina White (Miami Dade Elections Department)  
Marili Cancio, Treasurer



Elections  
2700 NW 87th Avenue  
Miami, Florida 33172  
T 305-499-VOTE F 305-499-8547  
TTY: 305-499-8480

November 14, 2011

miamidade.gov

Mr. Jose "Pepe" Cancio  
799 Crandon Blvd., #307  
Key Biscayne, FL 33149

**NOTICE OF LATE FILING – FINE DUE – \$3,700.00**

**SFT-11 Campaign Treasurer's Report  
Due Date: 8/22/2011  
Period Covered: 5/20/2011 – 8/22/2011**

Dear Mr. Cancio,

The SFT-11 Campaign Treasurer's Report filed with our office was postmarked on 11/4/2011. Since this report was not filed by the appropriate filing date, a fine is being assessed for each late day pursuant to Florida Statute 106.07(8)(b).

As such, for reports as required by F.S. 106.141(7), the fine is \$50.00 per day for each late day. These fines are not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. Therefore, since the report was 74 days late, the fine is \$3,700.00, which is \$50.00 per day for each late day. Said fine must be received by our office at 2700 NW 87th Avenue, Miami, FL 33172 within twenty (20) days of your receipt of this notice. The check should be made payable to the Board of County Commissioners paid only from candidate's personal funds.

Florida Statute 106.07(8)(b) goes on to say that the fine may be appealed or disputed based upon unusual circumstances surrounding the failure to file by the designated due date. A hearing before the Florida Elections Commission may be requested, which shall have the authority to waive the fine in part or whole. Any such request must be submitted in writing and must be received by the Florida Elections Commission within 20 days of your receipt of this notice. To request an appeal, please write to the Florida Elections Commission, 107 West Gaines Street, Collins Building, Suite 224, Tallahassee, FL 32399-1050. Our office must also be notified of the intent to bring this matter before the Commission.

I urge you to promptly resolve this matter. If not, in accordance with Florida Statute 106.07(8)(d), we will be required to notify the Florida Elections Commission of this late filing and failure to pay the imposed fine.

If you have any questions regarding this matter, please contact the Candidate Services Unit at 305-499-8410.

Sincerely,

Christina White  
Deputy Supervisor of Elections  
Miami-Dade Elections Department

C: Marili Cancio, Treasurer

Certified No: 7008 1830 0003 9578 9666

English

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# Track & Confirm

PRINT DETAILS

YOUR LABEL NUMBER	SERVICE	STATUS OF YOUR ITEM	DATE & TIME
70081830000395789666		Delivered	November 16, 2011, 3:41 pm
		Arrival at Unit	November 15, 2011, 7:52 am
		Processed through USPS Sort Facility	November 15, 2011, 2:19 am

### Check on Another Item

What's your label (or receipt) number?

7008 1830 0003 9578 9666

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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Postmark Here	
Sent To <u>MR. Jose "Pepe" Cancio</u>	
Street, Apt. No., or PO Box No. <u>799 Crandon Blvd., #307</u>	
City, State, ZIP+4 <u>Key Biscayne Fl. 33149</u>	
PS Form 3800, August 2006 See Reverse for Instructions	



**Elections**  
2700 NW 87th Avenue  
Miami, Florida 33172  
T 305-499-VOTE F 305-499-8547  
TTY: 305-499-8480

miamidade.gov

October 27, 2011

Ms. Marili Cancio  
12599 NW 107 Avenue, 2nd Floor  
Medley, FL 33178

**FAILURE TO FILE NOTICE**  
**Jose "Pepe" Cancio**  
**SFT-11 Campaign Treasurer's Report**  
**Due Date: 8/22/2011**  
**Period Covered: 5/20/2011 – 8/22/2011**

Dear Ms. Cancio,

A review of our files indicates that you failed to file your Campaign Treasurer's Report due on 8/22/2011. Florida Statute 106.07 (8)(b) states that:

Upon determining that a report is late, the filing officer shall immediately notify the candidate or chair of the political committee as to the failure to file a report by the designated due date and that a fine is being assessed for each late day. The fine shall be \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25% of the total receipts or expenditure, whichever is greater, for the period covered by the late report. Upon receipt of the report, the filing officer shall determine the amount of the fine which is due and shall notify the candidate or chair..."

As such, I urge you to promptly respond to this matter to limit additional fines; and in accordance with Florida Statute 106.07(8)(d), we will be required to notify the Florida Elections Commission of your failure to file.

If you have any questions regarding this matter, please feel free to contact the Candidate Services Unit at 305-499-8410.

Sincerely,

A handwritten signature in black ink, appearing to read "Christina White".

Christina White  
Deputy Supervisor of Elections  
Miami-Dade Elections Department

C: Jose "Pepe" Cancio

Certified No: 7008 1830 0003 9578 9567



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# Track & Confirm

## Search Results

Label/Receipt Number: 7008 1830 0003 9578 9567  
Service(s): **Certified Mail™**  
Status: **Delivered**

Your item was delivered at 12:36 pm on November 01, 2011 in MIAMI, FL 33178.

### Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

### Detailed Results:

- Delivered, November 01, 2011, 12:36 pm, MIAMI, FL 33178
- Processed through USPS Sort Facility, November 01, 2011, 4:25 am, MIAMI, FL 33152

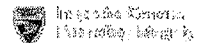
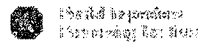
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Total Postage & Fees	\$

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Sent To Mrs. Maria Concio  
 Street, Apt. No.,  
 or PO Box No. 12599 NW 107 AVE 2  
 City, State, ZIP+4 MIAMI, FL 33178  
 7008 1830 0003 9578 9567





**Elections**  
 2700 NW 87th Avenue  
 Miami, Florida 33172  
 T 305-499-VOTE F 305-499-8547  
 TTY: 305-499-8480

April 21, 2011

miamidade.gov

Mr. Jose "Pepe" Cancio  
 799 Crandon Blvd., #307  
 Key Biscayne, FL 33149

Dear Mr. Cancio:

Congratulations on becoming a qualified candidate for Miami-Dade County Mayor in 2011. As such, you are required to file the following Campaign Treasurer's Reports:

<u>Report</u>	<u>Due Date</u>	<u>From</u>	<u>To</u>
SF1-11	4/29/2011	4/01/2011	4/22/2011
SF2-11	5/20/2011	4/23/2011	5/19/2011
SFT-11	8/22/2011	5/20/2011	8/22/2011

Please note that if you continue on to the Run-Off Election, you will not need to file the SFT-11 as stated above. Instead, you will be required to file the following additional reports:

<u>Report</u>	<u>Due Date</u>	<u>From</u>	<u>To</u>
SG1-11	6/10/2011	5/20/2011	6/03/2011
SG2-11	6/24/2011	6/04/2011	6/23/2011
SGT-11	9/26/2011	6/24/2011	9/26/2011

In addition, per Miami-Dade County Code Section 12-17, you must file your Campaign Treasurer's Reports electronically. Upon electronic submission, these reports must be printed from the Elections website and the original signed hardcopy must be filed with our office no later than 5:00 p.m. on the day designated. However, any report postmarked by the U.S. Postal Service no later than midnight of the day designated shall be deemed to have been filed in a timely manner. Any report that is late shall be subject to a fine in accordance with Florida Statutes §106.07.

