

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

In Re: Anika Omphroy

Case No.: FEC 20-50

TO: Robert H. Fernandez, Esquire
FHF Law Firm, LLC
2600 South Douglas Road, Suite 305
Coral Gables, FL 33134

Division of Elections
500 S. Bronough Street, Room 316
Tallahassee, FL 32399-0250

AMENDED NOTICE OF VIRTUAL HEARING (INFORMAL HEARING)
(ONLY CHANGES MADE WERE TO CORRECT WEBINAR ID &
TELECONFERENCE DIAL-IN NUMBER & ACCESS CODE

A hearing will be held in this case before the Florida Elections Commission on, **August 31, 2021, at 8:30 am EST**, or as soon thereafter as the parties can be heard.

Please note that because of COVID-19, this will be a virtual meeting conducted by remote video or teleconference. Enclosed you will find additional details on joining the video conference via GoToWebinar, **9-Digit Webinar ID: 116499747** or via **teleconference by dialing (877) 309-2074** and entering the **meeting access code 339-753-920**, when prompted. **If you wish to speak before the Commission, you will need to appear by webcam and will be sworn in remotely.** Please be advised that the Commission will consider multiple cases, so you will need to wait until your case is considered. If you have any questions, please contact Commission staff at (850) 922-4539.

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.

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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.

Tim Vaccaro
Executive Director
Florida Elections Commission
August 23, 2021

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.

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

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

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



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-6596

Telephone: (850) 922-4539 · Facsimile: (850) 921-0783

FEC@myfloridalegal.com · www.fec.state.fl.us



Commission Meeting August 31, 2021 at 8:30AM via GoToWebinar and OpenVoice

In order to participate in the public portion of the August 31, 2021, Florida Elections Commission meeting, please follow the instructions below:

- A. GoToWebinar – Remote Video Conferencing
 1. Open your web browser and search GoToWebinar or enter www.gotowebinar.com.
 2. Select "Join" in the upper right corner of the website. Select "Webinar".
 3. Enter the 9-digit Webinar ID: 116-499-747 and your email address.
 4. Register your name and email address.
 5. You will automatically join the meeting as an attendee. Attendees are muted and can choose to utilize their webcam.

- B. OpenVoice - Teleconference
 1. Call 1-877-309-2074
 2. Enter Access Code 339-753-920. Attendees do not have an Audio PIN.
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While this is a public meeting and advanced registration is not mandatory, we ask that if you plan to attend via Video Conference or Teleconference, that you notify our office in advance or pre-register at <https://attendee.gotowebinar.com/register/163258102730146317>. This will give the Commission the opportunity to organize the agenda as efficiently as possible. It will be the goal of the Commission to hear cases in which parties are present, first, in order to reduce the standby time of the parties in attendance.

You can call or email our office of your intent to participate or of any questions you may have regarding this meeting. Please provide the case number(s) of interest, when contacting our office.

Thank you,

Commission Staff

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Anika Omphroy

Case No.: FEC 20-50

TO: Robert H. Fernandez, Esquire
FHF Law Firm, LLC
2600 South Douglas Road, Suite 305
Coral Gables, FL 33134

Division of Elections
500 S. Bronough Street, Room 316
Tallahassee, FL 32399-0250

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See further instructions on the reverse side.

Tim Vaccaro
Executive Director
Florida Elections Commission
August 13, 2021

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Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-6596

Telephone: (850) 922-4539 · Facsimile: (850) 921-0783

FEC@myfloridalegal.com · www.fec.state.fl.us



Commission Meeting August 31, 2021 at 8:30AM via GoToWebinar and OpenVoice

In order to participate in the public portion of the August 31, 2021, Florida Elections Commission meeting, please follow the instructions below:

- A. GoToWebinar – Remote Video Conferencing
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 2. Select "Join" in the upper right corner of the website. Select "Webinar".
 3. Enter the 9-digit Webinar ID: 411242395 and your email address.
 4. Register your name and email address.
 5. You will automatically join the meeting as an attendee. Attendees are muted and can choose to utilize their webcam.

- B. OpenVoice - Teleconference
 1. Call 1-877-568-4108
 2. Enter Access Code 684-343-135. Attendees do not have an Audio PIN.
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You can call or email our office of your intent to participate or of any questions you may have regarding this meeting. Please provide the case number(s) of interest, when contacting our office.

Thank you,

Commission Staff

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

In Re: Anika Tene Omphroy /

Case No.: **FEC 20-050**

ORDER CONTINUING CASE


THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on May 25, 2021, in Tallahassee, Florida.

Respondent requested that the matter be continued.

The Commission reviewed Respondent's request and considered Staff's response. Respondent's request was **GRANTED**.

THIS MATTER is continued until the next available meeting of the Florida Elections Commission.

DONE AND ORDERED by the Florida Elections Commission on May 25, 2021.



Joni Alexis Poitier, Vice Chair
Florida Elections Commission

Copies furnished to:
Stephanie J. Cunningham, General Counsel
Robert H. Fernandez, Esq., Attorney for Respondent
Division of Elections, Complainant



FEC Nos: 21-332, 20-050, 19-192 & 19-123 -- State Representative Anika Omphroy
fec@myfloridalegal.com 05/21/2021 04:12 PM
From: "Robert Fernandez" <rfernandez@rhflawfirm.com>
To: "fec@myfloridalegal.com" <fec@myfloridalegal.com>

1 Attachment



Ltr to Florida Elections Commission 05-21-21 re Omphroy Complaint.pdf

Please see attached.



Robert H. Fernandez, Esq.
RHF Law Firm, LLC
2600 S. Douglas Road
Suite 305
Coral Gables, Florida 33134
Business -- 786-315-4479
Cell -- 305-215-2264

rfernandez@rhflawfirm.com

<https://www.linkedin.com/in/robert-h-fernandez/>

This electronic message contains PRIVILEGED and CONFIDENTIAL INFORMATION intended only for the use of the addressee named above. If you are not the intended recipient of this electronic message or the employee or representative of the intended recipient, you are hereby notified that any dissemination or copying of the electronic message is strictly prohibited.



2600 S. Douglas Road, Suite 305
Coral Gables, FL 33134
(786) 315-4479
RFernandez@rhflawfirm.com

May 21, 2021

Via E-mail

Tim Vaccaro
Executive Director
Florida Elections Commission
107 West Gaines Street
Collins Building, Suite 224
Tallahassee, Florida 32399-1050
fec@myfloridalegal.com

Re: FEC Case Nos. 21-332, 20-050, 19-123, 19-192
Complaints Filed Against State Representative Anika Omphroy

Dear Director Vaccaro:

I am writing you on behalf of State Representative Anika Omphroy. I have just been retained by Representative Omphroy to respond to the above identified complaints filed with the Florida Elections Commission (the “**Complaints**”). Please accept this as my formal Notice of Appearance on the above identified Complaints on behalf of Representative Omphroy. Therefore, kindly please direct all future correspondence and communications to my attention on behalf of State Representative Omphroy.

It is my understanding that one or more of these Complaints are scheduled for informal hearing next **Tuesday, May 25, 2021**. I am in the process of gathering all pertinent documents from Representative Omphroy in order to fully address and respond to each of the Complaints identified herein. It is our goal to fully cooperate, verify all required information needed to update Representative Omphroy’s missing reports and address the issue of any potential fines for the untimely disclosure of certain reports.

I anticipate having additional information to provide to the Commission shortly for its review and consideration. At this time, I would respectfully request a brief continuance of any informal hearing on the above identified Complaints to give me an opportunity to gather and review all relevant information to ensure reporting compliance.



2600 S. Douglas Road, Suite 305
Coral Gables, FL 33134
(786) 315-4479
RFernandez@rhflawfirm.com

In the meantime, if the Commission has any questions or concerns, please feel free to contact me at your convenience. Thank you in advance for your anticipated cooperation.

Respectfully,

A handwritten signature in black ink, appearing to read "R. Fernandez", with a stylized flourish extending to the right.

Robert H. Fernandez

cc: State Representative Anika Omphroy

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Anika Tene Omphroy

Case No.: FEC 20-050

TO: Anika Tene Omphroy
2901 North 46th Avenue, Apt. 202
Lauderdale Lakes, FL 33313-3313

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

NOTICE OF VIRTUAL HEARING (INFORMAL HEARING)

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Tim Vaccaro
Executive Director
Florida Elections Commission
May 10, 2021

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Commission Meeting May 25, 2021 at 8:30AM via GoToWebinar and OpenVoice

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Thank you,

Commission Staff

FILED
2021
FEB 23
TALLAHASSEE
FLORIDA

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

Case No.: FEC 20-050

v.

