

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Jose Vazquez

Case No.: FEC 19-361

TO: Jose Vazquez
1916 North 60th Street, Suite A
Tampa, FL 33619

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

NOTICE OF VIRTUAL HEARING (INFORMAL HEARING)

A hearing will be held in this case before the Florida Elections Commission on **February 23, 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 627-359-707, or via teleconference by dialing (877) 309-2071 and entering the meeting access code 324-720-215, 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



Commission Meeting February 23, 2021 at 8:30AM via GoToWebinar and OpenVoice

In order to participate in the public portion of the February 23, 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 A Webinar in the upper right corner of the website
 3. Enter the 9-digit Webinar ID: 627-359-707
And your email address
 4. Register your name and email address
 5. You will automatically join to the meeting as an attendee. Attendees are muted and can choose to their webcam.

- B. OpenVoice - Teleconference
 1. Call 1-877-309-2071
 2. Enter Audio Access Code 324-720-215
 3. You will automatically join the meeting as an attendee. Attendees are muted.

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. 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

Florida Elections Commission,
Petitioner,

Case No.: FEC 19-361

vs.

Jose Vazquez,
Respondent.

ORDER CONTINUING CASE


THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on December 1, 2020, in Tallahassee, Florida.

Respondent filed a Motion to Continue ("Motion") the hearing. The Commission reviewed Respondent's Motion, staff having no objection to the relief requested, and the Commission being otherwise fully advised in the premises, it is hereby

ORDERED and **ADJUDGED** Respondent's Motion to Continue is **GRANTED**. This matter is continued until the next available meeting of the Florida Elections Commission.

NO FURTHER CONTINUANCES shall be granted **WITHOUT GOOD CAUSE SHOW**.

DONE AND ORDERED by the Florida Elections Commission on December 1, 2020.



Joni Alexis Poitier
Florida Elections Commission

Copies furnished to:
Eric M. Lipman, General Counsel
Jose Vazquez, Respondent
Division of Elections, Complainant

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Jose Vazquez

Case No.: FEC 19-361

TO: Jose Vazquez
1916 North 60th Street, Suite A
Tampa, FL 33619

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

NOTICE OF HEARING (INFORMAL HEARING)

A hearing will be held in this case before the Florida Elections Commission on, **December 1, 2020 at 8:30 AM**, *or as soon thereafter as the parties can be heard*, at the following location: **Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399**. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

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.

Tim Vaccaro

Executive Director
Florida Elections Commission
November 9, 2020

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.

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

Florida Elections Commission,
Petitioner,

Case No.: FEC 19-361

v.

Jose Vazquez,
Respondent.

_____ /

ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on August 25, 2020, in Tallahassee, Florida.

On December 30, 2019, Staff recommended to the Commission there was probable cause to believe the Florida Election Code was violated. The facts articulated in Staff's Recommendation are adopted by reference and incorporated herein. Based on the Referral, 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 violations:

Count 1:

On or about July 13, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before July 13, 2018, that Respondent would not be filing a 2018 P2 Report on the prescribed due date.

Count 2:

On or about July 27, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before July 27, 2018, that Respondent would not be filing a 2018 P3 Report on the prescribed due date.

Count 3:

On or about August 3, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before August 3, 2018, that Respondent would not be filing a 2018 P4 Report on the prescribed due date.

Count 4:

On or about August 10, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before August 10, 2018, that Respondent would not be filing a 2018 P5 Report on the prescribed due date.

Count 5:

On or about August 24, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before August 24, 2018, that Respondent would not be filing a 2018 P7 Report on the prescribed due date.

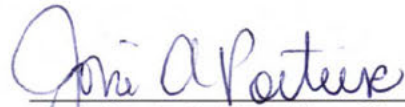
Count 6:

On or about September 7, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before September 7, 2018, that Respondent would not be filing a 2018 G1 Report on the prescribed due date.

Count 7:

On or about January 22, 2019, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before January 22, 2019, that Respondent would not be filing a 2019 Termination Report on the prescribed due date.

DONE AND ORDERED by the Florida Elections Commission on August 25, 2020.



Joni Alexis Poitier, Vice Chair
Florida Elections Commission

Copies furnished to:
Eric M. Lipman, General Counsel
Jose Vazquez, 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: Jose Vazquez

Case No.: FEC 19-361

TO: Jose Vazquez
1916 North 60th Street, Suite A
Tampa, FL 33619-3619

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

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on **August 25, 2020**. The Commission will begin at **8:30 am, 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 340 226 0750, or via teleconference by dialing (929) 205-6099 and entering the meeting access code 673802, 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.

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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.

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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 13, 2020

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 32399-1050

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

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



Confidential Commission Meeting August 25, 2020 at 8:30AM via Zoom

In order to participate in the confidential portion of the August 25, 2020, 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/91062518383?pwd=VkJ4Mi9kUUZXM1llZW5YcDFObU1Sdz09>

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: 910 6251 8383 and click "Join".
4. Enter the Meeting Passcode: 673802 and click "Join".

For alternative audio participation:

1. Dial: 1 (929) 205-6099
2. Meeting ID: 910 6251 8383
3. Passcode: 673802

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) when contacting our office.

Thank you,

Commission Staff

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Jose Vazquez

Case No.: FEC 19-361

TO: Jose Vazquez
1916 North 60th Street, Suite A
Tampa, FL 33619-3619

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

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on August 25, 2020. The Commission will begin at 8:30 am, 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 conference only. If you wish to attend the meeting, please notify the Commission office by email at fec@myfloridalegal.com no later than 5:00 pm EST, on Friday, August 7, 2020. After receiving your request, the Commission office will send you a set of participant instructions prior to the meeting, which will include login information and specific details regarding the time of your hearing. If you have questions, please contact Commission staff at (850) 922-4539.

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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
July 28, 2020

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.

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**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Jose Vazquez

Case No.: FEC 19-361

TO: Jose Vazquez
1916 North 60th Street, Suite A
Tampa, FL 33619-3619

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

NOTICE OF CANCELLATION OF HEARING (PROBABLE CAUSE DETERMINATION)

You are hereby notified that the previously scheduled **hearing for March 24-25, 2020 is cancelled**. It is anticipated that your case will be heard at the next regularly scheduled meeting, which is currently set for May 2020. A Notice of Hearing will be mailed approximately 14 days prior to the hearing date indicating the exact date, time, and location.

Tim Vaccaro

Executive Director
Florida Elections Commission
March 12, 2020

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Jose Vazquez

Case No.: FEC 19-361

TO: Jose Vazquez
1916 North 60th Street, Suite A
Tampa, FL 33619-3619

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

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on, **March 25, 2020 at 8:30 a.m., or as soon thereafter as the parties can be heard**, at the following location: **House Office Building, 404 South Monroe Street, Room 28-H, Tallahassee, Florida 32399**. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

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.

Tim Vaccaro

Executive Director
Florida Elections Commission
March 9, 2019

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.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Jose Vazquez

Case No.: FEC 19-361

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the complaint in this case recommending that there is **probable cause** to charge Respondent with violating **Section 106.07(7), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on November 22, 2019, the following facts and law support this staff recommendation.

1. On June 11, 2019, the Florida Elections Commission (“Commission”) received a referral from the Division of Elections (“Division”) alleging that Jose Vazquez (“Respondent”) violated Chapter 106, Florida Statutes.