The Miami-Dade County Candidate Qualifying Handbook, inclusive of the Election Laws and the Candidate and Campaign Treasurer Handbook, is available on the Elections Department website or it may be requested in a CD-Rom format. This handbook as well as access to online reporting can be found at [www.miamidade.gov/elections/top-government-officials.asp](http://www.miamidade.gov/elections/top-government-officials.asp).

If you have any questions pertaining to this matter, please do not hesitate to contact me at 305-499-8403.

Sincerely,

Christina White  
 Director, Office of Governmental Affairs  
 Miami-Dade Elections Department

C: Marili Cancio

Certified No: 7008 1830 0003 9578 8263

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## Track & Confirm

### Search Results

Label/Receipt Number: **7008 1830 0003 9578 8263**

Service(s): **Certified Mail™**

Status: **Delivered**

Your item was delivered at 5:43 pm on April 23, 2011 in KEY BISCAYNE, FL 33149.

### Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

### Detailed Results:

- **Delivered, April 23, 2011, 5:43 pm, KEY BISCAYNE, FL 33149**
- **Arrival at Unit, April 23, 2011, 7:44 am, KEY BISCAYNE, FL 33149**
- **Processed through Sort Facility, April 23, 2011, 1:42 am, MIAMI, FL 33152**

### Notification Options

#### Track & Confirm by email

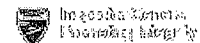
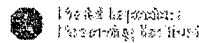
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Return Receipt Fee (Endorsement Required)		
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Total Postage	7008 1830 0003 9578 8263	

Sent To: Jose "Pepe" Cancio  
 Street, Apt. No.: #307  
 or PO Box No. 799 Crandon Blvd.  
 City, State, ZIP: Key Biscayne, FL 33149

7008 1830 0003 9578 8263

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

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

(PLEASE PRINT OR TYPE)

**RECEIVED**

PH  
11 MAR 26 AM 12:17 MCA

MIAMI-DADE COUNTY  
ELECTIONS DEPARTMENT

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

OFFICE USE ONLY

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

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

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

Jose "Pepe" Cancio

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

799 Crandon Blvd., #307  
Key Biscayne, FL 33149

**4. Telephone**

(305 ) 262-3250

**5. E-mail address**

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

Mayor of Miami-Dade County

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

My intent is to run as a Write-In candidate.

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

Write-In     No Party Affiliation     \_\_\_\_\_ Party candidate

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

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

Marli Cancio

**11. Mailing Address**

12599 NW 107 Ave. 2nd fl.

**12. Telephone**

(786) 693-9191

**13. City**

Medley

**14. County**

Miami-Dade

**15. State**

FL

**16. Zip Code**

33178

**17. E-mail address**

MARLI.CANCIO@HOMMAIL.COM

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

**19. Name of Bank**

Wachovia

**20. Address**

200 S. Biscayne Blvd

**21. City**

Miami

**22. County**

Miami-Dade

**23. State**

Florida

**24. Zip Code**

33130

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**

March 25, 2011

**26. Signature of Candidate**



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

I, Marli Cancio do hereby accept the appointment  
(Please Print or Type Name)

designated above as:

Campaign Treasurer

Deputy Treasurer

March 25, 2011

Date

Signature of Campaign Treasurer or Deputy Treasurer

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

**OFFICE USE ONLY**

**ONLINE SUBMISSION**  
[1031664]

Submitted on:  
11/4/2011 11:21:09 (eastern)

RECEIVED  
 NOV-7 PM 3:34  
 ELECTIONS DEPARTMENT

(1) Jose 'Pepe' Cancio  
Name  
(2) 799 Crandon Blvd.  
Address (number and street)  
Key Biscayne, FL 33149  
City, State, Zip Code

CHECK IF ADDRESS HAS CHANGED

(3) ID Number: 989

(4) Check appropriate box(es):  
 Candidate (office sought): Mayor 2011  
 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 5/20/2011 To 8/22/2011 Report Type SFT-1  
 Original     Amendment     Special Election Report     Independent Expenditure Report

**(6) CONTRIBUTIONS THIS REPORT**

Cash & Checks	\$	<u>0.00</u>
Loans	\$	<u>0.00</u>
Total Monetary	\$	<u>0.00</u>
In-Kind	\$	<u>0.00</u>

**(7) EXPENDITURES THIS REPORT**

Monetary Expenditures	\$	<u>159,741.51</u>
Transfers to Office Account	\$	<u>0.00</u>
Total Monetary	\$	<u>159,741.51</u>

**(8) Other Distributions**  
\$ 0.00

**(9) TOTAL Monetary Contributions To Date**  
\$ 199,305.00

**(10) TOTAL Monetary Expenditures To Date**  
\$ 199,305.00

**(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.

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

(Type name) Marli Conco  
 Individual (only for electioneering commun.)     Treasurer     Deputy Treasurer

(Type name) Jose Pepe Cancio  
 Candidate     Chairperson (only for PC, PTY & electioneering commun. organization)

**X** [Signature]  
Signature

**X** [Signature]  
Signature

**Cancio Johnson & Echarte PL**  
Attorneys at Law | A Partnership of Professional Associations

1395 Brickell Avenue  
Suite 800  
Miami, FL 33131



UNITED STATES POSTAGE  
PITNEY BOWES  
02 1M \$ 00.64<sup>0</sup>  
0004277738 NOV 04 2011  
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NOV 04 2011  
PITNEY BOWES

Miami-Dade Department of Elections  
2700 NW 87th Ave #100  
Doral, FL 33172-1631

33172-1631 063 -

**2B-1.0055 Late-filed Reports; Unusual Circumstances.**

(1) Unusual circumstances mean uncommon, rare or sudden events over which the actor has no control and which directly result in the failure to act according to the filing requirements. Unusual circumstances must occur within a time period that would clearly prevent the person legally responsible for filing the report from doing so in a timely manner.