**Anika Tene Omphroy,
Respondent.**

ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on February 23, 2021, in Tallahassee, Florida.

On January 4, 2021, Staff recommended to the Commission that there was probable cause to believe that the Florida Election Code was violated. The facts articulated in Staff's Recommendation are adopted by reference and incorporated herein. Based on the Complaint, Report of Investigation, Staff's Recommendation, and oral statements (if any) made at the probable cause hearing, the Commission finds that there is **probable cause** to charge Respondent with the following violation(s):

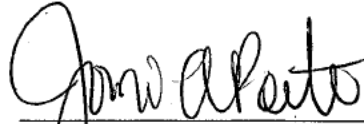
Count 1:

On or around January 10, 2020, Anika Tene Omphroy violated Section 106.19(1)(c), Florida Statutes, when she deliberately failed to include information required by Chapter 106, Florida Statutes, on the campaign's 2019 M12 Report.

THIS SPACE INTENTIONALLY LEFT BLANK

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

DONE AND ORDERED by the Florida Elections Commission on February 23, 2021.



Jori Alexis Poitier, Vice Chair
Florida Elections Commission

Copies furnished to:
Stephanie J. Cunningham, Assistant General Counsel
Anika Tene Omphroy, Respondent
Division of Elections, Complainant

NOTICE OF RIGHT TO A HEARING

As the Respondent, you may elect to resolve this case in several ways. First, you may elect to resolve this case by consent order where you and Commission staff agree to resolve the violation(s) and agree to the amount of the fine. The consent order is then presented to the Commission for its approval. To discuss a consent order, contact the FEC attorney identified in the Order of Probable Cause.

Second, you may request an informal hearing held before the Commission, if you do not dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to make written or oral arguments to the Commission concerning the legal issues related to the violation(s) and the potential fine. At the request of Respondent, the Commission will consider and determine willfulness at an informal hearing. Otherwise, live witness testimony is unnecessary.

Third, you may request a formal hearing held before an administrative law judge in the Division of Administrative Hearings (DOAH), if you dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to present evidence relevant to the violation(s) listed in this order, to cross-examine opposing witnesses, to impeach any witness, and to rebut the evidence presented against you.

If you do not elect to resolve the case by consent order or request a formal hearing at the DOAH or an informal hearing before the Commission within 30 days of the date this Order of Probable Cause is filed with the Commission, the case will be sent to the Commission for a formal or

informal hearing, depending on whether the facts are in dispute. The date this order was filed appears in the upper right-hand corner of the first page of the order.

To request a hearing, please send a written request to the Commission Clerk, Donna Ann Malphurs. The address of the Commission Clerk is 107 W. Gaines Street, Collins Building, Suite 224, Tallahassee, Florida 32399-1050. The telephone number is (850) 922-4539. The Clerk will provide you with a copy of Chapter 28-106, *Florida Administrative Code*, and other applicable rules upon request. No mediation is available.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Anika Omphroy

Case No.: FEC 20-050

TO: Anika Omphroy
2901 NW 46th Avenue, # 202
Lauderdale Lakes, FL 33313

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

NOTICE OF VIRTUAL HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on **February 23, 2021**. The Commission's Confidential Session will begin at **1:00 p.m., EST**, and will consider multiple cases that day.

Please note that because of COVID-19, this will be a virtual meeting conducted by remote video or teleconference. Enclosed you will find additional details on joining the video conference via ZOOM, Meeting ID 987 1847 0760, or via teleconference by dialing (929) 205-6099 and entering the meeting access code 370906, when prompted. If you wish to speak before the Commission, you will need to appear by webcam and will be sworn in remotely. Please be advised that the Commission will consider multiple cases, so you will need to wait until your case is considered. If you have any questions, please contact Commission staff at (850) 922-4539.

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 motions to dismiss 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 motions to dismiss 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. 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.

Tim Vaccaro
Executive Director
Florida Elections Commission
February 2, 2021

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 **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

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-6596
Telephone: (850) 922-4539 · Facsimile: (850) 921-0783
FEC@myfloridalegal.com · www.fec.state.fl.us



Confidential Commission Meeting February 23, 2021 at 1:00 PM via Zoom

In order to participate in the confidential portion of the February 23, 2021, Florida Elections Commission meeting, please follow the instructions below:

Join Zoom Meeting

Click on the meeting link sent to your attention via email:

<https://zoom.us/j/98718470706?pwd=TXdsdGwrZVVScjNmVGFDbXRRdzlJZz09>

If you have difficulty launching the hyperlink, follow these steps.

1. Open your web browser and search ZOOM or enter www.zoom.us
2. Select "Join A Meeting" in the upper right corner of the website.
3. Enter the Meeting ID: 987 1847 0760 and click "Join".
4. Enter the Meeting Passcode: 370906 and click "Join".

For alternative audio participation:

1. Dial: 1 (929) 205-6099
2. Meeting ID: 987 1847 0760
3. Passcode: 370906

While this is a confidential meeting and advanced registration is not mandatory, we ask that if you plan to attend via Video Conference or Teleconference, that you notify our office in advance. This will give the Commission the opportunity to organize the agenda as efficiently as possible. It will be the goal of the Commission to hear cases in which parties are present, first, in order to reduce the standby time of the parties in attendance.

Please test your audio; microphone, speakers and webcam, in advance.

Those attendees who wish to speak before the Commission will need to appear by webcam and will be sworn in remotely.

Please be advised that the Commission will consider multiple cases, so you will be placed in a ZOOM Breakout Room until your case is considered.

If you have any questions, contact Commission staff at (850) 922-4539. Please provide the case number(s) of interest, when contacting our office.

Thank you,

Commission Staff

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Anika Tene Omphroy

Case No.: FEC 20-050

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the referral in this case recommending that there is **probable cause** to charge Respondent with violating **Section 106.19(1)(c), Florida Statutes**, and **no probable cause** to charge Respondent with violating **Section 106.07(7), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on December 4, 2020, the following facts and law support this staff recommendation:

1. On February 20, 2020 the Florida Elections Commission (“Commission”) received a referral from the Department of State, Division of Elections (“Division”), alleging that Anika Tene Omphroy (“Respondent”) violated Chapter 106, Florida Statutes.

2. Respondent was a 2020 candidate for State Representative, District 95. Respondent’s Statement of Candidate form (“DS-DE 84”) was filed on December 13, 2018. (ROI Exhibit 2)¹

3. By letter dated April 27, 2020, the Executive Director notified Respondent that Commission staff would investigate the following statutory provisions:

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent, a 2020 candidate for State Representative, District 95, may have failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because she had not received funds, made contributions, or expended reportable funds during the following reporting period:

- 2019 M12

Section 106.19(1)(c), Florida Statutes: As alleged in the complaint, Respondent, a 2020 candidate for State Representative, District 95, may have falsely reported or deliberately failed to include information required by Chapter 106, Florida Statutes, when she failed to file a report on the prescribed reporting date for the following reporting period:

- 2019 M12

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

4. By letter dated December 17, 2018, Kristi Reid Willis, Chief, Bureau of Election Records, sent Respondent a letter acknowledging that the Division had received her Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form and that her name was placed on the 2020 active candidate list. (ROI Exhibit 3, page 1)

5. The acknowledgment letter advised Respondent that all candidates filing reports with the Division are required to use the electronic filing system (“EFS”), and provided Respondent with a user identification number and initial password to grant access to the EFS. (ROI Exhibit 3, page 1) The letter further advised Respondent that all of the Division’s publications and reporting forms were available on its website and directed Respondent to print out the *Calendar of Reporting Dates* as well as other relevant documents. (ROI Exhibit 3, page 2)

6. Respondent’s 2019 M12 Report was due to be filed by January 10, 2020; however, Respondent failed to timely file the report or notify the filing officer that no report would be filed. *See* Compl. By letters dated January 13, 2020, January 28, 2020, and February 5, 2020, the Division notified Respondent that her 2019 M12 Report had not been received. The letters also notified Respondent that she was still required to notify the Division if she had no reportable financial activity. (ROI Exhibits 4 & 5) The February 5, 2020 letter was confirmed delivered. (ROI Exhibit 5, page 2)

7. A subpoena was issued to Respondent’s designated campaign depository to ascertain whether any financial activity occurred during the relevant reporting period, i.e., December 1, 2019 – December 31, 2019. (ROI Exhibit 5, page 1) Respondent’s bank records show three contributions totaling \$3,000 and nine expenditures totaling \$6,140. The expenditures consisted of Zelle money transfers from the campaign account to a separate account in Respondent’s name. (ROI Exhibit 7, page 2)

8. Respondent stated that she was the primary care giver for her grandmother who was in the ICU from November 2019 to February 2020. Respondent stated that she has since filed all outstanding reports and notices of no activity. (ROI Exhibit 8) On May 10, 2020, Respondent’s 2019 M12 Report was filed. The report was 121 days late. (ROI Exhibit 6, page 1) The report shows three contributions totaling \$3,000. (ROI Exhibit 6, page 5) To date, Respondent has not disclosed the \$6,140 in financial activity which consisted of direct electronic money transfers from her campaign account to a separate account in her name, which appear to be prohibited expenditures under the Florida Election Code. Respondent was not a first-time candidate. (*See* ROI, p.1, ¶1)

9. As it appears that Respondent had financial activity during the relevant reporting period, Respondent failed to include information in her 2019 M12 Report in violation of Section 106.19(1)(c), Florida Statutes. Thus, Respondent was not required to notify the filing officer that she would not be filing her report because Respondent had reportable financial activity.