2. Respondent was a candidate for State Representative, District 62, in the 2018 election. Respondent's Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form was filed with the Division on June 21, 2018. Respondent appointed himself as his campaign treasurer. (ROI Exhibit 1)¹ Respondent withdrew from the race on October 24, 2018. (Attachments A and B)

3. By letter dated June 22, 2018, Kristi Reid Willis, Chief, Bureau of Election Records, Division of Elections, sent a letter to Respondent notifying him that his name had been placed on file in the Division's office as a 2018 active candidate for State Representative. The 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 access the EFS. (ROI Exhibit 2, page 1)

4. Ms. Willis' June 22, 2018 letter also stated that all of the Division's publications and reporting forms were on the Division's website and directed Respondent to print a copy of Chapters 104 and 106, Florida Statutes, the *Candidate and Campaign Treasurer Handbook* (“Handbook”), and the *Calendar of Reporting Dates*. (ROI Exhibit 2, page 2)

5. On September 4, 2019, the Executive Director sent Respondent notification that Commission staff would investigate the following alleged violations:

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent, a 2018 candidate for State Representative, District 62,

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

failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the following reporting periods:

- 2018 P2
- 2018 P3
- 2018 P4
- 2018 P5
- 2018 P7
- 2018 G1
- 2019 TR

6. Section 106.07(7), Florida Statutes, provides:

Notwithstanding any other provisions of this chapter, in any reporting period during which a candidate or political committee has not received funds, made any contributions, or expended any reportable funds, the filing of the required report for that period is waived. However, the next report filed must specify that the report covers the entire period between the last submitted report and the report being filed, and any candidate or political committee not reporting by virtue of this subsection on dates prescribed elsewhere in this chapter **shall notify the filing officer in writing on the prescribed reporting date that no report is being filed on that date.** (Emphasis added)

7. Page 47 of the Handbook states:

In any reporting period during which a candidate has not received funds or made any expenditures, the filing of the required report for that period is waived. **However, the candidate must notify the filing officer in writing on or before the prescribed reporting date that no report is being filed on that date.** (A notice of no activity filed with the Division must be filed electronically using the EFS.) (Emphasis in original)

(Section 106.07, F.S.)

(ROI Exhibit 3, pages 1 and 5)

8. Pages 12, 13, 44, and 45 of the *Candidate EFS User's Guide* ("Guide") explain the steps a candidate should take to notify the Division in writing on the prescribed reporting date that no report will be filed for the reporting period using the EFS. Specifically, at the top of page 13, the Guide instructs the user to click the box next to "Waiver" if there is no financial activity to report. (ROI Exhibit 4)

9. The table below reflects Respondent's untimely notices of no activity filed with the Division:

Report	Report Cover Period	Date Notification Due	Date Notification Filed	No. of Days Late
2018 P2	06/23/18 – 07/06/18	07/13/18	08/12/18	30
2018 P3	07/07/18 – 07/20/18	07/27/18	08/12/18	16
2018 P4	07/21/18 – 07/27/18	08/03/18	08/12/18	9
2018 P5	07/28/18 – 08/03/18	08/10/18	08/12/18	2
2018 P7	08/11/18 – 08/23/18	08/24/18	08/31/18	7
2018 G1	08/24/18 – 08/31/18	09/07/18	09/10/18	3
2019 TR	10/24/18 – 01/22/19	01/22/19	02/27/19	36

(ROI Exhibit 5; Attachment B; and Attachment C)

10. In his response to the Complaint, Respondent stated that his reports may have been late because he may have had the wrong calendar of reporting dates and there was a misunderstanding about the filing dates. (ROI Exhibit 6)

11. "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).

12. The above facts show Respondent was a candidate for State Representative, District 62, in the 2018 election. Respondent withdrew from the race on October 24, 2018. Respondent failed to notify the filing officer in writing on the prescribed due date for the 2018 P2, 2018 P3, 2018 P4, 2018 P5, 2018 P7, 2018 G1, and 2019 Termination Report that he had no reportable financial activity and would not be filing a report for the applicable reporting period.

(THIS SPACE INTENTIONALLY LEFT BLANK)

Based on the foregoing, I recommend that the Commission find probable cause to charge Respondent with the following violations:

Count 1:

On or about July 13, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before July 13, 2018, that Respondent would not be filing a 2018 P2 Report on the prescribed due date.

Count 2:

On or about July 27, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before July 27, 2018, that Respondent would not be filing a 2018 P3 Report on the prescribed due date.

Count 3:

On or about August 3, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before August 3, 2018, that Respondent would not be filing a 2018 P4 Report on the prescribed due date.

Count 4:

On or about August 10, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before August 10, 2018, that Respondent would not be filing a 2018 P5 Report on the prescribed due date.

Count 5:

On or about August 24, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before August 24, 2018, that Respondent would not be filing a 2018 P7 Report on the prescribed due date.

Count 6:

On or about September 7, 2018, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before September 7, 2018, that Respondent would not be filing a 2018 G1 Report on the prescribed due date.

Count 7:

On or about January 22, 2019, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before January 22, 2019, that Respondent would not be filing a 2019 Termination Report on the prescribed due date.

Respectfully submitted on December 30, 2019.



Eric M. Lipman
General Counsel

I have reviewed this Staff Recommendation on the 30th day of December 2019.



Tim Vaccaro
Executive Director

Candidate Tracking System

2018 General Election

State Representative

District 62

Jose Vazquez

Write-In

Address

8014 North 11 Street
Tampa, FL 33604

Campaign Treasurer

Jose N. Vazquez
1916 North 60th Street
Tampa, FL 33619-

Phone: (813)526-9920

Status:Withdraw

Date Filed:06/21/2018

Date Qualified:06/21/2018

Method:Write In Candidate

Campaign Finance Activity

Campaign Documents

ATTACHMENT A



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

October 25, 2018

Jose Vazquez (72743)
8014 North 11 Street
Tampa, Florida 33604

Dear Mr. Vazquez:

This will acknowledge receipt of the letter informing us of your withdrawal as a 2018 candidate for the office of State Representative. This information was placed on file in our office on October 24, 2018.

Pursuant to Section 106.141, Florida Statutes, all candidates must, within 90 days of withdrawing their candidacy, dispose of all funds on deposit in the campaign account. You are required to file a 90-day termination report no later than **January 22, 2019**. You are not required to close the campaign prior to the due date; however, you must have written checks disposing of all surplus funds by this date.

You may file your report in the Electronic Filing System (EFS) at any time prior to the deadline once you have disposed of all funds. In order to file your termination report prior to the due date, you will need to change the cover period, which has been defaulted to an ending period of January 22, 2019, in the EFS (see attached example).

If you have any questions, please contact this office at (850) 245-6280.

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

KRW/njt

Attachment

ATTACHMENT B, page 1

If you file your Termination Report PRIOR to January 22, 2019, change the cover period end date in the EFS system to the date you are filing your report.

Use this form to submit an original report. To submit an amendment to a previously filed report, first select the report from the 'Filed Reports' listing and then choose the 'Amend Report' option from the 'Filings' menu item.