(a) Unusual circumstances shall not include the failure of the United States Postal Service or other mail delivery service to postmark an envelope, legibly postmark an envelope, or timely deliver mail.

(b) Unusual circumstances shall not include the failure of the sender to affix sufficient postage to a report that is being mailed.

(2) The following events shall constitute unusual circumstances so long as the events clearly interfered with filing the report.

(a) Natural disaster or other emergency that prevented timely filing. Evidence submitted shall include copies of newspaper reports or other documents from an independent and reliable source that documents the nature, date, and location of the natural disaster or emergency.

(b) Death of the candidate or campaign treasurer or an immediate family member of the candidate or campaign treasurer. Evidence submitted shall include a copy of the death certificate, newspaper obituary, or funeral program or notice.

(c) Serious illness, disability or non-elective surgery of the candidate or campaign treasurer. Evidence submitted shall include a physician's certification on professional letterhead stationery that includes the dates of the illness, disability, or surgery; a statement regarding the period of time that the patient was incapacitated; and a statement that surgery, if any, was not elective. The period of incapacitation may also be shown by copies of hospital records reflecting the dates of hospitalization.

(d) Serious illness, disability or non-elective surgery of the candidate's or campaign treasurer's immediate family member. Evidence submitted shall include evidence of the candidate's or treasurer's relationship to the family member, the location of the family member, and the reason the candidate or campaign treasurer's presence was required. Evidence submitted shall also include a physician's certification on professional letterhead stationery that includes the dates of the illness, disability, or surgery; a statement regarding the period of time that the patient was incapacitated; a statement that surgery, if any, was not elective; and a statement that the patient required the care of a family member.

(e) Computer or equipment failure caused by events that could not have been anticipated and that made timely filing of the report impossible. Power outages or program failure does not constitute unusual circumstances unless it is established that reasonable precautions to assure the safety of the equipment or the ability of the program to perform as anticipated were taken before the events causing failure of the equipment or program.

(f) The abrupt and unexpected loss of the campaign treasurer, over which the appealing party had no control. The loss of the campaign treasurer shall not constitute unusual circumstances if the appealing party failed to monitor the campaign treasurer's performance before his or her departure or if the appealing party failed to assure prompt preparation of the report after the treasurer's departure.

(g) Failure of the filing officer to e-mail, telephone, or mail a letter to the candidate, chairman of a political committee, or treasurer of a committee of continuous existence that a report is late no later than seven days after the report was due shall constitute unusual circumstances if the appealing party establishes that lack of notice clearly interfered with the timely filing of the report. The fine imposed by the filing officer shall be reduced to the amount that would have been imposed had the report been filed 13 days late.

Specific Authority: 106.26(1) FS, Ch. 97-13, Sec. 52, Laws of Florida. Law Implemented: 106.04(8), 106.07(8) FS, History-New 1-11-98. Amended 4-24-05.

[back to top](#)



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

December 7, 2011

The Honorable Penelope Townsley  
Miami-Dade Supervisor of Elections  
Post Office Box 521550  
Miami, FL 33152

**RE: Case No.: FEC 11-296; Campaign Treasurer's Report due August 22, 2011**

Dear Supervisor Townsley:

Candidate **Jose Cancio** has appealed the fine assessed against him for failing to timely file a required report.

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

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

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

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

Sincerely,

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

Tracie Aulet  
Investigation Specialist



Campaign Treasurer's Report  
Electronic Filing Requirements  
for Miami-Dade County



Candidate (office sought): Mayor Miami Dade County

Political Committee: \_\_\_\_\_

Party Executive Committee: \_\_\_\_\_

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

I, Jose "Pea" Camacho  
(Please print name of Candidate or Chairperson)

RECEIVED  
11 MAR 26 AM 12:16  
MIAMI-DADE COUNTY  
ELECTIONS DEPARTMENT

understand that Campaign Treasurer's Reports must be filed electronically in order to comply with the Miami-Dade County requirements.

Additionally, a hard copy of the Campaign Treasurer's Reports must be printed from the Miami-Dade County Elections Department website and submitted by the reporting deadline with original signatures.

Signature of Candidate or Chairperson

3/25/2011  
Date

Day Time Telephone No: (305) 262-3250

Email Address: \_\_\_\_\_

*This form must be filed with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository form is filed.*



**Elections**  
2700 NW 87th Avenue  
Miami, Florida 33172  
T 305-499-VOTE F 305-499-8547  
TTY: 305-499-8480

March 29, 2011

miamidade.gov

Mr. Jose "Pepe" Cancio  
799 Crandon Blvd., #307  
Key Biscayne, FL 33149

Dear Mr. Cancio:

Congratulations on becoming an announced candidate for Miami-Dade County Mayor. Pursuant to Florida Statute 106.07, you are required to file Campaign Treasurer's Reports as indicated in the enclosed 2012 Reporting Dates document. Should an election be called for County Mayor to appear on the ballot in 2011 and you choose to run in the Special Election, you will be required to file Campaign Treasurer's Reports on the 32<sup>nd</sup>, 18<sup>th</sup> and 4<sup>th</sup> day prior to such election in lieu of the quarterly reports due during this time frame. If you decide to participate in such election, please contact the Elections Department for the associated reporting dates and the period covered.

In addition, per Miami-Dade County Code Section 12-17, you must file your Campaign Treasurer's Reports electronically. To satisfy this requirement, please submit your reports electronically through the Miami-Dade Elections website at [http://www.voterfocus.com/ws/mdccand/candidate\\_pb.php?county=miamidade](http://www.voterfocus.com/ws/mdccand/candidate_pb.php?county=miamidade). To sign-in, please use ID Number "989" and the default password is "password". As a security measure, please consider updating the password once you have successfully logged in.

Upon electronic submission, these reports must be printed from the Elections website provided above and the originally signed hardcopy must be filed with our office no later than 5:00 p.m. on the day designated. However any report postmarked by the U.S. Postal Service no later than midnight of the day designated shall be deemed to have been filed in a timely manner. Any report that is late shall be subject to a fine in line with Florida Statute 106.07.