10. “Probable Cause” is defined as reasonable grounds of suspicion supported by circumstances sufficiently strong to warrant a cautious person in the belief that the person has committed the offense charged. *Schmitt v. State*, 590 So. 2d 404, 409 (Fla. 1991). Probable cause exists where the facts and circumstances, of which an [investigator] has reasonably trustworthy

information, are sufficient in themselves for a reasonable man to reach the conclusion that an offense has been committed. *Department of Highway Safety and Motor Vehicles v. Favino*, 667 So. 2d 305, 309 (Fla. 1st DCA 1995).

11. The facts set forth above show that Respondent was a 2020 candidate for State Representative, District 95. Respondent failed to timely file her 2019 M12 Report or notify the filing officer that no report would be filed. As it appears that Respondent had financial activity during the relevant reporting period, Respondent failed to include information in her 2019 M12 Report in violation of Section 106.19(1)(c), Florida Statutes. Thus, Respondent was not required to notify the filing officer that she would not be filing her report because Respondent had reportable financial activity.

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

Count 1:

On or around January 10, 2020, Anika Tene Omphroy violated Section 106.19(1)(c), Florida Statutes, when she deliberately failed to include information required by Chapter 106, Florida Statutes, on the campaign's 2019 M12 Report.

Respectfully submitted on January 4, 2021.



Stephanie J. Cunningham
Assistant General Counsel

I reviewed this Staff Recommendation this 4th day of January 2021.



Tim Vaccaro
Executive Director

FLORIDA ELECTIONS COMMISSION

Report of Investigation for Sections 106.07(7) and 106.19(1)(c), F.S.

Case Number: FEC 20-050

Sections 106.07(7) and 106.19(1)(c), Florida Statutes, failure of a candidate or political committee that did not receive any contributions or make any expenditures during a reporting period to notify timely the filing officer, in writing, that no report is being filed or failure to file a campaign report to reflect financial activity.

Respondent: Anika Tene Omphroy
Respondent's Atty: N/A

Division of Elections (Division)
Referral Filed: February 20, 2020

Respondent Type:

- Candidate/Candidate's Treasurer
- PC/PC's Chairperson/PC's Treasurer

I. Preliminary Information:

1. Respondent was a 2020 candidate for State Representative, District 95. She won the primary election and was unopposed in the general election. Respondent was not a first-time candidate.

2. An Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9) was filed on December 13, 2018. Respondent appointed herself as campaign treasurer. To review the DS-DE 9, refer to Exhibit 1.

3. Respondent filed a Statement of Candidate with the Division on December 13, 2018, in which she certified she had been provided access to read and understand Chapter 106, F.S. To review a copy of the Statement of Candidate, refer to Exhibit 2.

4. An acknowledgement letter was mailed to the address provided on the DS-DE 9 on December 17, 2018, advising Respondent that all candidates filing reports with the Division are required to file by means of the Division's electronic filing system (EFS). Respondent was provided with a user identification number and initial password allowing her access to the EFS.

5. The acknowledgement letter also advised Respondent that all of the Division's publications and reporting forms are available on their website, including Chapter 106, Florida Statutes, the *Candidate and Campaign Treasurer Handbook* and the *Calendar of Reporting Dates*. The letter further advised Respondent that it was her responsibility to read, understand, and follow the requirements of Florida's election laws. To review the acknowledgement letter, refer to Exhibit 3.

6. The Division sent correspondence Respondent notifying Respondent that she had not filed either a campaign report or notification that no reportable activity occurred for the following reporting period: 2019 M12. The letters included reference to the filing date for the report. The correspondence was mailed to Respondent at the address provided on the DS-DE 9. To review the failure to file correspondence, refer to Exhibit 4.

7. On February 5, 2020, the Division sent Respondent a letter marked "Final Notice" with delivery confirmation stating that the following campaign report, or the required notification that no reportable activity occurred, had not been filed: 2019 M12. The letter was mailed to Respondent at the address provided on the DS-DE 9, and it was confirmed delivered on February 8, 2020. To review the letter marked "Final Notice" and delivery confirmation, refer to Exhibit 5.

II. Alleged Violation of Sections 106.07(7), and 106.19(1)(c), Florida Statutes:

8. I investigated whether Respondent violated these sections of the election laws either by not notifying the filing officer, in writing, that no report would be filed due to not receiving any contributions or making expenditures during the following reporting period or by not filing campaign report to reflect financial activity for the reporting period. To review a copy of Respondent's filing history, refer to Exhibit 6.

Report	Report Cover Period	Due Date	Report or Waiver Required	¹ Exhibit 7
2019 M12	12/1 – 12/31/19	01/10/20	Report	7

9. Respondent filed the 2019 M12 report on May 10, 2020. To review Respondent's filing history and a copy of the report, refer to Exhibit 6.

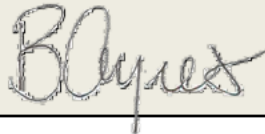
10. Respondent did not respond to the referral.

11. Respondent did not respond to a questionnaire-affidavit.

12. On May 27, 2020, and November 9, 2020, I called Respondent for the purpose of reviewing the referral with her. Respondent stated she did not have a physical copy of the *Candidate and Campaign Treasurer Handbook* for 2020, but understood where to find it with the Division website and what my investigation encompassed, and believed she had a copy from her previous campaign in 2018. Respondent stated she has since filed outstanding CTRs.

Respondent stated she was the primary care giver for her grandmother while her grandmother faced medical issues from November 2019 to February 2020, including being admitted to the ICU. Respondent acknowledged that she was required to report her activity but failed to do so by the prescribed due date. To review a copy of the phone log, refer to Exhibit 8.

SIGNATURE OF INVESTIGATOR:



Date: 12/04/2020

¹ I subpoenaed Respondent's campaign account records from the designated campaign depository.

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Anika Omphroy -- FEC 20-050

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9)
Exhibit 2	Statement of Candidate (DS-DE 84)
Exhibit 3	Division Acknowledgement Letter
Exhibit 4	First and Second Notice of Failing to File
Exhibit 5	Final Notice of Failing to File
Exhibit 6	Candidate Filing History
Exhibit 7	Campaign Depository Bank Records
Exhibit 8	Phone Log

RECEIVED

2018 DEC 13 PM 3:22

STATE ELECTIONS
TALLAHASSEE, FL

**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.

HAND DELIVERED

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)

Anika Tene Omphroy

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

2901 N 46 Avenue
Apt 202

4. Telephone

()

5. E-mail address

anikaomphroy@gmail.com

Lauderdale Lakes, FL 33313

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

State Representative District 95

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 Democratic Party candidate.

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

10. Name of Treasurer or Deputy Treasurer

Anika Omphroy

11. Mailing Address

2901 NW 46 Ave, Apt 202

12. Telephone

(954) 300.6784

13. City

Lauderdale Lakes

14. County

Broward

15. State

FL

16. Zip Code

33313

17. E-mail address

anikaomphroy@gmail.com

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

19. Name of Bank

Wells Fargo

20. Address

2300 N University Dr

21. City

SUNRISE

22. County

Broward

23. State

FL

24. Zip Code

33322

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

12/13/18

26. Signature of Candidate

X 

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

I, Anika Omphroy, do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer.