Coverage Periods
Campaign finance reports itemize financial activity occurring during a specific reporting period. The reporting period is declared by first selecting the election cycle then the report type & year. The filing due date of the report are automatically associated with the selected

CHANGE THE END DATE HERE TO THE DATE YOU ARE FILING YOUR TR REPORT

Election Cycle: 2012 General Election
Report Type & Year: TR 2012
Coverage Period: 11/2/2012 2/4/2013 Filing Due Date: 02/04/2013
 Special Election Report Waiver

ATTACHMENT B, page 2

Calendar of Reporting Dates
for 2018 Candidates (other than statewide candidates)
registered with the Division of Elections

<u>Cover Period</u>	<u>Report Code</u>	<u>Due Date</u>
12/1/17 - 12/31/17	2017 M12	1/10/2018
1/1/18 - 1/31/18	2018 M1	2/12/2018
2/1/18 - 2/28/18	2018 M2	3/12/2018
3/1/18 - 3/31/18	2018 M3	4/10/2018
4/1/18 - 4/30/18	2018 M4	5/10/2018
5/1/18 - 5/31/18	2018 M5	6/11/2018

6/1/18 - 6/22/18	2018 P1	6/29/2018
6/23/18 - 7/6/18	2018 P2	7/13/2018
7/7/18 - 7/20/18	2018 P3	7/27/2018
7/21/18 - 7/27/18	2018 P4	8/3/2018
7/28/18 - 8/3/18	2018 P5	8/10/2018
8/4/18 - 8/10/18	2018 P6	8/17/2018
8/11/18 - 8/23/18	2018 P7	8/24/2018

8/24/18 - 8/31/18	2018 G1	9/7/2018
9/1/18 - 9/14/18	2018 G2	9/21/2018
9/15/18 - 9/28/18	2018 G3	10/5/2018
9/29/18 - 10/5/18	2018 G4	10/12/2018
10/6/18 - 10/12/18	2018 G5	10/19/2018
10/13/18 - 10/19/18	2018 G6	10/26/2018
10/20/18 - 11/1/18	2018 G7	11/2/2018

Termination Reports

<u>Cover Period</u>	<u>Report Code</u>	<u>Due Date</u>
After April-May Qualifying	TR	8/2/2018
After June Qualifying	TR	9/20/2018
Primary Election	TR	11/26/2018
General Election	TR	2/4/2019

ATTACHMENT C

FLORIDA ELECTIONS COMMISSION

Report of Investigation for Failure to Notify Filing Officer

Case Number: FEC 19-361

Respondent: Jose Vazquez

Section 106.07(7), Florida Statutes, failure of a candidate who 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.

Complainant: Division of Elections

Respondent Type:

- Candidate
 Political Committee

I. Preliminary Information:

1. An appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9) was filed on June 21, 2018. (Ex. 1)

2. An acknowledgement letter was mailed to the address provided on Respondent's DS-DE 9 on June 22, 2018 advising 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. (Ex. 2)

3. The acknowledgement letter also states, "An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports" and provides the telephone number for the Division's EFS Help Desk.

4. The *Candidate and Campaign Treasurer Handbook* discusses filing a notice-of-no-activity when there is no activity to disclose on page 47. (Ex. 3)

5. Pages 12, 13, 44, and 45 of the *Candidate EFS User's Guide* discuss how to notify the Division on the prescribed reporting date that no report will be filed using the EFS. Specifically, page 13 instructs the user to click the box next to "waiver" if there is no activity to disclose. (Ex. 4)

6. In a telephone interview on April 2, 2014, Kristi Reid-Bronson clarified that once the waiver box is chosen and a new report is opened as shown on page 12, the only available option on the report summary screen will be "Go To File Report" as shown on page 13. Choosing "Go To File Report" will take the user directly to the screens where the candidate/treasurer PINS are entered as shown on pages 44 and 45.

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

7. Respondent's filing history reflects the untimely filed notifications summarized below. (Ex. 5)

Report	Report Cover Period	Date Notification Due	Date Notification Filed	No. of Days Late
2018 P2	06/23 – 07/06/18	07/13/18	08/12/18	30
2018 P3	07/07 – 07/20/18	07/27/18	08/12/18	16
2018 P4	07/21 – 07/27/18	08/03/18	08/12/18	9
2018 P5	07/28 – 08/03/18	08/10/18	08/12/18	2
2018 P7	08/11 – 08/23/18	08/24/18	08/31/18	7

2018 G1	08/24 – 08/31/18	09/07/18	09/10/18	3
2019 TR	10/20/18 – 01/22/19	01/22/19	02/27/19	36

8. According to Respondent's filing history, a notification-of-no-activity was filed timely for the 2018 P1 reporting period as well as the 2018 P6 reporting period. (Ex. 5)

9. Respondent provided a written response to the referral dated August 26, 2019. Respondent stated, "I recognize reports are not file on time due to a misunderstanding on the dates." Respondent added, "It's possible I have a wrong calendar." (Ex. 6)

III. FEC History:

10. Respondent has had prior cases before the Commission. In FEC 15-011, Respondent was found to have violated Section 106.07(7), Florida Statutes, on four occasions and was fined \$250; the fine has not been paid. Respondent has also had two previous cases, FEC 15-382 and FEC 13-011, before the Commission relative to automatic fines. In FEC 13-204, no probable cause was found for Section 106.07(2)(b)1, Florida Statutes. None of the fines have been paid.

Conclusion:

11. Respondent stated during a telephone interview, relative to another matter, that he did not fully read Chapter 106, Florida Statutes and/or the *Candidate and Campaign Treasurer Handbook*. Respondent signed his Statement of Candidate form on June 20, 2018. (Ex. 7)

12. The Investigative Phone Log is included with this report. (Ex. 8)

SIGNATURE OF INVESTIGATOR: Kelli Smith Date: 11/22/19

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Jose Vazquez -- FEC 19-361

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	DS-DE 9
Exhibit 2	Ack ltr
Exhibit 3	Pg. 47 – <i>Candidate and Campaign Treasurer Handbook</i>
Exhibit 4	Pgs. 12,13,44 & 45 – Candidate EFS User's Guide
Exhibit 5	R's filing history/Campaign Finance Activity
Exhibit 6	Response
Exhibit 7	Statement of Candidate
Exhibit 8	Phone Log

HAND DELIVERED

18 JUN 21 AM 11:09

SECRETARY OF STATE

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) JOSE N. VAZQUEZ FIGUEROA

3. Address (include post office box or street, city, state, zip code) 8014 N. 11 ST TAMPA FL, 33604

4. Telephone (813) 526 9920

5. E-mail address vazquezd58@yahoo.com

6. Office sought (include district, circuit, group number) State House Representative District 62

7. If a candidate for a nonpartisan office, check if applicable: My intent is to run as a Write-In candidate.

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

Write-In No Party Affiliation Party candidate.

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

10. Name of Treasurer or Deputy Treasurer Jose N. Vazquez

11. Mailing Address 1916 N. 60th st

12. Telephone (813) 526 9920

13. City Tampa

14. County Hillsborough

15. State Florida

16. Zip Code 33619

17. E-mail address vazquezd58@yahoo.com

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

19. Name of Bank Fifth Third Bank

20. Address 2001 Adamo Drive

21. City Tampa

22. County Hillsborough

23. State Florida

24. Zip Code 33605

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 June 20, 2018

26. Signature of Candidate X [Signature]

27. Treasurer's Acceptance of Appointment (fill in the blanks and check the appropriate block) I, Jose N. Vazquez, do hereby accept the appointment (Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer

June 20, 2018

EXHIBIT

X [Signature]



FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

June 22, 2018

Jose N. Vazquez Figueroa
8014 North 11 Street
Tampa, Florida 33604

Dear Mr. Vazquez Figueroa:

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 June 21, 2018. Your name has been placed on the 2018 active candidate list.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **June 29, 2018**. The report will cover the period of June 1-22, 2018 (2018 P1). 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: 72743

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

EXHIBIT 2 (1 of 2)

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/



Jose Vazquez Figueroa
June 22, 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/zjs

Enclosures

EXHIBIT 2 (2 of 2)

2016 Candidate & Campaign Treasurer Handbook

Florida Department of State
Division of Elections
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, FL 32399-0250
850.245.6240

(Rev. 01/22/16)

EXHIBIT

3 (of 5)

Candidate & Campaign Treasurer Handbook

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Candidate & Campaign Treasurer Handbook

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Chapter 16: Filing Campaign Reports

Each campaign treasurer designated by a candidate shall file regular reports of all contributions received and all expenditures made by or on behalf of such candidate.