In addition, the deadline to apply for public funds is 90 days after opening a campaign account, or 30 days before the first day of qualifying, whichever shall come first. The last date for you to apply for public funding is 6/23/2011. Please note that Public Funding is not available for Special Elections.

Within 90 days after becoming unopposed, eliminated or elected to office, or having withdrawn, each candidate shall dispose of all funds in the campaign account and file a termination report in accordance with Florida Statute 106.141.

The Miami-Dade County Candidate Qualifying Handbook, inclusive of the Election Laws and the Candidate and Campaign Treasurer Handbook, is available on the Elections Department website or it may be requested in a CD-Rom format. This handbook as well as access to online reporting can be found at [www.miamidade.gov/elections/top-government-officials.asp](http://www.miamidade.gov/elections/top-government-officials.asp).

If you have any questions pertaining to this matter, please do not hesitate to contact me at 305-499-8403.

Sincerely,

A handwritten signature in black ink, appearing to read "Christina White". The signature is fluid and cursive.

Christina White  
Director, Office of Governmental Affairs  
Miami-Dade Elections Department

Enclosure

C: Marili Cancio

Certified No: 7004 0750 00042047 9731

*Delivering Excellence Every Day*



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[Track & Confirm](#) [FAQs](#)

## Track & Confirm

### Search Results

Label/Receipt Number: 7004 0750 0004 2047 9731  
Service(s): **Certified Mail™**  
Status: **Delivered**

Your item was delivered at 3:22 pm on March 31, 2011 in KEY BISCAYNE, FL 33149.

### Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

### Detailed Results:

- **Delivered, March 31, 2011, 3:22 pm, KEY BISCAYNE, FL 33149**
- **Arrival at Unit, March 31, 2011, 8:37 am, KEY BISCAYNE, FL 33149**

### Notification Options

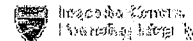
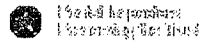
#### Track & Confirm by email

Get current event information or updates for your item sent to you or others by email

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7004 0750 0004 2047 9731

**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	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To: *José "Pepe" Cincio*

Street, Apt. No.;  
or PO Box No. *799 Cenador Blvd.*

City, State, ZIP+4 *Key Biscayne FL 33149*

PS Form 3800, June 2002 See Reverse for Instructions

# LOYALTY OATH FOR MIAMI-DADE COUNTY MAYOR

(Sections 876.05-876.10, Florida Statutes)

STATE OF FLORIDA Miami-Dade County

I, <u>JOSE</u>	<u>ARTURO</u>	<u>CANCIO</u>
First Name	Middle Name/Initial	Last Name

a citizen of the State of Florida and of the United States of America, and being [a candidate for public office] do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida:

## OATH OF CANDIDATE

(Section 99.021, Florida Statutes)

I, JOSE "PEPE" CANCIO

(PLEASE PRINT NAME AS YOU WISH IT TO APPEAR ON THE BALLOT — NAME MAY NOT BE CHANGED AFTER THE END OF QUALIFYING)

am a candidate for the office of Miami-Dade County Mayor. I am a qualified elector of Miami-Dade County, Florida. I am qualified under the Constitution and the Laws of Florida and the Home Rule Charter of Miami-Dade County to hold the office to which I desire to be nominated or elected. I have qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with the office I seek; and I have resigned from any office from which I am required to resign pursuant to Section 99.012, Florida Statutes.

**RECEIVED**  
 2011 APR 12 AM 9:09  
 MIAMI-DADE COUNTY  
 ELECTIONS

## CANDIDATE CERTIFICATION

I, hereby, certify that I am a qualified elector of Miami-Dade County, and a resident of Miami-Dade County for at least three (3) years prior to qualifying. I am submitting a copy of the following as proof of my residency in the district for the prescribed period:

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Driver's License | <input type="checkbox"/> Property Tax Receipt | <input type="checkbox"/> Homestead Exemption Receipt |
| <input type="checkbox"/> Voter Information Card      | <input type="checkbox"/> Utility Bill         | <input type="checkbox"/> Lease Agreement             |

I, the candidate whose name appears above, do affirm that I meet the minimum residency requirements for this office and that the information provided on this form and any attachments hereto are true. Under penalties of perjury, I declare that I have read the foregoing Loyalty Oath and Oath of Candidate and that the facts stated in each are true.

<u>X</u> <u>[Signature]</u>	<u>305 469 6186</u>	<u>PCANCIO@SUPERMIX.COM</u>
Signature of Candidate	Daytime Telephone Number	Email Address
<u>799 CRANFORD Blvd #307</u>	<u>K-2</u>	<u>FL 33149-2554</u>
Address	City	State Zip Code

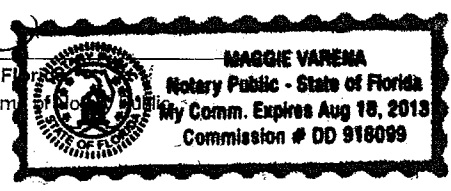
State of Florida,  
County of Miami-Dade

Sworn to (or affirmed) and subscribed before me this 11<sup>th</sup> day of April, 2011 by Jose A. Cancio

Personally Known:  or  
Produced Identification: \_\_\_\_\_

Type of Identification Produced: \_\_\_\_\_

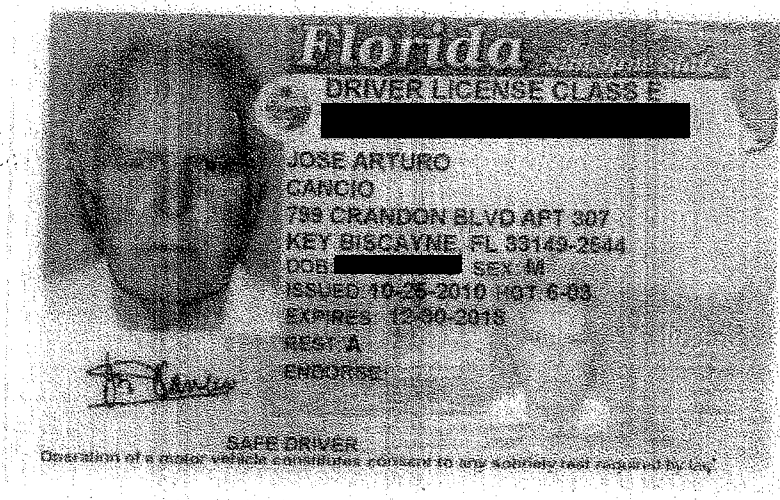
[Signature]  
Signature of Notary Public - State of Florida  
Print, Type or Stamp Commissioned Name



RECEIVED

2011 APR 12 AM 9:39

MIAMI-DADE  
ELECTIONS



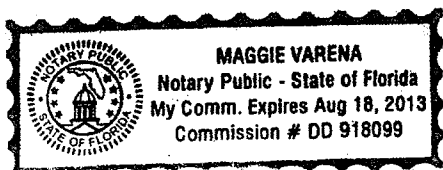
State of Florida,  
County of Miami-Dade

Sworn to (or affirmed) and subscribed before me this 11<sup>th</sup> day of April, 2011 by Jose A. Cancio.