12/13/18
Date

X 
Signature of Campaign Treasurer or Deputy Treasurer

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

RECEIVED
OFFICE USE ONLY

2018 DEC 13 PM 3:22

STATE ELECTIONS
TALLahassee, FL

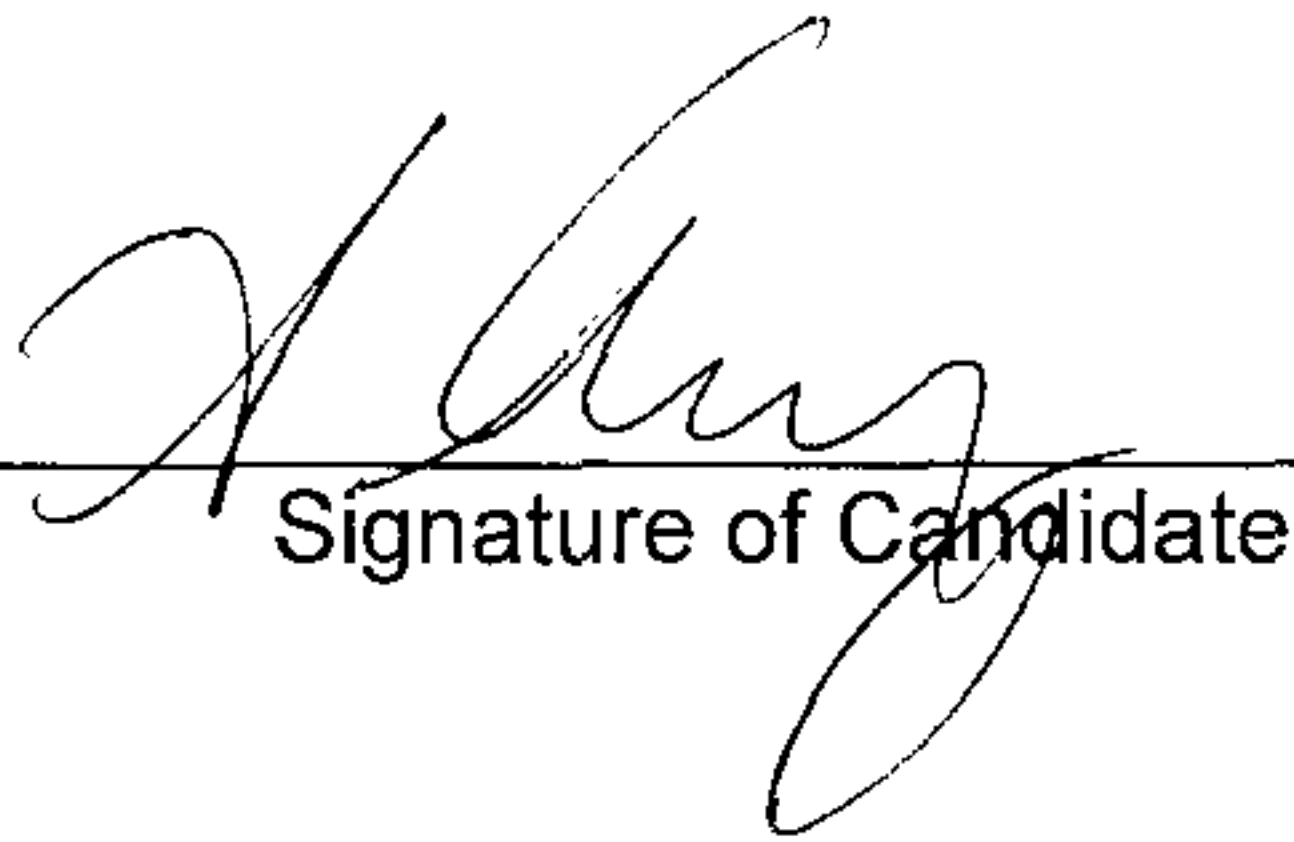
HAND DELIVERED

I, Anika Omphroy

candidate for the office of 1st State Representative District 195;

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

X


Signature of Candidate

12/13/18
Date

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



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

December 17, 2018

The Honorable Anika Tene Omphroy
2901 North 46 Avenue
Apartment 202
Lauderdale Lakes, Florida 33313

Dear Representative Omphroy:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of State Representative, which was placed on file in our office on December 13, 2018. Your name has been placed on the 2020 active candidate list.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **January 10, 2019**. The report will cover the period of December 1-31, 2018 (2018 M12). All candidates who file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

EFS Access

Below is the web address to access the EFS and your user identification number. The enclosed sealed envelope contains your filing credentials.

EFS Website Address: <https://efs.dos.state.fl.us>

Identification Number: 73985

Timely Filing

All reports filed must be completed and filed through the EFS no later than midnight, Eastern Standard Time, of the due date. Reports not filed by midnight of the due date are late filed and subject to the penalties in Section 106.07(8), Florida Statutes. In the event that the EFS is inoperable on the due date, the report will be accepted as timely filed if filed no later than midnight

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



Anika Omphroy
December 17, 2018
Page Two

of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

Any candidate failing to file a report on the designated due date shall be subject to a fine of \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for reports immediately preceding each primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

Electronic Receipts

The person submitting the report on the EFS will be issued an electronic receipt indicating and verifying the report was filed. Each campaign treasurer's report filed by means of the EFS is considered to be under oath by the candidate and campaign treasurer and such persons are subject to the provisions of Section 106.07(5), Florida Statutes.

Instructions and Assistance

An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports. The Division of Elections will also provide assistance to all users by contacting the EFS Help Desk at (850) 245-6280.

All of the Division's publications and reporting forms are available on the Division of Elections' website at <http://dos.myflorida.com/elections/>. It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapters 104 and 106, Florida Statutes, *Candidate and Campaign Treasurer Handbook*, *Calendar of Reporting Dates*, and Rule 1S-2.017, Florida Administrative Code.

Please let me know if you need additional information.

Sincerely,



Kristi Reid Willis, Chief
Bureau of Election Records

KRW/jcs

Enclosures



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

January 13, 2020

Anika Tene Omphroy
Candidate for State Representative, District 95
2901 North 46 Avenue
Apartment 202
Lauderdale Lakes, FL 33313-3313

CAN 73985

Dear Representative Omphroy:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was January 10, 2020.

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

- If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as follows until you file your report:
 - \$50 per day for the first 3 days late
 - \$500 per day for each day after the 3rd day late
 - If the required report immediately precedes a primary and general election, the automatic fine is \$500 for each late day.

The total fine for the untimely report cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the cover period. Even if you end up filing your report late, we cannot waive the statutory fines. We will notify you of the specific amount of fines owed once you file your report. You have 20 days from the day you receive the notice to pay the fine or to appeal the fine to the Florida Elections Commission.

- If no reportable activity occurred for the report date(s), you are still required to notify us in writing, via the Division's Electronic Filing System, that no reportable activity occurred. No automatic fines are statutorily assessed.

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

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

Second Notice

January 28, 2020

Anika Tene Omphroy
Candidate for State Representative, District 95
2901 North 46 Avenue
Apartment 202
Lauderdale Lakes, FL 33313-3313

CAN 73985

Dear Representative Omphroy:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was January 10, 2020.

We mailed, via regular mail, the first notice of the failure to file the above-mentioned report or notification to the address on file with our office on January 13, 2020.

The first notice which we provided to you specifically explained the automatic fine provisions in the law (s. 106.07(8)(b), Fla. Stat.) for failure to file a required report. Such fines are continuing to accrue for a late-filed report. Also, that notice explained that if no reportable activity occurred for the report date(s), you are still required to provide notification in writing that no reportable activity occurred. Our initial notice further indicated that, in all cases, failure to file and/or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

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

Sincerely,

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

Kristi Reid Willis, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

Final Notice

Delivery Confirmation:

USPS TRACKING # 9114 9023 0722 4343 8598 31
& CUSTOMER RECEIPT For Tracking or Inquiries go to USPS.com
or call 1-800-222-1811.

February 5, 2020

Anika Tene Omphroy
Candidate for State Representative, District 95
2901 North 46 Avenue
Apartment 202
Lauderdale Lakes, FL 33313-3313

CAN 73985

Dear Representative Omphroy:

A recent review of the Division's records show that the Division has not yet received the below-referenced campaign treasurer's report or the required notification that no reportable activity occurred, whichever is applicable, during the following cover period:

<u>Year</u>	<u>Report</u>	<u>Cover Period</u>
2019	M12	12/1/19 - 12/31/19

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

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

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

ALERT: USPS WILL BE TEMPORARILY SUSPENDING THE GUARANTEE ON PRIORITY MAIL EX...