The candidate and his or her campaign treasurer shall certify as to the correctness of each report. Each person so certifying shall bear the responsibility for the accuracy and veracity of each report. Any campaign treasurer or candidate who willfully certifies the correctness of any report while knowing that such report is incorrect, false or incomplete commits a misdemeanor of the first degree.

(Section 106.07, F.S.)

Where to File

A campaign treasurer is required to file campaign treasurer's reports with the officer with whom the candidate registers.

Candidates filing reports with the Division are required to file by means of the Electronic Filing System. If the candidate's filing officer is other than the Division, contact the appropriate filing officer to find out the requirements.

The web address for filing online with the Division is: <https://efs.dos.state.fl.us/>

(Section 106.07(2), F.S.)

When to File

Reports must be filed on the 10th day following the end of each calendar month from the time the candidate registers, except that if the 10th day occurs on a Saturday, Sunday or legal holiday, the report shall be filed on the next business day that is not a Saturday, Sunday or legal holiday.

A statewide candidate must file reports:

1. On the 60th day immediately preceding the primary election, and each week thereafter, with the last weekly report being filed on the 4th day immediately preceding the general election.
2. On the 10th day immediately preceding the general election, and each day thereafter, with the last daily report being filed the 5th day immediately preceding the general election.

All other candidates must file reports on the 60th day immediately preceding the primary election and bi-weekly on each Friday thereafter through and including the 4th day immediately preceding the general election, with additional reports due on the 25th and 11th days before the primary election and the general election.

For candidates that file with the Division, see the "Reporting Dates Calendar" at:

<http://dos.myflorida.com/elections/forms-publications/publications/>

An individual seeking a publicly elected position on a political party executive committee who receives a contribution or makes an expenditure must file a single report of all contributions and expenditures on the 4th day immediately preceding the primary election. (See Chapter 18; Reporting for Individuals Seeking a Publicly Elected Position on a Party Executive Committee.)

Unless the electronic filing requirements of Section 106.0705, Florida Statutes, apply, reports shall be filed no later than 5 p.m. of the day designated. A report postmarked by the U.S. Postal Service no later than midnight of the day designated is deemed timely filed. A report received by the filing officer within 5 days after the designated due date that was delivered by the U.S. Postal Service is deemed timely filed unless it has a postmark indicating the report was mailed after the designated due date. A certificate of mailing obtained from and dated by the U.S. Postal Service at the time of mailing or a receipt from an established courier company, which bears a date on or before the date on which the report is due, is proof of mailing in a timely manner. Reports filed with the Division through the Electronic Filing System (EFS) are due no later than midnight, Eastern Time, of the due date.

(Sections 106.07, 106.0705
and 106.141, F.S.)

Penalty for Late Filing

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 three days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is

greater, for the period covered by the late report. However, for the reports immediately preceding the primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. For a candidate's termination report, the fine shall be \$50 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater for the period covered by the late report. All fines must be paid from the candidate's personal funds – not campaign funds.

(Section 106.07(2) and (8), F.S.)

Notice of No Activity

In any reporting period during which a candidate has not received funds or made any expenditures, the filing of the required report for that period is waived. **However, the candidate must notify the filing officer in writing on or before the prescribed reporting date that no report is being filed on that date.** (A notice of no activity filed with the Division must be filed electronically using the EFS.) The next report filed must specify that the report covers the entire period between the last submitted report and the report being filed.

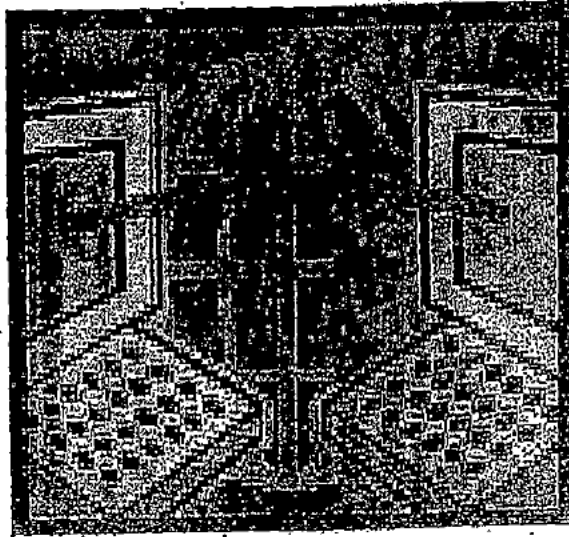
(Section 106.07, F.S.)

Incomplete Reports

If a campaign treasurer files a report that is deemed incomplete, it shall be accepted on a conditional basis. The campaign treasurer will be notified by the filing officer as to why the report is incomplete. The campaign

Department of State
Division of Elections

Candidate EFS User's Guide



Florida Department of State
Division of Elections
R.A. Gray Building, Room 316
500 S Bronough Street
Tallahassee, FL 32399-0250

EFS HELP LINE: 850-245-6280

January 2011

Rule 1S-2.017, F.A.C.

DS-DE 110A (eff. 01/11)

EXHIBIT

4

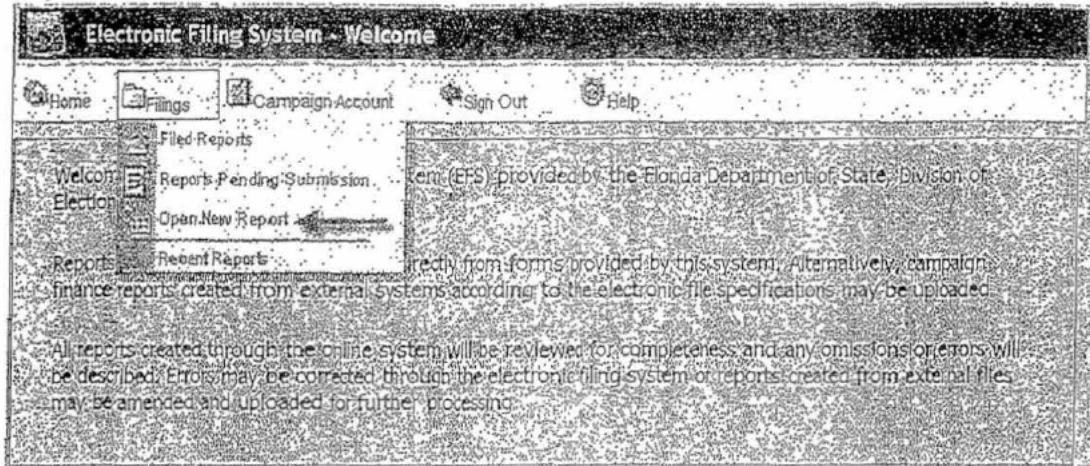
(1 of 6)

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Create a New Report by Data Entry

From the Welcome Screen, click  Filings and then  Open New Report



Use this form to submit an original report. To submit an amendment to a previously filed report, first select the report from the Filed Reports listing and then choose the "Amend Report" option from the Edit menu item.