Personally Known:  or  
Produced Identification:

M. Varena  
Signature of Notary Public-State of Florida

Stamp:



**FORM 6**

**FULL AND PUBLIC DISCLOSURE OF**

**RECEIVED 2010**

**FINANCIAL INTERESTS**

Please print or type your name, mailing address, agency name, and position below:

LAST NAME -- FIRST NAME -- MIDDLE NAME  
**CANCIO -- JOSE -- ARTURO**

MAILING ADDRESS:  
**199 CRANDON BLVD # 307**

**Key Biscayne 33149-2554 MIAMI-DADE**

CITY: **MIAMI-DADE COUNTY** ZIP: COUNTY:  
**MIAMI-DADE COUNTY**

NAME OF AGENCY:  
**MAYOR MIAMI DADE COUNTY**

NAME OF OFFICE OR POSITION HELD OR SOUGHT:

2011 APR 12 AM 9:40  
 FOR OFFICE USE ONLY:

**MIAMI-DADE ELECTIONS**

ID No.

Conf. Code

P. Req. Code

CHECK IF THIS IS A FILING BY A CANDIDATE

**PART A -- NET WORTH**

Please enter the value of your net worth as of December 31, 2010, or a more current date. [Note: Net worth is not calculated by subtracting your reported liabilities from your reported assets, so please see the instructions on page 3.]

My net worth as of Dec 31 2010 was \$ \$ 2,489,750

**PART B -- ASSETS**

**HOUSEHOLD GOODS AND PERSONAL EFFECTS:**

Household goods and personal effects may be reported in a lump sum if their aggregate value exceeds \$1,000. This category includes any of the following, if not held for investment purposes: jewelry; collections of stamps, guns, and numismatic items; art objects; household equipment and furnishings; clothing; other household items; and vehicles for personal use.

The aggregate value of my household goods and personal effects (described above) is \$ 125,000

**ASSETS INDIVIDUALLY VALUED AT OVER \$1,000:**

DESCRIPTION OF ASSET (specific description is required - see instructions p.4)	VALUE OF ASSET
199 CRANDON BLVD # 307 Key Biscayne FL 33149-2554 plus CABANA	\$ 1,800,000
1556 NW 104 Ave Doral FL 33178, 15817 NW 222 St High Springs FL 32643	\$ 1,265,000
40 acres in High Springs FL 32643 90 acres in Alachua County 125 acres Howard County	\$ 1,005,000
CANCION GROUP 12509 NW 107 Ave Apt 2501, CUBASA 31.25% POB HC 25%	\$ 5,250,000
Investment 31.25% management 25% DDC 25% household, personal effects	\$ 1,298,750

**PART C -- LIABILITIES**

**LIABILITIES IN EXCESS OF \$1,000:**

NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY
<b>BANK OF AMERICA</b>	\$ 95,000
<b>US BANK</b>	\$ 36,000

**JOINT AND SEVERAL LIABILITIES NOT REPORTED ABOVE:**

NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY

**PART D -- INCOME**

You may *EITHER* (1) file a complete copy of your 2010 federal income tax return, including all attachments, *OR* (2) file a sworn statement identifying each separate source and amount of income which exceeds \$1,000, including secondary sources of income, by completing the remainder of Part D, below.

I elect to file a copy of my 2010 federal income tax return. [If you check this box and attach a copy of your 2010 tax return, you need not complete the remainder of Part D.]

**PRIMARY SOURCES OF INCOME**

NAME OF SOURCE OF INCOME EXCEEDING \$1,000	ADDRESS OF SOURCE OF INCOME	AMOUNT
Central Concrete Superfund Inc	4300 SW 74th Ave Miami FL 33155	\$ 177,975.88

**SECONDARY SOURCES OF INCOME** [Major customers, clients, etc., of businesses owned by reporting person--see instructions]:

NAME OF BUSINESS ENTITY	NAME OF MAJOR SOURCES OF BUSINESS' INCOME	ADDRESS OF SOURCE	PRINCIPAL BUSINESS ACTIVITY OF SOURCE
JL Parsons Corp.	POB 500 Central Ex	4300 SW 74th Ave Miami	Trucking

**PART E -- INTERESTS IN SPECIFIED BUSINESSES**

	BUSINESS ENTITY # 1	BUSINESS ENTITY # 2	BUSINESS ENTITY # 3
NAME OF BUSINESS ENTITY	/	/	/
ADDRESS OF BUSINESS ENTITY	/	/	/
PRINCIPAL BUSINESS ACTIVITY	/	/	/
POSITION HELD WITH ENTITY	/	/	/
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS	/	/	/
NATURE OF MY OWNERSHIP INTEREST	/	/	/

RECEIVED  
 2011 APR 12 AM 9:40  
 MIAMI-DADE ELECTIONS

IF ANY OF PARTS A THROUGH E ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE

**OATH**

I, the person whose name appears at the beginning of this form, do depose on oath or affirmation and say that the information disclosed on this form and any attachments hereto is true, accurate, and complete.

STATE OF FLORIDA  
 COUNTY OF Miami-Dade

Sworn to (or affirmed) and subscribed before me this 11th day of

April, 20 11 by Jose A. Cancio

M Varena  
 (Signature of Notary Public--State of Florida)

Maggie Varena  
 (Print, Type, or Stamp Commissioned Name of Notary Public)



[Signature]  
 SIGNATURE OF REPORTING OFFICIAL OR CANDIDATE

Personally Known  OR Produced Identification

Type of Identification Produced \_\_\_\_\_

**FILING INSTRUCTIONS** for when and where to file this form are located at the top of page 3.  
**INSTRUCTIONS** on who must file this form and how to fill it out begin on page 3.  
**OTHER FORMS** you may need to file are described on page 6.