FAQs >

Track Another Package +

Tracking Number: 9114902307224343859831

Remove X

Your item was delivered in or at the mailbox at 4:57 pm on February 8, 2020 in FORT LAUDERDALE, FL 33313.

Delivered

February 8, 2020 at 4:57 pm
Delivered, In/At Mailbox
FORT LAUDERDALE, FL 33313

Feedback

Get Updates v

- Text & Email Updates** v
- Tracking History** v
- Product Information** v

See Less ^

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

Candidate Name: Anika Omphroy

Account: [73985](#)

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
8/14/2020	P7	8/14/2020						
8/7/2020	P6	8/8/2020	SNT	1	\$50.00		\$50.00	\$0.00
7/31/2020	P5	8/3/2020	SNT	3	\$150.00		\$150.00	\$0.00
7/24/2020	P4	7/24/2020						
7/17/2020	P3	7/20/2020	SNT	3	\$150.00		\$150.00	\$0.00
7/3/2020	P2	7/5/2020	SNT	2	\$100.00		\$100.00	\$0.00
6/19/2020	P1	6/19/2020						
6/10/2020	M5	6/10/2020						
5/11/2020	M4	5/10/2020						
4/10/2020	M3	5/10/2020	CLO	30	\$0.00		\$0.00	\$0.00
3/10/2020	M2	5/10/2020	CLO	61	\$0.00		\$0.00	\$0.00
2/10/2020	M1	5/10/2020	CLO	80	\$44.75		\$44.75	\$44.75
1/10/2020	M12	5/10/2020	DUE	121	\$750.00		\$750.00	\$0.00
12/10/2019	M11	5/10/2020	CLO	152	\$750.00		\$750.00	\$750.00
11/12/2019	M10	5/10/2020	CLO	180	\$250.00		\$250.00	\$250.00
10/10/2019	M9	10/10/2019						
9/10/2019	M8	10/10/2019	CLO	30	\$0.00		\$0.00	\$0.00
8/12/2019	M7	10/10/2019	FEC	59	\$750.00		\$750.00	\$0.00
7/10/2019	M6	7/26/2019	CLO	16	\$0.00		\$0.00	\$0.00
6/10/2019	M5	6/10/2019						
5/10/2019	M4	5/10/2019						
4/10/2019	M3	5/7/2019	DFS	27	\$1,375.00		\$1,375.00	\$0.00
3/11/2019	M2	5/7/2019	DFS	57	\$125.00		\$125.00	\$0.00
2/11/2019	M1	5/7/2019	DFS	85	\$250.00		\$250.00	\$0.00
1/10/2019	M12	5/10/2020	CLO	486	\$0.00		\$0.00	\$0.00



Florida Department of State
Division of Elections

2020 General Election
Anika Omphroy (DEM)
State Representative

Campaign Finance Activity

Note: The information presented below was obtained from the Committee's/Candidate's Campaign Treasurer's Report filed with the Division of Elections. [About the Campaign Finance Data Base.](#)

Contributions							
	Filing Period	Monetary	Loans	InKind	Expend	Other	Transfers
W	12/13/2018 - 12/31/2018	0.00	0.00	0.00	0.00	0.00	0.00
○	01/01/2019 - 01/31/2019	1,000.00	0.00	0.00	73.67	0.00	0.00
○	02/01/2019 - 02/28/2019	500.00	0.00	0.00	0.00	0.00	0.00
○	03/01/2019 - 03/31/2019	5,500.00	0.00	0.00	1,141.51	0.00	0.00
○	04/01/2019 - 04/30/2019	0.00	0.00	0.00	1,575.00	0.00	0.00
W	05/01/2019 - 05/31/2019	0.00	0.00	0.00	0.00	0.00	0.00
W	06/01/2019 - 06/30/2019	0.00	0.00	0.00	0.00	0.00	0.00
○	07/01/2019 - 07/31/2019	3,000.00	0.00	0.00	0.00	0.00	0.00
W	08/01/2019 - 08/31/2019	0.00	0.00	0.00	0.00	0.00	0.00
W	09/01/2019 - 09/30/2019	0.00	0.00	0.00	0.00	0.00	0.00
○	10/01/2019 - 10/31/2019	1,000.00	0.00	0.00	310.00	0.00	0.00
○	11/01/2019 - 11/30/2019	3,000.00	0.00	0.00	0.00	0.00	0.00
○	12/01/2019 - 12/31/2019	3,000.00	0.00	0.00	0.00	0.00	0.00
○	01/01/2020 - 01/31/2020	2,000.00	0.00	0.00	179.00	0.00	0.00
W	02/01/2020 - 02/29/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	03/01/2020 - 03/31/2020	0.00	0.00	0.00	0.00	0.00	0.00

<input type="radio"/>	04/01/2020 - 04/30/2020	0.00	0.00	0.00	2,050.00	0.00	0.00
<input type="radio"/>	05/01/2020 - 05/31/2020	4,600.00	0.00	0.00	0.00	0.00	0.00
<input type="radio"/>	06/01/2020 - 06/12/2020	580.00	0.00	0.00	0.00	0.00	0.00
<input type="radio"/>	06/13/2020 - 06/26/2020	4,005.00	0.00	0.00	4,082.10	0.00	0.00
<input type="radio"/>	06/27/2020 - 07/10/2020	7,950.00	0.00	0.00	0.00	0.00	0.00
W	07/11/2020 - 07/17/2020	0.00	0.00	0.00	0.00	0.00	0.00
<input type="radio"/>	07/18/2020 - 07/24/2020	4,610.00	0.00	0.00	0.00	0.00	0.00
<input type="radio"/>	07/25/2020 - 07/31/2020	3,000.00	0.00	0.00	0.00	0.00	0.00
<input type="radio"/>	08/01/2020 - 08/13/2020	13,660.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	All Dates (Totals)	57,405.00	0.00	0.00	9,411.28	0.00	0.00

Note: ^(E) indicates that report was filed electronically

X Indicates that detail has not been released

W Indicates that a waiver was filed and **L** Indicates that a loan report was filed

Select Detail Type

Contributions ▼

Select Sort Order

Date(Ascending) ▼

Select Output Type

Display On Screen ▼

Submit Query Now

[Query the Campaign Finance Data Base](#)

[\[Department of State\]](#) [\[Division of Elections\]](#) [\[Candidates and Races\]](#) [\[Campaign Finance Information\]](#)

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

(1) Anika Omphroy (2) 73985
Candidate, Committee or Party Name I.D. Number

(3) 2901 NW 46 Avenue Lauderdale Lakes FL 33313
Address (number and street) City State Zip Code

Check box if address has changed since last report

(4) Check appropriate box(es):

Candidate (office sought):

Political Committee

Committee of Continuous Existence

Party Executive Committee

Check If PC has DISBANDED

Check If CCE has DISBANDED

(5) REPORT IDENTIFIERS

Cover Period: From 12/01/2019 To 12/31/2019 Report Type: M12

Original

Amendment

Special Election Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks \$3,000.00

Loans \$0.00

Total Monetary \$3,000.00

In-Kind \$0.00

(7) EXPENDITURES THIS REPORT

Monetary Expenditures \$0.00

Transfers to Office Account \$0.00

Total Monetary \$0.00

(8) Other Distributions

Certification

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

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

Name of Treasurer Deputy Treasurer

X
Signature

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

Name of Candidate Chairman (PC/PTY Only)