Coverage Periods
Campaign finance reports itemize financial activity occurring during a specific reporting period. The reporting period is declared by first selecting the reporting year and then the report type. The beginning and ending coverage dates and the filing due date of the report are automatically associated with the Reporting Year and Report Type.


Election Cycle:

Report Type:

Coverage Periods: Due Date:

Special Election Report Waiver

Uploading a Campaign Finance Report
A Campaign Finance report file meeting the department's specifications may be uploaded at the time a Report is opened. Use the Browse button to locate and select the report text or zip file to be uploaded. You may upload the report file in a compressed zip. The zip file must contain only one report file.

Click  arrow next to Election Cycle. Scroll to the cycle associated with the report you are entering.

Click  arrow next to Report Type and select the report type that corresponds to the appropriate cover period and due date.

The Cover Period dates will automatically fill in based on the Calendar of Election and Reporting Dates. The end date can be changed for candidate termination reports.

4 (3 & 6)

The Due Date will automatically fill in based on the Calendar of Election and Reporting Dates.

****NOTE****

If this report is a waiver of report (no activity), click the box next to Waiver.

Election Cycle:	2010 General Election
Report Type:	P2 2010
Coverage Period:	7/17/2010 - 7/26/2010
Due Date:	08/06/2010
<input type="checkbox"/> Waiver	

Click at the bottom of the screen. A Report Detail screen (view only) will appear. This screen will not indicate any activity until individual detail data is entered, saved and a review is performed.

Report: 2010 - 04 - 27	2010 General Election	Covers: 10/16/2010-10/26/2010	Due: 10/29/2010																			
<input type="checkbox"/> Incomplete	<input type="checkbox"/> Waiver	Complete Status: Incomplete Detail Records	Review Status: Not Reviewed																			
File Data:		Last Review:																				
State: Dist P 1:																						
# of Transactions: 0	<input type="button" value="Review"/>	<input type="button" value="Recalculate"/>	<input type="button" value="Go To File Report"/>																			
		<input type="button" value="Append File"/>	<input type="button" value="Delete Report"/>																			
			<input type="button" value="Save"/>																			
<table border="1"><thead><tr><th>Contributions</th><th>Total Amount</th></tr></thead><tbody><tr><td>Cash and Checks:</td><td>0.00</td></tr><tr><td>Loans:</td><td>0.00</td></tr><tr><td>Total Monetary:</td><td>0.00</td></tr><tr><td>Travel:</td><td>0.00</td></tr></tbody></table>	Contributions	Total Amount	Cash and Checks:	0.00	Loans:	0.00	Total Monetary:	0.00	Travel:	0.00		<table border="1"><thead><tr><th>Expenditures</th><th>Total Amount</th></tr></thead><tbody><tr><td>Monetary:</td><td>0.00</td></tr><tr><td>Transfers to Off Acct:</td><td>0.00</td></tr><tr><td>Total Monetary:</td><td>0.00</td></tr><tr><td>Other Distributions:</td><td>0.00</td></tr></tbody></table>	Expenditures	Total Amount	Monetary:	0.00	Transfers to Off Acct:	0.00	Total Monetary:	0.00	Other Distributions:	0.00
Contributions	Total Amount																					
Cash and Checks:	0.00																					
Loans:	0.00																					
Total Monetary:	0.00																					
Travel:	0.00																					
Expenditures	Total Amount																					
Monetary:	0.00																					
Transfers to Off Acct:	0.00																					
Total Monetary:	0.00																					
Other Distributions:	0.00																					
Review Messages:																						
Created: 10/26/2010 11:41:25 AM	By: 50552	Revised: 10/26/2010 11:41:25 AM	By: 50552																			

EXHIBIT 4 (4 of 6)

File the Report

If the **Review Status** is Updated Detail – Needs Review the report has not been reviewed since the last update. (See page 38 for instructions on how to submit the report to the system for review.)

If the status of the report is Complete Detail Records, you are ready to file the report.

Report: 2010 - F3 - 26 2010 General Election Coverage: 8/7/2010-8/19/2010 Due: 8/20/2010

Complete Waiver Complete Status: Complete Detail Records

File Date: [] Review Status: Reviewed

Status: Data Entry Last Review: 8/19/2010 3:56:42 PM

of Transactions: [] [Review] [Recalculate] [Go To File Report] [Append File] [Delete Report] [Save]

Contributions		Total Amount	Expenditures		Total Amount
Cash and checks		0.00	Monetary		151.00
Monetary		0.00	Transfers to Off-Account		70.00
Other		0.00	Total Monetary		221.00
Total Monetary		0.00	Other Debtors		0.00
Other		0.00			

Review Messages: []

Created: 8/19/2010 2:01:35 PM By: 50552 Revised: 8/19/2010 3:56:42 PM By: 50552

Click on **Go To File Report**

The candidate enters his or her PIN, and then selects **Report Approved**

NOTE: A PIN is the same as your signature attesting to the validity of the report.

Step 1: Enter the candidate/Chairperson PIN.

Step 2: Select the 'Report Approved' button.

Report: 2010 - F3 - 26 Coverage Period: 8/7/2010-8/19/2010 Due: 8/20/2010

Review Status: Reviewed

Original Amended

Waiver

PIN for Candidate/Chairperson: [] **Report Approved**

EXHIBIT 4 (526)

If there is more than one treasurer, click on the drop down and select the treasurer that is filing the report.

Campaign Treasurer: James Bond

The treasurer enters his or her PIN and then clicks

Report: 2010 - F3 - 25 Coverage Period: 8/7/2010 - 8/19/2010 Due: 8/30/2010

Review Status: Label: Amended

Campaign Treasurer:

PIN for specified Treasurer:

To Edit Report Again Select Cancel:

IMPORTANT NOTE: If changes need to be made after a candidate enters his PIN, the treasurer must undo the candidate's PIN validation before the system will allow changes. See page 48 for instructions.

EXHIBIT 4 (6 of 6)



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Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Candidate Name: Jose Vazquez

Name:

Account: 72743

Election:

Acct:

Type:

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
1/22/2019	TR	2/27/2019	FEC	36	\$0.00		\$0.00	\$0.00
10/26/2018	G6	10/21/2018						
10/25/2018	G4	10/5/2018						
10/19/2018	G5	10/13/2018						
10/5/2018	G3	9/30/2018						
9/21/2018	G2	9/20/2018						
9/7/2018	G1	9/10/2018	FEC	3	\$0.00		\$0.00	\$0.00
8/24/2018	P7	8/31/2018	FEC	7	\$0.00		\$0.00	\$0.00
8/17/2018	P6	8/12/2018						
8/10/2018	P5	8/12/2018	FEC	2	\$0.00		\$0.00	\$0.00
8/3/2018	P4	8/12/2018	FEC	9	\$0.00		\$0.00	\$0.00
7/27/2018	P3	8/12/2018	FEC	16	\$0.00		\$0.00	\$0.00
7/13/2018	P2	8/12/2018	FEC	30	\$0.00		\$0.00	\$0.00
6/29/2018	P1	6/29/2018						

EXHIBIT 5 (1 of 3)



**Florida Department of State
Division of Elections**

**2018 General Election
Jose Vazquez (WRI)
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.

	Filing Period	Contributions			Expend	Other	Transfers
		Monetary	Loans	InKind			
W	06/21/2018 - 06/22/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	06/23/2018 - 07/06/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	07/07/2018 - 07/20/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	07/21/2018 - 07/27/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	07/28/2018 - 08/03/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	08/04/2018 - 08/10/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	08/11/2018 - 08/23/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	08/24/2018 - 08/31/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	09/01/2018 - 09/14/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	09/15/2018 - 09/28/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	09/29/2018 - 10/05/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/06/2018 - 10/12/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/13/2018 - 10/19/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/20/2018 - 01/22/2019	0.00	0.00	0.00	0.00	0.00	0.00
⊙	All Dates (Totals)	0.00	0.00	0.00	0.00	0.00	0.00

EXHIBIT 5 (203)

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]

EXHIBIT 5 (3.2.3)

Molly Donovan

From: Jose N. Vazquez <vazquezd58@yahoo.com>
Sent: Monday, August 26, 2019 4:38 PM
To: fec@myfloridalegal.comwe
Cc: Molly Donovan
Subject: Re: FEC 19-361 - Request for Extension of Time to Respond is GRANTED

On Aug 23, 2019 10:24 PM, "Jose N. Vazquez" <vazquezd58@yahoo.com> wrote:

When I run as write in candidate for district 62, 2 persons(one state prosecutor and one Republican) file a complain and they claim I was a bogus candidate. They accused over 6 candidates, I can't speak for the other's candidates, but I can talk of my self. I have 2 points on my defense.

