

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

In Re: Marva "Bo" Williams

Case No.: FEC 17-010

TO: Marva "Bo" Williams
12759 SW 265th Terrace
Miami, FL 33032

Miami-Dade County Supervisor of Elections
Office
2700 NW 87th Avenue
Miami, FL 33172

NOTICE OF HEARING (AUTOMATIC FINE)

A hearing will be held in this case before the Florida Elections Commission on, **May 17, 2017 at 8:30 am, or as soon thereafter as the parties can be heard**, at the following location: **Augustus B. Turnbull Conference Center, 555 West Pensacola Street, Room 214, Tallahassee, Florida 32301**

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

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

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

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

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

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

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

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

See further instructions on the reverse side.

Amy McKeever Toman
Executive Director
Florida Elections Commission
May 1, 2017

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

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

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

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

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

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

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

FLORIDA ELECTIONS COMMISSION
CASE REPORT
Case Number: FEC-17-010

NAME: MARVA M. WILLIAMS

DATE APPEAL RECEIVED: 1/12/17

DATE REPORT DUE: 9/19/16 (2016 TQC)

DATE OF ELECTRONIC RECEIPT: 12/13/16

DATE FILING OFFICER RECEIVED REPORT: 12/13/16

NUMBER OF DAYS LATE: 85

AMOUNT OF FINE: \$25.00

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

TOTAL RECEIPTS FOR REPORTING PERIOD: \$100.00

TOTAL EXPENDITURES FOR REPORTING PERIOD: \$100.00

DATE OF FIRST SENT: 12/22/16

SUMMARY: Marva M. Williams was a candidate for Community Council Area/Subarea 15/156 in the 2016 elections. James D. Williams was her treasurer.

Mrs. Williams is appealing the fine claiming that unusual circumstances existed that caused the 2016 TQC Report to be untimely filed. According to Mrs. Williams, "I apologize for not completing the Campaign Treasurer's Report by the due date. I was caring for my very sick aunt who subsequently passed away two months later. I was a caregiver and now am the Trustee of her estate. This was a very trying time for me and some things were overlooked and I again sincerely apologize".

- The 2016 TQC Report covers the time period from 6/1/16 through 9/19/16.
- Respondent reported receiving one contribution, while making one expenditure during this reporting period.

PRIOR CASES: None

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

Mrs. M. "Bo" Williams

12759 SW 265th Terrace
Miami, Florida 33032
305-258-6580
Bo-Vette@hotmail.com

February 22, 2017

Florida Election Commission
107 W. Gaines Street
Suite 224
Tallahassee, FL 32399-1050
ATTN: MR. CEDRIC OLIVER

Dear Mr. Oliver:

I apologize for not completing the Campaign Treasurer's Report by the due date.

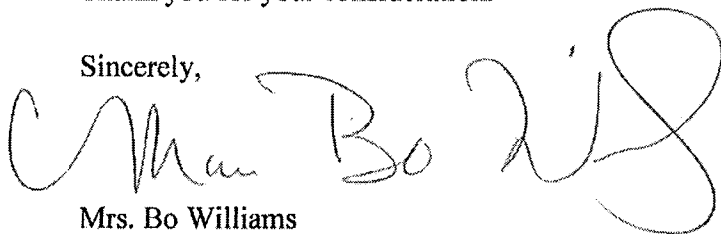
I was caring for my very sick aunt who subsequently passed away two months later. I was a caregiver and now am the Trustee of her estate.

This was a very trying time for me and some things were overlooked and I again sincerely apologize.

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

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Mrs. Bo Williams". The signature is written in dark ink and is positioned above the printed name.

