

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Lynne L. Hubbard

Case No.: FEC 16-104

TO: Lynne L. Hubbard
1405 W. 23rd Street
Riviera Beach, FL 33404

Claudene L. Anthony, City Clerk
City of Riviera Beach
600 W Blue Heron Blvd
Riviera Beach, FL 33404

NOTICE OF HEARING (AUTOMATIC FINE)

A hearing will be held in this case before the Florida Elections Commission on, **August 16, 2016 at 9:00 am, or as soon thereafter as the parties can be heard**, at the following location: **Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399**

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

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

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

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

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

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

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

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

See further instructions on the reverse side.

Amy McKeever Toman
Executive Director
Florida Elections Commission
August 1, 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.

FLORIDA ELECTIONS COMMISSION
CASE REPORT
Case Number: FEC-16-104

NAME: LYNNE L. HUBBARD

DATE APPEAL RECEIVED: 04/08/16

DATE REPORT DUE: 02/19/16 (2016 G1)

DATE OF ELECTRONIC RECEIPT: 03/11/16

DATE FILING OFFICER RECEIVED REPORT: 03/11/16

NUMBER OF DAYS LATE: 21

AMOUNT OF FINE: \$1,652.32*

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

TOTAL RECEIPTS FOR REPORTING PERIOD: \$245.00

TOTAL EXPENDITURES FOR REPORTING PERIOD: \$248.49

DATE OF FIRST NOTIFICATION: 03/16/16

SUMMARY: Lynne L. Hubbard was a candidate for the City of Riviera Beach District 1 Council Seat in the 2016 elections. Maryann Hubbard was her treasurer.

Lynne Hubbard is appealing the fine claiming that her treasurer left the campaign for family personal reasons. She states that she did not replace the campaign treasurer until March 13, 2016. According to Ms. Lynne Hubbard, they were not provided with the Amended 2016 schedule where reports changed from once a month to multiple times a month.

- The 2016 G1 Original Report covers the period from 02/01/16-02/12/16; it was due on 02/19/16.
- The 2016 G1 Original Report filing history shows that it was filed on 03/11/16.
- Lynne L. Hubbard reported receiving 4 contributions, while making 4 expenditures.

PRIOR CASES: None.

CORRECTION OF FINE: The fine appears to be incorrectly assessed.

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

Lynne Hubbard
1405 West 23rd Street
Riviera Beach, FL 33404
April 5, 2015

RECEIVED

2015 APR -8 P 1:46

FLORIDA ELECTIONS COMMISSION

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

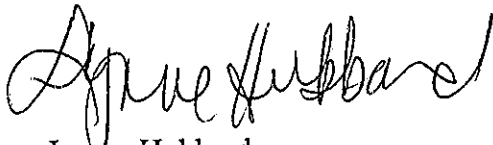
Florida Elections Commission:

I am Lynne Hubbard I am writing to appeal fines that were placed on me. For my campaign treasure reports for February 1, 2016 through February 12, 2016 and February 13, 2016 through February 26, 2016. I received a letter from the Riviera Beach City Clerk Claudene L. Anthony informing me that the two mention reports were turned in late.

I was fined for each report \$1,652.32 totaling \$3,304.64. At the time when the finance reports were due my Treasure had left my campaign due to personal family reasons. I did not replace my campaign treasure until March 13, 2016. We weren't provided with the Amended 2016 schedule and the facts that the dates to submit the Treasures report had changed from once a month to multiple times a month. This is why I believe my appeal should be granted.

This is my written notification of my intention to appeal to Florida Election Commissions for the fines that have been placed upon my campaign and myself. Due to the fact that I did not have a campaign treasurer at the time the finance reports were due. Thank you for your consideration.

Sincerely,



Lynne Hubbard
Candidate for District 1 Council Seat



CITY OF RIVIERA BEACH

600 WEST BLUE HERON BLVD. • RIVIERA BEACH, FLORIDA 33404 • (561) 845-4090 • Fax (561) 840-3438

OFFICE OF THE CITY CLERK
Claudene L. Anthony CMC
City Clerk

March 16, 2016

Ms. Hubbard:

The Campaign Treasurer Report covering February 1, 2016 through February 12, 2016 was received after the due date.

You have been assessed a fine in accordance with Section 106.07(8) (b), F.S. (invoice enclosed). Payment must be received within 20 days after receipt of the notice of payment due unless an appeal is made to the Florida Elections Commission, section 106.07(8), F.S. (Copy Enclosed)

As you are aware, candidates are responsible for being in compliance with F.S. 97-106. As not to incur any additional fines, violations or penalties please have your payment in to the Office of the City Clerk within 20 days after receipt of this notice. Please review these statutes in their entirety for further guidance.

If you have additional questions or concerns, please feel free to contact me at the number above.

Yours For Better Community Services,

Claudene L. Anthony, CMC

City Clerk

CLA/tt

Enclosure

City of Riviera Beach Office of the City Clerk
 600 W Blue Heron Blvd
 Riviera Beach, FL 33404
 Phone: (561) 845-4090 Fax:(561) 840-3438

Invoice No.

4

INVOICE

Customer

Name Lynne L. Hubbard
 Address 1405 W. 23rd Street
 City Riviera Beach State FL ZIP 33404
 Phone 561-598-0514

Misc

Date 3/16/2016
 Order No.
 Rep
 FOB

Qty	Description	Unit Price	TOTAL
	Campaign Treasurer's Report 2/1/2016 through 2/12/2016		\$ 1,652.32
	<i>Assessed late fee in accordance with Section 106.0(8)(b), F.S.</i>		
	If you have any questions, contact Claudene L. Anthony at (561) 845-4090. Make check(s) payable to the City of Riviera Beach.		