OFFICIAL RECEIPT  
MIAMI-DADE COUNTY FLORIDA

No. 6482009

RECEIVED FROM Jose "Pepe" Cancio

DATE 4 / 12 / 11  
MONTH DAY YEAR

ADDRESS 12599 NW 107 Ave Fl 2  
STREET ADDRESS

CASH \$

Medley CITY FL STATE 33178 ZIP

CHECKS \$ 2631 24

AMOUNT OF: 2631 DOLLARS, AND 24 CENTS TOTAL \$ 2631 24

FOR PAYMENT OF: Qualifying fee - May 2011

THIS RECEIPT NOT VALID UNLESS DATED, COMPLETED AND SIGNED BY AUTHORIZED EMPLOYEE OF DEPARTMENT.

DEPT.: Elections Dept. BY: Christina White

FOR OFFICE USE ONLY

TRANS	SUBSIDIARY	INDEX CODE	SUBJECT	AMOUNT

107.01-1 6/04

JOSE "PEPE" CANCIO FOR  
MIAMI DADE COUNTY MAYOR  
12599 NW 107th Ave Fl 2  
Medley, FL 33178-3136

1001  
63-643/670  
BRANCH 00539

Date 4-12-11

Pay to the Order of Board of County Commissioners \$ 2631.24  
Two Thousand Six Hundred Thirty One - 24/100 Dollars

WACHOVIA  
Wachovia Bank, a division of Wells Fargo Bank, N.A.

For Qualifying fee

MP

GUARDIAN SAFETY® BLUE

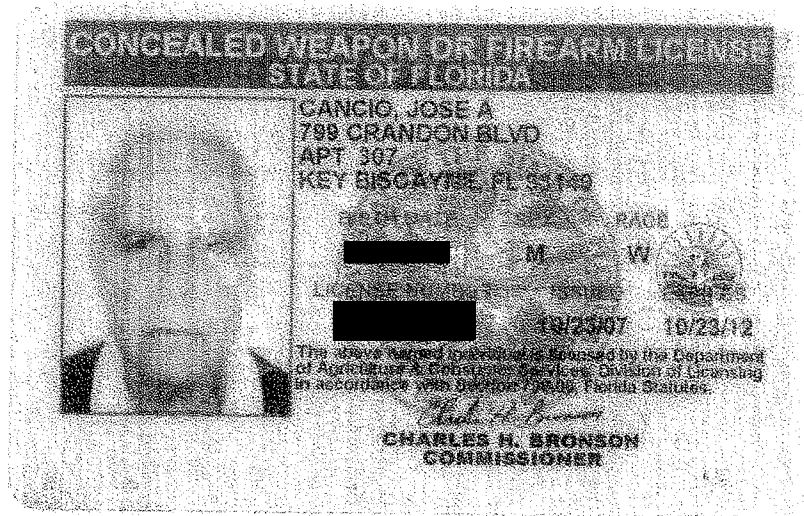
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MIAMI-DADE ELECTIONS  
2011 APR 12 AM 9:40



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2011 APR 12 AM 9:40

MIAMI-DADE  
ELECTIONS



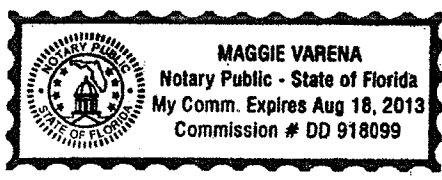
State of Florida,  
County of Miami-Dade

Sworn to (or affirmed) and subscribed before me this 11<sup>th</sup> day of April, 2011 by Jose A. Cancio.

Personally Known:  or  
Produced Identification:

M/Varena  
Signature of Notary Public-State of Florida

Stamp:



**STATEMENT OF  
CANDIDATE**

(Section 106.023, F.S.)

(Please Type)

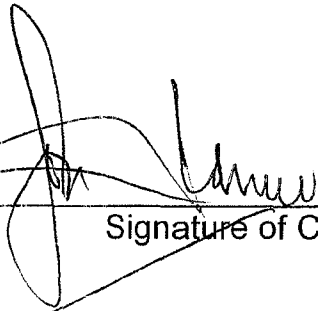
OFFICE USE ONLY  
RECEIVED

11 MAR 25 <sup>PM</sup> AM 12:16 <sub>ACJ</sub>

MIAMI-DADE COUNTY  
ELECTIONS DEPARTMENT

I, Jose "Pepe" Cancio,  
candidate for the office of Mayor of Miami-Dade County;

have received, read and understand the requirements of Chapter 106,  
Florida Statutes.

X   
Signature of Candidate

3/25/11

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).

**Receipt of Handbook and the  
Election Laws of the State of Florida**



**Candidate/Chairperson:**

Jose "Pepe" Cancio

First Name	Middle Name	Last Name
------------	-------------	-----------

Mayor of Miami-Dade County

Office Sought / Organization
------------------------------

**This is to acknowledge my receipt of the following documents:**

Handbooks Available	Edition	Downloaded from Internet	CD-Rom	Other
The Election Laws of the State of Florida		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Miami-Dade County Qualifying Handbook		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Committee Handbook		<input type="checkbox"/>	<input type="checkbox"/>	
Electioneering Committee Handbook		<input type="checkbox"/>	<input type="checkbox"/>	

**RECEIVED**  
 11 MAR 26 AM 12:17  
 MIAMI-DADE COUNTY  
 ELECTIONS DEPARTMENT

Received by: \_\_\_\_\_

Candidate/Chairperson Signature

Date: 3/25/11

Phone No.: (305) 262-3250

Fax No.: 305 267-0698

E-mail address: PCANCIO @ Supermix. CD

## 2012 Reporting Dates

### Quarterly:

The 10<sup>th</sup> day following the end of each calendar quarter 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.  
F.S.106.07(1).

Report	Due Date	From	To
Q1-11	04-11-11	01-01-11	03-31-11
Q2-11	07-11-11	04-01-11	06-30-11
Q3-11	10-10-11	07-01-11	09-30-11
Q4-11	01-10-12	10-01-11	12-31-11
Q1-12	04-10-12	01-01-12	03-31-12

### Primary Election:

After Qualifying on the 32<sup>nd</sup>, 18<sup>th</sup>, and 4<sup>th</sup> days preceding the First Primary. F.S. 106.07(1)(a).

Report	Due Date	From	To
F1-12	07-27-12	04-01-12	07-20-12
F2-12	08-10-12	07-21-12	08-03-12
F3-12	08-24-12	08-04-12	08-23-12

### General Election:

On the 46<sup>th</sup>, 32<sup>nd</sup>, 18<sup>th</sup> and 4<sup>th</sup> days preceding the General Election. F.S. 106.07(1)(a).