Mrs. Bo Williams

Email to: Cedric.oliver@myfloridalegal.com

Mrs. Marva "Bo" Williams RECEIVED

12759 SW 265th Terrace
Miami, Florida 33032
305-258-6580
Bo-Vette@hotmail.com

2017 JAN 12 A 11:58

STATE OF FLORIDA
ELECTIONS COMMISSION

January 3, 2016

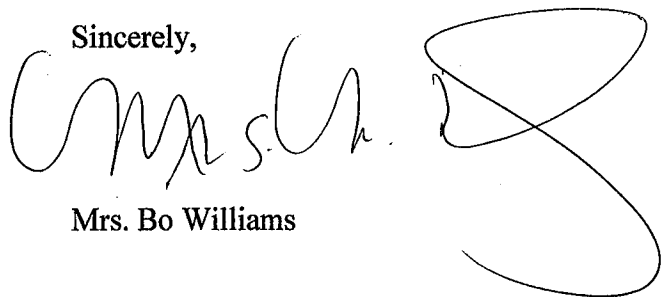
Florida Elections Commission

107 West Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399-1050

Dear Sirs:

Pursuant to Florida Statute 106.7(8)(c), this letter serves as written notice of my request to appeal with the Florida Elections Commission, the fine assessed to my campaign for Community Council 15 (sub Area 156).

Sincerely,

A handwritten signature in black ink, appearing to read 'Mrs. Bo Williams', followed by a large, stylized flourish or scribble.

Mrs. Bo Williams

Cc: **M-D Elect. Dept.**
2700 NW 87th Ave
Miami, FL 33172



Elections
2700 NW 87th Avenue
Miami, Florida 33172
T 305-499-8683 F 305-499-8547
TTY: 305-499-8480

miamidade.gov

December 22, 2016

Ms. Marva M. Williams
12759 SW 265 Terrace
Homestead, FL 33032

NOTICE OF LATE FILING – FINE DUE – \$25.00

16TQC Campaign Treasurer's Report
Due Date: 9/19/2016
Period Covered: 6/1/2016 – 9/19/2016

Dear Ms. Williams,

The 16TQC Campaign Treasurer's Report filed with our office was submitted on 12/13/2016. Since this report was not filed by the appropriate filing date, a fine is being assessed for each late day pursuant to Florida Statute 106.07(8)(b).

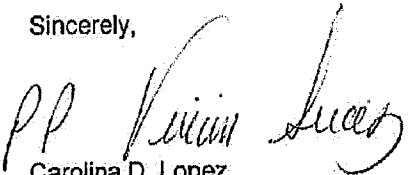
As such, for reports as required by F.S. 106.141(7), the fine is \$50.00 per day for each late day. These fines are not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. Therefore, since the report was 85 days late, the fine is \$25.00, which is 25% of your total expenditures of \$100.00. Said fine must be received by our office at 2700 NW 87th Avenue, Miami, FL 33172 within twenty (20) days of your receipt of this notice. The check should be made payable to Miami-Dade County paid only from candidate's personal funds.

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

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

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

Sincerely,


Carolina D. Lopez
Deputy Supervisor of Elections
Miami-Dade Elections Department

C: James D. Williams, Treasurer

Certified No: 7008 1830 0003 9579 9313

Candidate: Marva M. Williams

Office: Community Council Area/Subarea
15/156

List All Contributions and Expenditures

Show only financial reports (Hides bio)

The following financial reports are available:

16TQC	Contributions	\$100.00
(6/1/2016 - 9/19/2016)	In-Kind	\$0.00
Expenditures	\$100.00	

Candidate qualifying forms and miscellaneous documents

Filing_Documents_06-20-2016

Qualifying_Documents_06-20-2016

Qualifying_Documents_06-21-2016

CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Marva M. Williams
 Name
 (2) 12759 SW 265 Terrace
 Address (number and street)
Homestead, FL 33032
 City, State, Zip Code

OFFICE USE ONLY
ONLINE SUBMISSION
 [1137497]

Submitted on:
 12/13/2016 10:19:44 (eastern)

Check here if address has changed

(3) ID Number: 1685

(4) Check appropriate box(es):