X
Signature

Name: Anika Omphroy

Report: 2019 M12

Period: 12/01/2019 to 12/31/2019

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

Seq #	Full Name (Last, Suffix, First, Middle)	Contributor	Occupation	Amount
Date	Street Address & City, State, Zip	Type	In-Kind Description	Amend
1	JM FAMILY ENTERPRISES INC 100 JIM MORAN BLVD DEERFIELD BEACH, FL 33442	B	AUTOMOTIVE	\$1,000.00
12/10/2019		CHE		UPD
1	JM FAMILY ENTERPRISES INC 100 JIM MORAN BLVD DEERFIELD BEACH, FL 33442	B	AUTOMOTIVE	\$1,000.00
12/10/2019		CHE		UPD History 05/11/20
* 1	JM FAMILY ENTERPRISES INC 100 JIM MORAN BLVD DEERFIELD BEACH, FL 33442	B	AUTOMOTIVE	\$1,000.00
12/10/2019		CHE		History 05/11/20
2	BROWARD COUNTY PROFESSIONAL FIREFIGHTERS PARAMEDIC 4321 2680 W STATE ROAD 84 SUITE 104 FORT LAUDERDALE, FL 33312	F	FIREFIGHTERS PARAMEDIC	\$1,000.00
12/26/2019		CHE		UPD
2	4321 BROWARD COUNTY PROFESSIONAL FIREFIGHTERS PARAMEDIC 2680 W STATE ROAD 84 SUITE 104 FORT LAUDERDALE, FL 33312	F	FIREFIGHTERS PARAMEDIC	\$1,000.00
12/26/2019		CHE		History 05/11/20
3	NORTH FLORIDA CITIZENS FOR JUSTICE 218 SOUTH MONROE STREET TALLAHASSEE, FL 32301	F	LAWYER	\$1,000.00
12/10/2019		CHE		UPD
3	NORTH FLORIDA CITIZENS FOR JUSTICE 218 SOUTH MONROE STREET TALLAHASSEE, FL 32301	F	LAWYER	\$1,000.00
12/10/2019		CHE		UPD History 05/11/20
* 3	NORTH FLORIDA CITIZENS FOR JUSTICE 218 SOUTH MONROE STREET TALLAHASSEE, FL 32301	F	LAWYER	\$1,000.00
12/10/2019		CHE		History 05/11/20

Name: Anika Omphroy

Report: 2019 M12

Period: 12/01/2019 to 12/31/2019

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

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

Name: Anika Omphroy

Report: 2019 M12

Period: 12/01/2019 to 12/31/2019

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

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

Name: Anika Omphroy

Report: 2019 M12

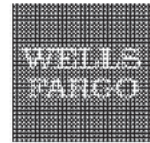
Period: 12/01/2019 to 12/31/2019

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

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

Wells Fargo Simple Business Checking

December 31, 2019 ■ Page 1 of 3



VOTE ANIKA OMPHROY
 2901 NW 46TH AVE APT 202
 LAUDERDALE LAKES FL 33313-1930

Questions?

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

1-800-CALL-WELLS (1-800-225-5935)

TTY: 1-800-877-4833

En español: 1-877-337-7454

Online: wellsfargo.com/biz

Write: Wells Fargo Bank, N.A. (287)

P.O. Box 6995

Portland, OR 97228-6995

Your Business and Wells Fargo

Visit wellsfargoworks.com to explore videos, articles, infographics, interactive tools, and other resources on the topics of business growth, credit, cash flow management, business planning, technology, marketing, and more.

Account options

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

- Business Online Banking
- Online Statements
- Business Bill Pay
- Business Spending Report
- Overdraft Protection

IMPORTANT ACCOUNT INFORMATION

We may change the statement period and monthly fee period assigned to your account without advance notification. If your account earns interest, these changes will not affect interest calculations, but they may affect the date we post interest to your account.

For all accounts except business analyzed checking, if the first new fee period created by our change is fewer than 25 days, the bank will automatically waive the monthly service fee for that period.

Activity summary

Beginning balance on 12/1	\$3,640.40
Deposits/Credits	3,000.00
Withdrawals/Debits	- 6,140.00
Ending balance on 12/31	\$500.40
Average ledger balance this period	\$1,327.49

Account number: XXXXXXXXXX

VOTE ANIKA OMPHROY

Florida account terms and conditions apply

For Direct Deposit use

Routing Number (RTN): 063107513

For Wire Transfers use

Routing Number (RTN): 121000248



Overdraft Protection

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

Transaction history

Date	Check Number	Description	Deposits/ Credits	Withdrawals/ Debits	Ending daily balance
12/9		Zelle to Omphroy Anika on 12/07 Ref #Rp079Fxgrw		1,000.00	
12/9		Zelle to Omphroy Anika on 12/09 Ref #Rp079Pzwbm		700.00	1,940.40
12/10		Mobile Deposit : Ref Number :810100616957	1,000.00		
12/10		Mobile Deposit : Ref Number :910100617186	1,000.00		
12/10		Zelle to Omphroy Anika on 12/10 Ref #Rp079Rdth7		1,800.00	2,140.40
12/11		Zelle to Omphroy Anika on 12/11 Ref #Rp079Yxpvq		1,000.00	1,140.40
12/12		Zelle to Omphroy Anika on 12/12 Ref #Rp07B25Bwm		800.00	340.40
12/18		Zelle to Omphroy Anika on 12/18 Ref #Rp07C2Jxkm		300.00	40.40
12/26		Mobile Deposit : Ref Number :810250025841	1,000.00		1,040.40
12/27		Zelle to Omphroy Anika on 12/27 Ref #Rp07Ddf4NI		240.00	800.40
12/30		Zelle to Omphroy Anika on 12/28 Ref #Rp07Dkq422		100.00	
12/30		Zelle to Omphroy Anika on 12/30 Ref #Rp07Dpxzh9		200.00	500.40
Ending balance on 12/31					500.40
Totals			\$3,000.00	\$6,140.00	

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

Monthly service fee summary

For a complete list of fees and detailed account information, see the Wells Fargo Account Fee and Information Schedule and Account Agreement applicable to your account (EasyPay Card Terms and Conditions for prepaid cards) or talk to a banker. Go to wellsfargo.com/feefaq for a link to these documents, and answers to common monthly service fee questions.

Fee period 12/01/2019 - 12/31/2019	Standard monthly service fee \$10.00	You paid \$0.00
How to avoid the monthly service fee	Minimum required	This fee period
Have any ONE of the following account requirements		
· Average ledger balance	\$500.00	\$1,327.00 <input checked="" type="checkbox"/>
C1/C1		

Account transaction fees summary

Service charge description	Units used	Units included	Excess units	Service charge per excess units (\$)	Total service charge (\$)
Cash Deposited (\$)	0	3,000	0	0.0030	0.00
Transactions	3	50	0	0.50	0.00
Total service charges					\$0.00

THIS CHECK CONTAINS MULTIPLE FRAUD DETERRENT SECURITY FEATURES

Bank of America
Customer Connection
Bank of America, N.A.
DeKalb County
Atlanta GA

JM Family Enterprises, Inc.
100 Jim Moran Blvd.
Deerfield Beach, FL 33442

3276568

64-1278
611

DATE 07/13/19

Check Amount
\$ 1,000.00

Security Features Included (B Detail on back)

PAY *One Thousand AND 00/100*

TO THE ORDER OF Anika Tene Omphroy Campaign
2901 North 46th Ave #202
Lauderdale Lakes, FL 33313

Boyd N...



A. This security feature is located on the front of the check. It is a small, clear, rectangular window that contains a security feature. The security feature is a small, clear, rectangular window that contains a security feature. The security feature is a small, clear, rectangular window that contains a security feature.

Security Features:

- Watermark
- Microprint
- Color Shifting Ink
- Security Thread
- Security Features

Printed Instructions:

- Look for the security feature on the front of the check.
- Check for the security feature on the front of the check.
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- Check for the security feature on the front of the check.

FEDERAL RESERVE BOARD OF GOVERNORS REG. OC

FOR DEPOSIT ONLY
DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE



REQUEST 0000000008103135 1000.00
20191210 000006383755700+
ACCT [REDACTED]
REQUESTOR U524550
24042713 09/21/2020 Research 24042995

Summons and Subpoenas Department
D1111-016
Charlotte NC 28201

1166

1166

NORTH FLORIDA CITIZENS FOR JUSTICE, INC.
218 SOUTH MONROE STREET
TALLAHASSEE, FL 32301
(850) 224-9403

REGIONS
63-466-631



11/8/19
DATE

*****1,000.00
AMOUNT

One Thousand and 00/100 Dollars

PAY
TO THE
ORDER
OF

ANIKI OMPHROY CAMPAIGN HD 95
2901 NORTH 46 AVENUE
APT 202
LAUDERDALE LAKES, FL 33313

VOID AFTER 90 DAYS
TWO SIGNATURES REQUIRED OVER \$20,000

Paul O...
AUTHOR'S SIGNATURE

Security Features. Details on back.



Security Features: The security features listed below are not to be blown away. Do not attempt to remove or tamper with any of these features.

- Microprint: Small, repeated characters that form a border around the front and back of the check.
- Watermark: A faint image of the portrait of George Washington that is visible when the check is held up to the light.
- Security Thread: A woven thread that runs through the length of the check. It is visible when the check is held up to the light.
- Color-Shifting Ink: Ink that changes color when viewed from different angles.
- Security Features: A series of small, repeating patterns that are visible when the check is held up to the light.