First, all the reports are correct. All of them was waived. that's the way of report no activity.

Second, I notice, all the reports was filed few days after the due day. It's possible I have a wrong calendar, but like your notice I file. I understand if I file out date and I have contributions, the Division of the Election issue a fine. Also if I'm not have contributions they send me a letter about the issue. All time the Division of Elections send me a letter and I respond to them. So I not understand why they continue with the same issue with my waiver report.

Under that circumstances, I respectfully request this complain be closed by the facts of no changes on the waived reports and The Division of Elections all ready look on the issue. I recognize reports are not file on time due to a misunderstanding on the dates. My report speak by self. My intention not was raise funds to campaign, the intention (all the time) was keep (active) my name as a write in candidate to prove, Jose N. Vazquez are not a bogus candidate as this 2 persons accused me. Is my right of participate as write in candidate and this 2 persons can't denied me that righth with or without contributions.

EXHIBIT

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY 09

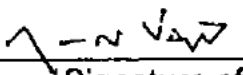
SECRETARIAT OF THE
FLORIDA COMMISSIONS
SECRETARIAT OF STATE

HAND DELIVERED

I, Jose N. Vazquez,

candidate for the office of State Representative District 62;

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

X 
Signature of Candidate

June 20, 2018
Date

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

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 18-208**

Respondent: José Vazquez

Complainant: Division of Elections

1. **Date and time:** 03/14/19; 11:40 a.m.
Name: Respondent—José Vazquez
Phone #: 813-526-9920 (caller I.D.)
Summary: Respondent phoned, explained that he spoke with several people at the DOE who sometimes gave conflicting information that did not make sense to him. Respondent said months after he closed his campaign account, he was informed by a DOE staff-member to refund the (excessive contributions) money from his personal bank account, and write checks to his ex-wife and daughter. His campaign treasurer (attorney) Michael Steinberg agreed to Respondent depositing money into Steinberg's office trust account and write refund checks from that account. I asked Respondent to check his records to see which DOE staff-member(s) had provided direction to him. Respondent confirmed he had the information and agreed to provide same.
Memo to File? No
Entered by: HH
2. **Date and time:** 03/26/19; 11:02 a.m.
Name: Respondent—José Vazquez
Phone #: 813-526-9920 (caller I.D.)
Summary: Respondent called, explained he was having trouble finding all his paperwork but would call again within a few minutes.
Memo to File? No
Entered by: HH
3. **Date and time:** 03/26/19; 11:15 a.m.
Name: Respondent—José Vazquez
Phone #: 813-526-9920 (caller I.D.)
Summary: Respondent called again, explained he was "outed" by the DOE four times, he requested to speak with someone who spoke Spanish because it is sometimes hard for others to understand him (he has a very pronounced Spanish accent) and he may not fully understand what others mean; however, the DOE failed to provide same. Respondent said he spoke to Erica Rowlette, Jason and ??Marlowe?? I explained that I will draft a questionnaire and send it by email (hopefully next week); Respondent provided his personal email address: vazquezd58@yahoo.com.
Memo to File? No
Entered by: HH
4. **Date and time:** 11/19/19 @ 4:20 p.m.
Name: Respondent
Phone #: 813-526-9920

EXHIBIT 8 (102)

Summary: Respondent called in response to having received a questionnaire-affidavit from me wherein one question was to why certain expenditures were not reported in his TR.

Respondent said that to his knowledge everything was reported. He added that his reports were filed based on activity from his bank statements. I informed Respondent that I had reviewed his bank account records and I was unable to locate six expenditures in the TR and informed him that he would receive a copy of my report of investigation, with exhibits, showing him what was found in my review. Respondent was advised to make sure that he thoroughly reviewed the report of investigation along with the exhibits and respond accordingly; he said he understood.

Respondent acknowledged that he had previously run for elective office prior to this election. When asked whether he read Chapter 106, Florida Statutes and the Candidate and Campaign Treasurer Handbook, he said he never fully read it. He explained that his primary language is Spanish, and he had some difficulty reading the materials.

I inquired of him as to who was responsible for entering the contribution and expenditure activity in to his campaign reports that were eventually submitted to the Division for filing. He said that he was responsible and that he personally reviewed his campaign reports along with the bank statements.

Respondent was again advised that he would receive a copy of the report of investigation along with a cover-letter explaining the process to follow. Respondent affirmed his e-mail address as, yazquezd58@yahoo.com and his mailing address as, 1916 N. 60th Street – Suite A, Tampa, FL 33619.

Memo to File? No
Entered by: KS

5. **Date and time:**
Name:
Phone #:
Summary:
Memo to File? No
Entered by:

6. **Date and time:**
Name:
Phone #:
Summary:
Memo to File? No
Entered by:

7. **Date and time:**
Name:
Phone #:
Summary:

EXHIBIT 8 (202)



FLORIDA ELECTIONS COMMISSION

**107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, Florida 32399-1050
Telephone: (850) 922-4539
Fax: (850) 921-0783
www.fec.state.fl.us; fec@myfloridalegal.com**

September 4, 2019

Jose Vazquez
1916 North 60th Street
Tampa, FL 33169-3619

RE: Case No.: FEC 19-361; Respondent: Jose Vazquez

Dear Mr. Vazquez:

On June 11, 2019, 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 violation(s):

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent, a 2018 candidate for State Representative, District 62, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the following reporting periods:

- 2018 P2
- 2018 P3
- 2018 P4
- 2018 P5
- 2018 P7
- 2018 G1
- 2019 TR

However, prior to an investigation, you have the option to **resolve your case now by signing a minor violation consent order and paying a fine of \$350**, per Rule 2B-1.003, Florida Administrative Code, **rather than the potential \$1,000 per violation** provided for in Section 106.265, Florida Statutes.

Jose Vazquez
September 4, 2019
Page 2
FEC 19-361

If you sign the consent order, you would not be required to admit or deny the allegation(s) in the complaint, but you would be required to immediately correct the violation, if feasible.

The signed consent order would then be considered by the Commission at its next available meeting, and would constitute final action by the Commission once it is accepted and approved by the Commission.

Please contact Stephanie Cunningham at 850-922-4539, or at the address listed above, to accept this minor violation consent order offer.

If you choose not to resolve the case by consent order, an investigation will be conducted, and then the Commission will hold one or more hearings to determine whether the alleged violation(s) occurred and, if so, the amount of the fine to be imposed upon you. For more information, please see our FAQs available at <http://www.fec.state.fl.us>.