Report	Due Date	From	To
G1-12	09-21-12	08-24-12	09-14-12
G2-12	10-05-12	09-15-12	09-28-12
G3-12	10-19-12	09-29-12	10-12-12
G4-12	11-02-12	10-13-12	11-01-12

### Termination:

Following the last day of qualifying for office, any unopposed Candidate need only file a report within 90 days after becoming unopposed. F.S. 106.07(1)(c).

Report	Due Date	From	To
TR-QJ12	08-02-12	04-01-12	08-02-12 (Judicial)
TR-QC12	09-17-12	04-01-12	09-17-12 (Mayor, CC, C Council)
TR-Q12	09-20-12	04-01-12	09-20-12
TR-F12	11-26-12	08-24-12	11-26-12
TR-G12	02-04-13	11-02-12	02-04-12

## CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

(1) Name Jose 'Pepe' Cancio (2) I.D. Number 989

(3) Cover Period 5/20/2011 through 8/22/2011 (4) Page 1 of 0

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

RECEIVED  
 2011 NOV 17 PM 3:34  
 ELECTIONS DEPARTMENT

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

(1) Name Jose 'Pepe' Cancio (2) I.D. Number 989  
 (3) Cover Period 5/20/2011 through 8/22/2011 (4) Page 2 of 2

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Purpose (add office sought if contribution to a candidate)	(9) Expenditure Type	(10) Amendment	(11) Amount
(6) Sequence Number					
5/20/2011 //	Donadio, Claudia 4556 NW 104 Ave Doral, FL 33178	reimbursement for election night dinner exp.	MO		\$350.00
9					
5/27/2011 //	Cancio, Marili 10359 NW 45 Ln Doral, FL 33178	reimbursement of expenses	MO		\$480.00
10					
5/27/2011 //	Cancio, Jose A 799 Crandon Blvd. #307 Key Biscayne, FL 33149	final partial loan reimbursemnt	MO		\$5,751.53
11					
//					
//					
//					
//					
//					
//					

RECEIVED  
 2011 NOV - 7 PM 3:30  
 ELECTIONS DEPARTMENT



Elections  
2700 NW 87th Avenue  
Miami, Florida 33172  
T 305-499-VOTE F 305-499-8547  
TTY: 305-499-8480

miamidade.gov

November 14, 2011

Mr. Jose "Pepe" Cancio  
799 Crandon Blvd., #307  
Key Biscayne, FL 33149

**NOTICE OF LATE FILING – FINE DUE – \$3,700.00**  
**SFT-11 Campaign Treasurer's Report**  
**Due Date: 8/22/2011**  
**Period Covered: 5/20/2011 – 8/22/2011**

Dear Mr. Cancio,

The SFT-11 Campaign Treasurer's Report filed with our office was postmarked on 11/4/2011. Since this report was not filed by the appropriate filing date, a fine is being assessed for each late day pursuant to Florida Statute 106.07(8)(b).

As such, for reports as required by F.S. 106.141(7), the fine is \$50.00 per day for each late day. These fines are not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. Therefore, since the report was 74 days late, the fine is \$3,700.00, which is \$50.00 per day for each late day. Said fine must be received by our office at 2700 NW 87th Avenue, Miami, FL 33172 within twenty (20) days of your receipt of this notice. The check should be made payable to the Board of County Commissioners paid only from candidate's personal funds.

Florida Statute 106.07(8)(b) goes on to say that the fine may be appealed or disputed based upon unusual circumstances surrounding the failure to file by the designated due date. A hearing before the Florida Elections Commission may be requested, which shall have the authority to waive the fine in part or whole. Any such request must be submitted in writing and must be received by the Florida Elections Commission within 20 days of your receipt of this notice. To request an appeal, please write to the Florida Elections Commission, 107 West Gaines Street, Collins Building, Suite 224, Tallahassee, FL 32399-1050. Our office must also be notified of the intent to bring this matter before the Commission.

I urge you to promptly resolve this matter. If not, in accordance with Florida Statute 106.07(8)(d), we will be required to notify the Florida Elections Commission of this late filing and failure to pay the imposed fine.

If you have any questions regarding this matter, please contact the Candidate Services Unit at 305-499-8410.

Sincerely,

Christina White  
Deputy Supervisor of Elections  
Miami-Dade Elections Department

C: Marili Cancio, Treasurer

Certified No: 7008 1830 0003 9578 9666

RECEIVED  
2011 NOV 21 P 2:19  
STATE OF FLORIDA  
ELECTIONS COMMISSION

**Jose "Pepe" Cancio**  
**799 Crandon Blvd. #307**  
**Key Biscayne, FL 33149**  
**(305) 469-6186**

November 17, 2011

Florida Elections Commission  
107 West Gaines St.  
Collins Building, Suite 224  
Tallahassee, FL 32399-1050

RECEIVED  
2011 NOV 23 AM 12:49  
MIAMI-DADE  
ELECTIONS

Re: Appeal of Fine due to Late Filing

Dear Election Commissioner:

Enclosed please find a Notice of Late Filing -- Fine Due in connection with my failed bid for Miami-Dade County Mayor. I would like to request a hearing in connection with this notice.

We filed the final report within the notification period issued by the Miami Dade Department of Elections. However, the Miami Dade Department of Elections must have known since August that my report was late and my campaign was not informed until November (although the letter was dated October). In addition, when my treasurer immediately called, we were told that the fine would not exceed 25% of contribution which there were none during that period. My treasurer also had difficulty accessing the Miami Dade County's website to complete the mandatory online final report due to a problem with the password.

Nevertheless we believe that if any fine is due, it should be \$150 for the 3 days from notice to filing the final report and not for the days that we were unaware of the default. I request that you consider waiving or reducing the fine.