FOR DEPOSIT ONLY

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
RESERVED FOR FINANCIAL INSTITUTION USE

ENDORSE HERE
For Deposit Only

FEDERAL RESERVE BOARD OF GOVERNORS REG. CC

REQUEST 0000000008103135 1000.00
20191210 000006383756158+
ACCT [REDACTED]
REQUESTOR U524550
24042713 09/21/2020 Research 24042995

Summons and Subpoenas Department
D1111-016
Charlotte NC 28201

6335

BROWARD COUNTY PROFESSIONAL
FIREFIGHTERS & PARAMEDIC LOCAL 4321
PAC ACCOUNT
2650 West State Road 84, Suite 104
Fort Lauderdale, FL 33312

WACHOVIA
WACHOVIA BANK, N.A.
ACH RUT 067006432
63-643/670

10/09/19

PAY TO THE
ORDER OF Anika Omphroy Campaign

\$ 1,000.00

One Thousand and 00/100 ***** DOLLARS

Anika Omphroy Campaign
2901 NW 46 Ave. #202
Lauderdale Lakes, FL 33313

MEMO State Rep Seat 95



Details on Back
Security Features Included



REQUEST 00000000008103135 1000.00
20191226 000006382571494+
ACCT (REDACTED)
REQUESTOR U524550
24042713 09/21/2020 Research 24042995

Summons and Subpoenas Department
D1111-016
Charlotte NC 28201

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 20-050**

Respondent: Anika Tene Omphroy

Complainant: Division

1. **Date and time:** May 27, 2020 @12:00
Name: Anika Tene Omphroy
Phone #: 954-557-2676
Summary: I called The number provided to me in email by Representative Omphroy. The call went straight to voicemail. I left a generic voicemail for Rep Omphroy to call back and provided my office number.
Memo to File? No
Entered by: Brian Ayres

2. **Date and time:** May 27, 2020 @12:05
Name: Amika Tene Omphroy
Phone #: 954-557-2676
Summary: I called for a second time in the day five minutes later. The call went to voicemail and I left a detailed message of how and when to reach me.
Memo to File? No
Entered by: Brian Ayres

3. **Date and time:** May 27, 2020 @12:15 pm
Name: Anika Tene Omphroy
Phone #: 954-557-2676
Summary: Representative Omphroy Called back when she received my email. We discussed our correspondence, and the cases she is involved with. She was confused as to the separation of Florida Elecitons Commission and The Division of Elections and stated that she commented the answers from the affidavit sent to her to the Division's website. I asked her to send her responses to us.

Ms. Omphroy stated she was in session when our attorney reached out with the consent agreement but the mail was sent to her house where she was not staying during session (Tallahassee vs Lauderdale lakes). She then went on to state that her mother then had to be taken care of and she was the caregiver. Her mother was in the ICU from November, 2019 to Februray 2020. Then again in March. This caused an unforeseen burden to Ms. Omphroy.

We discussed how to resolve these cases. She has access to the Candidate and Campaign Treasurer Handbook and will re-read the issues that are present with her complaints. I will attempt to reach out to Ms. Cunningham and see if the original consent orders are still available or if they have been retracted.

Memo to File? No

Entered by: Brian Ayres

4. **Date and time:** October 29, 2020 @12:59 pm
Name: Anika Tene Omphroy
Phone #: 954-557-2676
Summary: I called Representative Omphroy to discuss FEC cases 19-430, 19-192,

20-011, 20-027, 20-050, 20-089, and 20-100. Representative Omphroy referenced case 20-100 had been paid for, as well as a \$1,000.00 fine to the Division of Elections. She spoke on sending in a personal check and, at the time I did not have the answer as to why the check was not accepted as it was within another program on my laptop. She stated she had no idea why the check was not accepted and that she would like to set up an in-person session on November 14 to discuss her cases.

I spoke on her other cases and that I needed to look into why the check was not accepted before I began to guess to the reasons. Rep Omphroy agreed at another call once I am able to ascertain the reasons why the check was not accepted, and to help with her confusion on the additional cases FEC has. (Upon investigation personal checks are not allowed, only money orders or cashier's checks. A letter was confirmed delivered on July 20, 2020)

Memo to File? No

Entered by: Brian Ayres

5. **Date and time:** October 29, 2020 @3:00 pm

Name: Anika Tene Omphroy

Phone #: 954-557-2676

Summary: I called Representative Omphroy back after researching her consent order payment, and FEC 20-100. I reached her voicemail and gave her a detailed message to e-mail me back the best time I may be able to reach out to her for clarifying case FEC 20-100 as well as her other active cases with the Commission at this time.

Memo to File? No

Entered by: Brian Ayres

6. **Date and time:** October 30, 2020 @10:39 pm

Name: Anika Tene Omphroy

Phone #: 954-557-2676

Summary: I called Representative Omphroy back after researching her consent order payment, and FEC 20-100. I reached her voicemail and gave her a detailed message to e-mail me back the best time I may be able to reach out to her for clarifying case FEC 20-100 as well as her other active cases with the Commission at this time. Due to working remotely I provided my email address for best contact in order to communicate a time to discuss her cases.

Memo to File? No

Entered by: Brian Ayres

7. **Date and time:** November 9, 2020 @10:39 am

Name: Anika Tene Omphroy

Phone #: 954-557-2676

Summary: I called Representative Omphroy back after researching her consent order payment, and FEC 20-100 and her other cases. I went over each case (FEC: 19-123, 19-192, 19-430, 20-011, 20-027, 20-050, 20-089, 20-100). I confirmed that her grandmother was in her care and fell into the ICU and Respondent is her primary caregiver. I explained each case to Respondent. Respondent stated she understood her missing some of her contributions and expenditures that took place as well as confirmed she has since filed her outstanding CTRs. Respondent stated that the discrepancies in her reports and her bank account are, for the most part, true and that she paid her campaign manager with cash withdrawn, and

stated she had not documented all bills and contributions and expenditures correctly as I went over each. She was required to report her activity, but failed to do so by the prescribed deadline, and understood.

Respondent asked about next steps in the investigation process, I explained the next steps are submitting my reports to the attorney assigned, in which she will get a copy of the reports and have 14 days to respond. Respondent was concerned with the timing of sending the reports due to her legislative duties and the holidays. If the report is mailed to her after the 19th of November, she should be home to receive the information for her records and did express interest in possible reaching out to FEC staff for a pre-probable cause consent agreement before Commission meeting.

Entered by: Brian Ayres

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 20-050**

Respondent: Anika Tene Omphroy

Complainant: Division

1. **Date and time:** May 27, 2020 @12:00
Name: Anika Tene Omphroy
Phone #: 954-557-2676
Summary: I called The number provided to me in email by Representative Omphroy. The call went straight to voicemail. I left a generic voicemail for Rep Omphroy to call back and provided my office number.
Memo to File? No
Entered by: Brian Ayres

2. **Date and time:** May 27, 2020 @12:05
Name: Amika Tene Omphroy
Phone #: 954-557-2676
Summary: I called for a second time in the day five minutes later. The call went to voicemail and I left a detailed message of how and when to reach me.
Memo to File? No
Entered by: Brian Ayres

3. **Date and time:** May 27, 2020 @12:15 pm
Name: Anika Tene Omphroy
Phone #: 954-557-2676
Summary: Representative Omphroy Called back when she received my email. We discussed our correspondence, and the cases she is involved with. She was confused as to the separation of Florida Elecitons Commission and The Division of Elections and stated that she commented the answers from the affidavit sent to her to the Division's website. I asked her to send her responses to us.

Ms. Omphroy stated she was in session when our attorney reached out with the consent agreement but the mail was sent to her house where she was not staying during session (Tallahassee vs Lauderdale lakes). She then went on to state that her mother then had to be taken care of and she was the caregiver. Her mother was in the ICU from November, 2019 to Februray 2020. Then again in March. This caused an unforeseen burden to Ms. Omphroy.

We discussed how to resolve these cases. She has access to the Candidate and Campaign Treasurer Handbook and will re-read the issues that are present with her complaints. I will attempt to reach out to Ms. Cunningham and see if the original consent orders are still available or if they have been retracted.