Sincerely,

A handwritten signature in black ink that reads "Tim Vaccaro". The signature is written in a cursive style with a long horizontal stroke at the end.

Tim Vaccaro
Executive Director

TV/med

Molly Donovan

From: Jose N. Vazquez <vazquezd58@yahoo.com>
Sent: Monday, August 26, 2019 4:38 PM
To: fec@myfloridalegal.comwe
Cc: Molly Donovan
Subject: Re: FEC 19-361 - Request for Extension of Time to Respond is GRANTED

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Second, I notice, all the reports was filed few days after the due day. It's possible I have a wrong calendar, but like your notice I file. I understand if I file out date and I have contributions, the Division of the Election issue a fine. Also if I'm not have contributions they send me a letter about the issue. All time the Division of Elections send me a letter and I respond to them. So I not understand why they continue with the same issue with my waiver report.

Under that circumstances, I respectfully request this complain be closed by the facts of no changes on the waived reports and The Division of Elections all ready look on the issue. I recognize reports are not file on time due to a misunderstanding on the dates. My report speak by self. My intention not was raise funds to campaign, the intention (all the time) was keep (active) my name as a write in candidate to prove, Jose N. Vazquez are not a bogus candidate as this 2 persons accused me. Is my right of participate as write in candidate and this 2 persons can't denied me that righth with or without contributions.



FEC 19-361 - Request for Extension of Time to Respond is GRANTED

Florida Elections Commission to: vazquezd58

08/07/2019 02:13 PM

Sent by: Donna Malphurs

Your request for an extension of time to respond is granted. Please submit your response by the close of business on August 23, 2019.

Please confirm your correct mailing address. Thanks.

Sincerely,

Donna Ann Malphurs
Agency Clerk

**DIVISION OF ELECTIONS
FEC NOTICE FORM**

To FEC from Division of Elections

Candidate: Jose Vazquez**Account Number:** 72743**Treasurer:** Jose Vazquez

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(2), Florida Statutes. An apparent violation of Chapter 106, Florida Statutes, has occurred based upon repeated late filings or failure to file notifications to the filing officer in writing that no report was being filed on the prescribed reporting date under s. 106.07(7).


2018 P2	2018 P7
2018 P3	2018 G1
2018 P4	2019 TR
2018 P5	

- Jose Vazquez (72743) was a 2018 candidate for the office of State Representative.
- On June 21, 2018, Mr. Vazquez filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division designating himself as treasurer.
- The 2018 P2 campaign treasurer's report was due on July 13, 2018. Mr. Vazquez failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Vazquez filed a notification of no activity on August 12, 2018. (See attached file receipt and letter.)
- The 2018 P3 campaign treasurer's report was due on July 27, 2018. Mr. Vazquez failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Vazquez filed a notification of no activity on August 12, 2018. (See attached file receipt and letter.)
- The 2018 P4 campaign treasurer's report was due on August 3, 2018. Mr. Vazquez failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Vazquez filed a notification of no activity on August 12, 2018. (See attached file receipt and letter.)

- The 2018 P5 campaign treasurer's report was due on August 10, 2018. Mr. Vazquez failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Vazquez filed a notification of no activity on August 12, 2018. (See attached file receipt and letter.)
- The 2018 P7 campaign treasurer's report was due on August 24, 2018. Mr. Vazquez failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Vazquez filed a notification of no activity on August 31, 2018. (See attached file receipt and letter.)
- The 2018 G1 campaign treasurer's report was due on September 7, 2018. Mr. Vazquez failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Vazquez filed a notification of no activity on September 10, 2018. (See attached file receipt and letter.)
- The 2019 TR campaign treasurer's report was due on January 22, 2019. Mr. Vazquez failed to notify the Division that no report was being filed on the prescribed reporting date. Mr. Vazquez filed a notification of no activity on February 27, 2019. (See attached file receipt.)

Sent By: Kristi Reid Willis *KRW*
Date: May 22, 2019

zjs

 **Treasurer Report Status**

ID: **72743** Name: **Jose Vazquez**

Report: 2018 - P2 - 2

Print Date: **5/22/2019 9:26:38 AM**

Election: 2018 General Election

Covers: 6/23/2018-7/6/2018

Amended Waiver

Due: 7/13/2018

Filed: **8/12/2018 10:59:13 PM**

File Status: **Filed Report**

Reviewed: **8/12/2018**

Review Status: **Reviewed**

Detail Complete: **No Detail Records Found**

File Method: Web Filed
Entry Method: Web Data Entry

Number of Detail Records

Contributions: 0

Expenditures: 0

Fund Transfers: 0

Distributions: 0

Pending Queued Items: **0**

To Print Report: Right Click Mouse and Select 'Print'



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

August 14, 2018

Jose N. Vazquez, Treasurer
1916 North 60th Street
Tampa, FL 33619-3619

CAN 72743

Dear Mr. Vazquez:

The notification that you had no reportable activity for the report deadline of July 13, 2018, was not filed until August 12, 2018. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

However, to avoid potential issues in the future, please note that state law (s. 106.07(7), Fla. Stat.) requires you to file by the dates set out also in law, either a campaign finance report or if applicable, a notification that no reportable activity occurred for the reporting period. Failure to do may constitute a violation of sections 106.07(1) and 106.19(1)(c), Fla. Stat. The Division is required to notify the Florida Elections Commission of any apparent violation of chapter 106, Fla. Stat., or any failure to file a report or information required by chapter 106, Fla. Stat. If a matter is referred to the Florida Elections Commission, the Commission may assess a civil penalty of up to \$1,000 per violation.


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

cc: Jose Vazquez
Candidate for State Representative, District 62

 Treasurer Report Status

ID: 72743		Name: Jose Vazquez	
Report: 2018 - P3 - 3		Print Date: 5/22/2019 9:27:11 AM	
Election: 2018 General Election			
Covers: 7/7/2018-7/20/2018		<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Waiver	
Due: 7/27/2018			
Filed: 8/12/2018 11:00:42 PM		File Status: Filed Report	
Reviewed: 8/12/2018		Review Status: Reviewed	
Detail Complete: No Detail Records Found			
File Method: Web Filed		<u>Number of Detail Records</u>	
Entry Method: Web Data Entry		Contributions: 0	
		Expenditures: 0	
Pending Queued Items: 0		Fund Transfers: 0	
		Distributions: 0	
To Print Report: Right Click Mouse and Select 'Print'			



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

August 14, 2018

Jose N. Vazquez, Treasurer
1916 North 60th Street
Tampa, FL 33619-3619

CAN 72743

Dear Mr. Vazquez:

The notification that you had no reportable activity for the report deadline of July 27, 2018, was not filed until August 12, 2018. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.


However, to avoid potential issues in the future, please note that state law (s. 106.07(7), Fla. Stat.) requires you to file by the dates set out also in law, either a campaign finance report or if applicable, a notification that no reportable activity occurred for the reporting period. Failure to do may constitute a violation of sections 106.07(1) and 106.19(1)(c), Fla. Stat. The Division is required to notify the Florida Elections Commission of any apparent violation of chapter 106, Fla. Stat., or any failure to file a report or information required by chapter 106, Fla. Stat. If a matter is referred to the Florida Elections Commission, the Commission may assess a civil penalty of up to \$1,000 per violation.