Sincerely,

  
Jose "Pepe" Cancio

Cc: Christina White (Miami Dade Elections Department)  
Marili Cancio, Treasurer



JOSE GARCIA  
99 Crenson Blvd 307  
Key Biscayne FL 33148

MICH. DADA DEPT. OF ELECTIONS  
2700 SW 87 Av.  
MICH. FL 33172

0

# FedEx

For FedEx Express® Ship

FedEx

TRK# 0215 8651 5192 3020

MON - 21 NOV A2  
PRIORITY OVERNIGHT

3C ATUA

33172  
FL-US  
MIA



Emp# 536910 18NOV11 ATUA 50FC1/BC50/F5F4

135

200

FedEx USA Airbill

Tracking Number 8651 5192 3020

1 From This portion can be removed for Recipient's records.

865151923020

Date \_\_\_\_\_ FedEx Tracking Number \_\_\_\_\_

Sender's Name \_\_\_\_\_ Phone \_\_\_\_\_

Company CENTRAL CONCRETE SUPERMIX

Address 4300 SW 74TH AVE

Dept./Floor/Suite/Room

City MIAMI State FL ZIP 33136-4406

2 Your Internal Billing Reference

3 To Recipient's Name \_\_\_\_\_ Phone \_\_\_\_\_

Company Miami Concrete Supermix

Recipient's Address \_\_\_\_\_

We cannot deliver to P.O. boxes or P.O. ZIP codes. Dept./Floor/Suite/Room

Address \_\_\_\_\_

To request a package be held at a specific FedEx location, print FedEx address here.

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Insert airbill here

RECIPIENT: PEEL HERE

fedex.com 1800.GoFedEx 1800.463.3339

695

1 F

3020  
11.21



8651 5192 3020

4a Express Package Service

- FedEx Priority Overnight  
Next business morning. \* Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
- FedEx Standard Overnight  
Next business afternoon. \* Saturday Delivery NOT available.
- FedEx First Overnight  
Earliest next business morning delivery to select locations. \* Saturday Delivery NOT available.
- FedEx 2Day  
Second business day. \* Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
- FedEx Express Saver  
Third business day. \* Saturday Delivery NOT available.

4b Express Freight Service

- FedEx 1Day Freight\*  
Next business day. \* Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
- FedEx 2Day Freight  
Second business day. \* Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
- FedEx 3Day Freight  
Third business day. \* Saturday Delivery NOT available.

5 Packaging

- FedEx Envelope\*  FedEx Pak\*  FedEx Box  FedEx Tube  Other

6 Special Handling

- SATURDAY Delivery
- HOLD Weekday at FedEx Location
- HOLD Saturday at FedEx Location

7 Payment Bill to:

- Sender  Recipient  Third Party  Credit Card  Cash/Check

Total Packages

Total Weight

\*Our liability is limited to \$100 unless you declare a higher value. See the current FedEx Service Guide for details.

8 Residential Delivery Signature Options

- No Signature Required
- Direct Signature
- Indirect Signature

519

## Miscellaneous Information

989 **Jose "Pepe" Cancio**

	ConvDate:	EmpName:	Conversation:
7039	11/4/2011	Yolanda Washingt	Received a telephone call in reference to Mr. Cancio SFT-11 report as to how he should reimburse himself back for a loan when he first open his campaign account. I inform the caller that they should enter reimbursement in the itemized expenditure and show expenditure type as monetary.
6802	5/16/2011	Maria Acosta	Spoke with Marili Cancio (Treasurer) and explained to her that the Early Voting Site will be closed on Sunday, May 22, 2011 due to the legislature HB 1355 going into effect on or before May 21. The Early voting sites will be open until 5:00 pm on Saturday and signs are going to be posted on the sites. Also is going to be advertised and posted on our website. I also remind her that the last day to receive contributions is Thursday the 19th and it must be reported on the report due the 20th, but that they have 5 working days to deposit.
6798	5/16/2011	Maria Acosta	I call and spoke with Mr. Cancio and explained to him that the Early Voting Site will be closed on Sunday, May 22, 2011 due to the legislature HB 1355 going into effect on or before May 21. The Early voting sites will be open until 5:00 pm on Saturday and signs are going to be posted on the sites. Also is going to be advertised and posted on our website.
6764	4/29/2011	Maria Acosta	Ms. Cancio call me to find out if the report had to be sing by both the Candidate and the Treasurer and that if the information on their report was public record before it was submitted. I explained to her that the report has to be signed by both the Candidate and the Treasurer and that the report does not become public record until we have received the hard copy, not even our staff can see the records as they are enter until they are being submitted. I also told her that the report has to be in our office or postmark by today.
6605	4/21/2011	Maria Acosta	An email was sent with the reporting dates for the Special Election and the link to the Ballot Position Number.
6490	4/11/2011	Maria Acosta	Ms. Cancio call to find out about the forms that Mr. Cancio needed to qualify and to verify the Qualifying fee. I also remind her of the report due today
6593	4/8/2011	Maria Acosta	Ms. Cancio call and sent an email because she whanted to start entering information on the next report and she didn't have access to it. I explained to her that I have not given access to the report since we were waiting to have the confirmation of the Election and the qualifying dates and that I will be giving access to the reports as soon as it was official



MIAMI-DADE ELECTIONS DEPARTMENT

2700 NW 87th Avenue, Miami, FL 33172

Phone: (305) 499-8500 Fax: (305) 499-8547

**TO:** Florida Elections Commission

**DATE:** Friday, December 16, 2011

**FROM:** Lester Sola  
Supervisor of Election

**SUBJECT:** History of Reports  
Jose "Pepe" Cancio  
County Mayor

<u>Report</u>		<u>Due Date</u>	<u>Rec'd Date</u>	<u>Postmark Date</u>	<u>Hand Delv.</u>	<u>Days Late</u>	<u>Notice Sent</u>	<u>Fine Assessed</u>	<u>Date Sent</u>	<u>Certified No.</u>
Q1-11	Original	4/11/2011	4/4/2011		Y			\$0.00		
SF1-11	Original	4/29/2011	4/29/2011		Y			\$0.00		
							Incomplete Information		10/27/2011	7008 1830 0003 9578 9567
SF2-11	Original	5/20/2011	5/23/2011	5/20/2011				\$0.00		
							Incomplete Information		10/27/2011	7008 1830 0003 9578 9567
SFT-11	Original	8/22/2011	11/7/2011	11/4/2011		74		\$3,700.00		
							Failure to File		10/27/2011	7008 1830 0003 9578 9567
							Fine Due		11/14/2011	7008 1830 0003 9578 9666
							Incomplete Information		11/14/2011	7008 1830 0003 9578 9659
SF1-11	Amendment	4/29/2011	5/23/2011	5/20/2011				\$0.00		
							Incomplete Information			
SF1-11	Amendment	4/29/2011	11/8/2011	11/7/2011				\$0.00		
SF2-11	Amendment	5/20/2011	11/7/2011	11/4/2011				\$0.00		
SFT-11	Amendment	8/22/2011	11/23/2011	11/21/2011				\$0.00		