Memo to File? No

Entered by: Brian Ayres

4. **Date and time:** October 29, 2020 @12:59 pm
Name: Anika Tene Omphroy
Phone #: 954-557-2676
Summary: I called Representative Omphroy to discuss FEC cases 19-430, 19-192,

20-011, 20-027, 20-050, 20-089, and 20-100. Representative Omphroy referenced case 20-100 had been paid for, as well as a \$1,000.00 fine to the Division of Elections. She spoke on sending in a personal check and, at the time I did not have the answer as to why the check was not accepted as it was within another program on my laptop. She stated she had no idea why the check was not accepted and that she would like to set up an in-person session on November 14 to discuss her cases.

I spoke on her other cases and that I needed to look into why the check was not accepted before I began to guess to the reasons. Rep Omphroy agreed at another call once I am able to ascertain the reasons why the check was not accepted, and to help with her confusion on the additional cases FEC has. (Upon investigation personal checks are not allowed, only money orders or cashier's checks. A letter was confirmed delivered on July 20, 2020)

Memo to File? No

Entered by: Brian Ayres

5. **Date and time:** October 29, 2020 @3:00 pm

Name: Anika Tene Omphroy

Phone #: 954-557-2676

Summary: I called Representative Omphroy back after researching her consent order payment, and FEC 20-100. I reached her voicemail and gave her a detailed message to e-mail me back the best time I may be able to reach out to her for clarifying case FEC 20-100 as well as her other active cases with the Commission at this time.

Memo to File? No

Entered by: Brian Ayres

6. **Date and time:** October 30, 2020 @10:39 pm

Name: Anika Tene Omphroy

Phone #: 954-557-2676

Summary: I called Representative Omphroy back after researching her consent order payment, and FEC 20-100. I reached her voicemail and gave her a detailed message to e-mail me back the best time I may be able to reach out to her for clarifying case FEC 20-100 as well as her other active cases with the Commission at this time. Due to working remotely I provided my email address for best contact in order to communicate a time to discuss her cases.

Memo to File? No

Entered by: Brian Ayres

7. **Date and time:** November 9, 2020 @10:39 am

Name: Anika Tene Omphroy

Phone #: 954-557-2676

Summary: I called Representative Omphroy back after researching her consent order payment, and FEC 20-100 and her other cases. I went over each case (FEC: 19-123, 19-192, 19-430, 20-011, 20-027, 20-050, 20-089, 20-100). I confirmed that her grandmother was in her care and fell into the ICU and Respondent is her primary caregiver. I explained each case to Respondent. Respondent stated she understood her missing some of her contributions and expenditures that took place as well as confirmed she has since filed her outstanding CTRs. Respondent stated that the discrepancies in her reports and her bank account are, for the most part, true and that she paid her campaign manager with cash withdrawn, and

stated she had not documented all bills and contributions and expenditures correctly as I went over each. She was required to report her activity, but failed to do so by the prescribed deadline, and understood.

Respondent asked about next steps in the investigation process, I explained the next steps are submitting my reports to the attorney assigned, in which she will get a copy of the reports and have 14 days to respond. Respondent was concerned with the timing of sending the reports due to her legislative duties and the holidays. If the report is mailed to her after the 19th of November, she should be home to receive the information for her records and did express interest in possible reaching out to FEC staff for a pre-probable cause consent agreement before Commission meeting.

Entered by: Brian Ayres



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-1050
Telephone: (850) 922-4539 · Facsimile: (850) 921-0783
FEC@myfloridalegal.com · www.fec.state.fl.us



April 27, 2020

The Honorable Anika Tene Omphroy
2901 North 46 Avenue, Apartment 202
Lauderdale Lakes, FL 33313

RE: Case No.: FEC 20-050; Respondent: Anika Tene Omphroy

Dear Representative Omphroy:

On February 20, 2020, the Florida Elections Commission received a complaint alleging that you violated Florida's election laws. I have reviewed the complaint and find that it contains one or more **legally sufficient allegations**. The Commission staff will investigate the following alleged violations:

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent, a 2020 candidate for State Representative, District 95, may have failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because she had not received funds, made contributions, or expended reportable funds during the following reporting period:

- 2019 M12

Section 106.19(1)(c), Florida Statutes: As alleged in the complaint, Respondent, a 2020 candidate for State Representative, District 95, may have falsely reported or deliberately failed to include information required by Chapter 106, Florida Statutes, when she failed to file a report on the prescribed reporting date for the following reporting period:

- 2019 M12

When we conclude the investigation, a copy of the Report of Investigation (ROI) will be mailed to you at the above address. Based on the results of the investigation, a staff attorney will prepare and present a written Staff Recommendation (SR) to the Commission as to whether there is probable cause to charge you, the Respondent, with violating Chapters 104 or 106, Florida Statutes. You will have an opportunity to respond to both the ROI and the SR. The Commission will then hold one or more hearings to determine whether the alleged violations occurred and, if so, the amount of the fine to be imposed upon you. Notice will be mailed to you and the Complainant at least 14 days before any hearing at which your case is to be considered.

The Honorable Anika Tene Omphroy
April 27, 2020
Page 2
FEC 20-050

Pursuant to Section 106.25(4)(i)3., Florida Statutes, the Commission may enter into a consent agreement with a Respondent to settle a complaint prior to a finding of probable cause. If you are interested in entering negotiations directed towards reaching a consent agreement to resolve this matter, please contact the Commission and request to speak with the attorney assigned to this case.

Please note that all documents related to this matter will be mailed to the above address unless you notify us of a new address.

Pursuant to Section 106.25, Florida Statutes, complaints, investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 or 106, Florida Statutes, are confidential until the Commission finds probable cause or no probable cause, unless the Respondent files a written waiver of confidentiality with the Commission. The confidentiality provision does not apply to the Complainant or the Respondent.

Should 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.

For additional information, please refer to the "Frequently Asked Questions" section of the Commission's website.

If you have additional questions, please contact **Stephanie Cunningham**, the attorney assigned to this case.

Sincerely,

A handwritten signature in blue ink that reads "Tim Vaccaro". The signature is fluid and cursive, with the first name "Tim" being particularly prominent.

Tim Vaccaro
Executive Director

TV/med

**DIVISION OF ELECTIONS
FEC NOTICE FORM**

To FEC from Division of Elections

Candidate: Anika Tene Omphroy

Account Number: 73985

Treasurer: Anika Omphroy

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

The following report is outstanding after notification:

2019 M12

- Anika Tene Omphroy (73985) is a 2020 candidate for the office of State Representative.
- On December 13, 2018, Anika Tene Omphroy filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division.
- The 2019 M12 campaign treasurer's report was due on January 10, 2020. On January 13, 2020, the Division mailed Representative Omphroy notification that the 2019 M12 campaign treasurer's report had not been filed.
- On January 28, 2020, the Division mailed Representative Omphroy notification that the 2019 M12 campaign treasurer's report had not been filed.
- On February 5, 2020, the Division mailed Representative Omphroy final notification with delivery confirmation that the 2019 M12 report had not been filed. (See attached letter and delivery confirmation.)

Anika Tene Omphroy (73985)
Page Two

- Representative Omphroy did not notify the Division of Elections prior to or on the prescribed reporting date for the 2019 M12 report that no report was to be filed.
- As of February 19, 2020, Representative Omphroy has not filed the 2019 M12 report.

Sent By: Kristi Reid Willis *KRW*
Date: February 19, 2020

mcc



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

Final Notice

Delivery Confirmation:

USPS TRACKING # 9114 9823 0722 4343 8598 31
& CUSTOMER RECEIPT For Tracking or Inquiries go to USPS.com or call 1-800-222-1811.

February 5, 2020

Anika Tene Omphroy
Candidate for State Representative, District 95
2901 North 46 Avenue
Apartment 202
Lauderdale Lakes, FL 33313-3313

CAN 73985

Dear Representative Omphroy:

A recent review of the Division's records show that the Division has not yet received the below-referenced campaign treasurer's report or the required notification that no reportable activity occurred, whichever is applicable, during the following cover period:

<u>Year</u>	<u>Report</u>	<u>Cover Period</u>
2019	M12	12/1/19 - 12/31/19

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

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

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

ALERT: USPS WILL BE TEMPORARILY SUSPENDING THE GUARANTEE ON PRIORITY MAIL EX...



FAQs >

Track Another Package +

Tracking Number: 9114902307224343859831

Remove X

Your item was delivered in or at the mailbox at 4:57 pm on February 8, 2020 in FORT LAUDERDALE, FL 33313.

Delivered

February 8, 2020 at 4:57 pm
Delivered, In/At Mailbox
FORT LAUDERDALE, FL 33313

Feedback

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Tracking History



Product Information



See Less ^

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.