SubTotal	\$ 1,652.32
Shipping	
TOTAL	\$ 1,652.32

Payment

Select One..

Tax Rate(s)

Comments
 Name
 CC #
 Expires

Office Use Only



CITY OF RIVIERA BEACH

600 WEST BLUE HERON BLVD. • RIVIERA BEACH, FLORIDA 33404 • (561) 845-4090 • Fax (561) 840-3438

OFFICE OF THE CITY CLERK
Claudene L. Anthony, CMC
City Clerk

March 8, 2016

Dear Ms. Hubbard:

Upon reviewing our records, it has come to my attention that a Campaign Treasurer Report has not been received in the Office of the City Clerk for Reporting Periods February 1, 2016 through February 12, 2016 and February 13, 2016 through February 26, 2016.

Enclosed you will find a copy of Florida Statute 106.07 and copy of the 2016 reporting dates with all past due reports highlighted.

If no revenue has been received or expenditures made, a "Waiver of Report" should be completed and filed covering each respective contribution/expenditure time frame. A copy of the Campaign Treasurer Report and Waiver of Report forms can be downloaded from the Florida Division of Elections' website at <http://election.dos.state.fl.us/>. Completed forms must be submitted to the Office of the City Clerk within five (5) business days from the date of this letter.

As you are aware, you as the candidate, are responsible for being in compliance in all election laws.

Thank you for your immediate attention in this matter.

Yours For Better Community Services,


Claudene L. Anthony, CMC
City Clerk

Enclosure(s)

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

(1) Lynne L. Hubbard
Name
(2) 1405 W. 23rd Street
Address (number and street)
Riviera Beach, Fl 33404
City, State, Zip Code

RECEIVED

MAR 11 2016

OFFICE OF THE CITY CLERK

CHECK IF ADDRESS HAS CHANGED

(3) ID Number: _____

(4) Check appropriate box(es):

Candidate (office sought): _____

Political Committee

CHECK IF PC HAS DISBANDED

Committee of Continuous Existence

CHECK IF CCE HAS DISBANDED

Party Executive Committee

Electioneering Communication

CHECK IF NO OTHER ELECTIONEERING COMMUNICATION REPORTS WILL BE FILED

(5) REPORT IDENTIFIERS

Cover Period: From 02 / 01 / 16 To 02 / 12 / 16 Report Type GI

Original Amendment Special Election Report Independent Expenditure Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks \$ 245.00

Loans \$ _____

Total Monetary \$ 245.00

In-Kind \$ _____

(7) EXPENDITURES THIS REPORT

Monetary Expenditures \$ 248.49

Transfers to Office Account \$ _____

Total Monetary \$ 248.49

(8) Other Distributions

\$ _____

(9) TOTAL Monetary Contributions To Date

\$ 6,609.26

(10) TOTAL Monetary Expenditures To Date

\$ 4,704.63

(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) Lynne L. Hubbard

Individual (only for electioneering commun.) Treasurer Deputy Treasurer

Lynne L. Hubbard
Signature

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

(Type name) _____

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

X
Signature

CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

(1) Name Kyenne L. Hubbard

(2) I.D. Number _____

(3) Cover Period 02/01/16 through 02/12/16

(4) Page _____ of _____

(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					
2/7/16	Walmart Lake Park, Fl	Supplies	Mon		10.84
001					
2/8/16	Lowe's Lake Park, Fl	Supplies	Mon		120.12
002					
2/8/16	Lowe's Lake Park, Fl	Supplies	Mon		57.53
003					
2/8/16	Home Depot	Supplies	Mon		60.00
004					
///					
///					
///					
///					

CAMPAIGN TREASURER'S REPORT – ITEMIZED CONTRIBUTIONS

(1) Name Lynne L. Hubbard (2) I.D. Number _____

(3) Cover Period 02/01/16 through 02/12/16 (4) Page _____ of _____

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor Type Occupation		(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
(6) Sequence Number		Type	Occupation	Type	Description	Amendment	Amount
2/3/16 001	Mark Simmonds 846 Quetz WPB, Fw		Asst Principal	Monetary			20.00
2/3/16 002	Yenise Harrell PO Box 222473 WPB, Fw 33422		School District	Monetary			10.00
2/4/16 003	Theresa Hubbard 1161 Cypress Point Ln Ventura, CA		Nurse	Monetary			200.00
2/10/16 004	Greta Minter 603 Clearlake WPB, Fw 33401			Monetary			15.00
/ /							
/ /							
/ /							

RECEIVED

JAN 13 2016

OFFICE OF THE CITY CLERK

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.

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)

Lynne L. Hubbard

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

1405 W. 23rd st. Riviera Beach, FL 33404

4. Telephone

(561) 598-0514

5. E-mail address

electlynnehubbard@gmail.com

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

City Council Person District 1

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 N/A Party candidate.

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

10. Name of Treasurer or Deputy Treasurer

Maryann Hubbard

11. Mailing Address

1132 23rd Street

12. Telephone

()

13. City

West Palm Beach

14. County

Palm Beach

15. State

FL

16. Zip Code

33407

17. E-mail address

electlynnehubbard@gmail.com

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

19. Name of Bank

TD Bank

20. Address

Blueheron Blvd.

21. City

Riviera Beach

22. County

Palm Beach

23. State

FL

24. Zip Code

33404

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

1/11/16

26. Signature of Candidate

X Lynne Hubbard

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

I, Maryann Hubbard, do hereby accept the appointment (Please Print or Type Name)

designated above as:

Campaign Treasurer Deputy Treasurer.

1/11/16 Date

X Mary Hubbard Signature of Campaign Treasurer or Deputy Treasurer