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

cc: Jose Vazquez
Candidate for State Representative, District 62

 **Treasurer Report Status**

ID: 72743		Name: Jose Vazquez	
Report: 2018 - P4 - 4		Print Date: 5/22/2019 9:27:29 AM	
Election: 2018 General Election			
Covers: 7/21/2018-7/27/2018		<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Waiver	
Due: 8/3/2018			
Filed: 8/12/2018 11:01:21 PM		File Status: Filed Report	
Reviewed: 8/12/2018		Review Status: Reviewed	
		Detail Complete: No Detail Records Found	
File Method: Web Filed		<u>Number of Detail Records</u>	
Entry Method: Web Data Entry		Contributions: 0	
		Expenditures: 0	
Pending Queued Items: 0		Fund Transfers: 0	
		Distributions: 0	
To Print Report: Right Click Mouse and Select 'Print'			



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

August 22, 2018

Jose N. Vazquez, Treasurer
1916 North 60th Street
Tampa, FL 33619-3619

CAN 72743

Dear Mr. Vazquez:

The notification that you had no reportable activity for the report deadline of August 3, 2018, was not filed until August 12, 2018. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

However, to avoid potential issues in the future, please note that state law (s. 106.07(7), Fla. Stat.) requires you to file by the dates set out also in law, either a campaign finance report or if applicable, a notification that no reportable activity occurred for the reporting period. Failure to do may constitute a violation of sections 106.07(1) and 106.19(1)(c), Fla. Stat. The Division is required to notify the Florida Elections Commission of any apparent violation of chapter 106, Fla. Stat., or any failure to file a report or information required by chapter 106, Fla. Stat. If a matter is referred to the Florida Elections Commission, the Commission may assess a civil penalty of up to \$1,000 per violation.


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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

cc: Jose Vazquez

Candidate for State Representative, District 62

 Treasurer Report Status

ID: **72743** Name: **Jose Vazquez**

Report: 2018 - P5 - 5

Print Date: **5/22/2019 9:27:44 AM**

Election: 2018 General Election

Covers: 7/28/2018-8/3/2018

Amended Waiver

Due: 8/10/2018

Filed: **8/12/2018 11:02:12 PM**

File Status: **Filed Report**

Reviewed: **8/12/2018**

Review Status: **Reviewed**

Detail Complete: **No Detail Records Found**

File Method: Web Filed

Number of Detail Records

Entry Method: Web Data Entry

Contributions: 0

Expenditures: 0

Pending Queued Items: **0**

Fund Transfers: 0

Distributions: 0

To Print Report: Right Click Mouse and Select 'Print'



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

September 5, 2018

Jose N. Vazquez, Treasurer
1916 North 60th Street
Tampa, FL 33619-3619

CAN 72743

Dear Mr. Vazquez:

The notification that you had no reportable activity for the report deadline of August 10, 2018, was not filed until August 12, 2018. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

However, to avoid potential issues in the future, please note that state law (s. 106.07(7), Fla. Stat.) requires you to file by the dates set out also in law, either a campaign finance report or if applicable, a notification that no reportable activity occurred for the reporting period. Failure to do may constitute a violation of sections 106.07(1) and 106.19(1)(c), Fla. Stat. The Division is required to notify the Florida Elections Commission of any apparent violation of chapter 106, Fla. Stat., or any failure to file a report or information required by chapter 106, Fla. Stat. If a matter is referred to the Florida Elections Commission, the Commission may assess a civil penalty of up to \$1,000 per violation.

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

cc: Jose Vazquez
Candidate for State Representative, District 62

 **Treasurer Report Status**

ID: 72743 Name: Jose Vazquez	
Report: 2018 - P7 - 7	Print Date: 5/22/2019 9:28:00 AM
Election: 2018 General Election	
Covers: 8/11/2018-8/23/2018	<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Waiver
Due: 8/24/2018	
Filed: 8/31/2018 3:00:16 PM	File Status: Filed Report
Reviewed: 8/31/2018	Review Status: Reviewed
	Detail Complete: No Detail Records Found
File Method: Web Filed	<u>Number of Detail Records</u>
Entry Method: Web Data Entry	Contributions: 0
	Expenditures: 0
Pending Queued Items: 0	Fund Transfers: 0
	Distributions: 0
To Print Report: Right Click Mouse and Select 'Print'	



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

September 17, 2018

Jose N. Vazquez, Treasurer
1916 North 60th Street
Tampa, FL 33619-3619

CAN 72743

Dear Mr. Vazquez:

The notification that you had no reportable activity for the report deadline of August 24, 2018, was not filed until August 31, 2018. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

However, to avoid potential issues in the future, please note that state law (s. 106.07(7), Fla. Stat.) requires you to file by the dates set out also in law, either a campaign finance report or if applicable, a notification that no reportable activity occurred for the reporting period. Failure to do may constitute a violation of sections 106.07(1) and 106.19(1)(c), Fla. Stat. The Division is required to notify the Florida Elections Commission of any apparent violation of chapter 106, Fla. Stat., or any failure to file a report or information required by chapter 106, Fla. Stat. If a matter is referred to the Florida Elections Commission, the Commission may assess a civil penalty of up to \$1,000 per violation.


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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

cc: Jose Vazquez

Candidate for State Representative, District 62

 **Treasurer Report Status**

ID: **72743** Name: **Jose Vazquez**

Report: 2018 - G1 - 8

Print Date: **5/22/2019 9:28:15 AM**

Election: 2018 General Election

Covers: 8/24/2018-8/31/2018

Amended Waiver

Due: 9/7/2018

Filed: **9/10/2018 2:17:27 PM**

File Status: **Filed Report**

Reviewed: **9/11/2018**

Review Status: **Reviewed**

Detail Complete: **No Detail Records Found**

File Method: Web Filed
Entry Method: Web Data Entry

Number of Detail Records

Contributions: 0

Expenditures: 0

Fund Transfers: 0

Distributions: 0

Pending Queued Items: **0**

To Print Report: Right Click Mouse and Select 'Print'



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

September 26, 2018

Jose N. Vazquez, Treasurer
1916 North 60th Street
Tampa, FL 33619-3619

CAN 72743

Dear Mr. Vazquez:

The notification that you had no reportable activity for the report deadline of September 7, 2018, was not filed until September 10, 2018. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

However, to avoid potential issues in the future, please note that state law (s. 106.07(7), Fla. Stat.) requires you to file by the dates set out also in law, either a campaign finance report or if applicable, a notification that no reportable activity occurred for the reporting period. Failure to do may constitute a violation of sections 106.07(1) and 106.19(1)(c), Fla. Stat. The Division is required to notify the Florida Elections Commission of any apparent violation of chapter 106, Fla. Stat., or any failure to file a report or information required by chapter 106, Fla. Stat. If a matter is referred to the Florida Elections Commission, the Commission may assess a civil penalty of up to \$1,000 per violation.


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

cc: Jose Vazquez
Candidate for State Representative, District 62

 Treasurer Report StatusID: **72743** Name: **Jose Vazquez**

Report: 2019 - TR - 14

Print Date: **5/22/2019 9:28:31 AM**

Election: 2018 General Election

Covers: 10/20/2018-1/22/2019

 Amended Waiver

Due: 1/22/2019

Filed: **2/27/2019 10:23:32 PM**File Status: **Filed Report**Reviewed: **2/27/2019**Review Status: **Reviewed**Detail Complete: **No Detail Records Found**

File Method: Web Filed

Entry Method: Web Data Entry

Pending Queued Items: **0****Number of Detail Records**

Contributions: 0

Expenditures: 0

Fund Transfers: 0

Distributions: 0

To Print Report: Right Click Mouse and Select 'Print'