- Candidate Office Sought: Community Council Area/Subarea 15/156
- Political Committee (PC)
- Electioneering Communications Org. (ECO) Check here if PC or ECO has disbanded
- Party Executive Committee (PTY) Check here if PTY has disbanded
- Independent Expenditure (IE) (also covers an individual making electioneering communications) Check here if no other IE or EC reports will be filed

(5) Report Identifiers

Cover Period: From 6 / 1 / 2016 To 9 / 19 / 2016 Report Type: 16TQC

Original Amendment Special Election Report

(6) Contributions This Report

Cash & Checks \$, , 0 . 00

Loans \$, , 100 . 00

Total Monetary \$, , 100 . 00

In-Kind \$, , 0 . 00

(7) Expenditures This Report

Monetary Expenditures \$, , 100 . 00

Transfers to Office Account \$, , 0 . 00

Total Monetary \$, , 100 . 00

(8) Other Distributions
 \$, , 0 . 00

(9) TOTAL Monetary Contributions To Date
 \$, , 100 . 00

(10) TOTAL Monetary Expenditures To Date
 \$, , 100 . 00

(11) Certification

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

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

(Type name) _____
 Individual (only for IE or electioneering comm.) Treasurer Deputy Treasurer

X _____
 Signature

(Type name) _____
 Candidate Chairperson (only for PC and PTY)

X _____
 Signature

CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

(1) Name Marva M. Williams (2) I.D. Number 1685

6/1/2016 9/19/2016

(3) Cover Period 6/1/2016 through 9/19/2016 (4) Page 1 of 1

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor Type Occupation		(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
6/19/2016 / /	Williams, Marva 12759 SW 265th Ter Miami, FL 33032	S	not employed	LO			\$100.00
1							
/ /							
/ /							
/ /							
/ /							
/ /							
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CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

(1) Name Marva M. Williams

(2) I.D. Number 1685

6/1/2016 through 9/19/2016

(3) Cover Period / / through / /

(4) Page 1 of 1

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Purpose (add office sought if contribution to a candidate)	(9) Expenditure Type	(10) Amendment	(11) Amount
(6) Sequence Number					
6/20/2016 / / 1	Miami Dade County , 2700 NW 87th Ave Miami, Fl 33172	qualifying fee	MO		\$100.00
/ /					
/ /					
/ /					
/ /					
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**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 17-010**

Respondent: Marva M. "Bo" Williams

Complainant: Miami-Dade SOE

1. **Date and time:** February 6, 2017 @ 8:45 am
Name: Respondent
Phone #: (305) 258-6580
Summary: I attempted telephone contact to inquire if any information would be provided to explain the reason given for the actual appeal. I left a message to return my call.
Memo to File? No
Entered by: CKO

2. **Date and time:** February 7, 2017 @ 9:10 am
Name: Respondent
Phone #: (305) 258-6580
Summary: I had telephone contact in response to message left on my behalf. I inquired if Respondent would be providing any information as to the reason why the report was untimely filed. Ms. Williams told me that she had been waiting to hear from the FEC regarding this matter because she didn't know what the next step should be. I explained the investigative process to her. She told me that she didn't have any questions at this time. She told me that she would be sending in the requested information.
Memo to File? No
Entered by: CKO

3. **Date and time:** February 16, 2017 @ 10:55 am
Name: Respondent
Phone #: (305) 258-6580
Summary: I had telephone contact inquiring about the status of explanation for untimely filing. Respondent advised me that she had been busy but she would stop what she was doing right now to send me her reasoning for the untimely filing. I verified that she had contact information for me to send the information. She explained that the appeal was late also because she hadn't received the correspondence from the FEC because it was sent to her P.O. Box that she hadn't been checking recently. She explained that she was on top of everything now and thanked me for my attention with this matter.
Memo to File? No
Entered by: CKO

4. **Date and time:** February 21, 2017 @ 11:30 am
Name: Respondent
Phone #: (305) 258-6580
Summary: I attempted telephone contact to check on the status of appeal information. I left a message to return my call.
Memo to File? No
Entered by: CKO