

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Moving Florida Forward Today

Case No.: FEC 17-295

TO: Moving Florida Forward Today
Tania Cruz, Chair
517 Minorca Avenue
Coral Gables, FL 33134

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, **November 14, 2018 at 1:30 pm, or as soon thereafter as the parties can be heard**, at the following location: **Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399.**

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

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

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

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

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

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

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

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

See further instructions on the reverse side.

Eric M. Lipman
General Counsel for Executive Director
Florida Elections Commission
October 29, 2018

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.

FILED

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STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

Case No.: FEC 17-295

v.

**Moving Florida Forward Today,
Respondent.**

ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on August 14, 2018, in Tallahassee, Florida.

On May 30, 2018, Staff recommended to the Commission that there was probable cause to believe that the Florida Election Code was violated. The facts articulated in Staff's Recommendation are adopted by reference and incorporated herein. Based on the Complaint, Report of Investigation, Staff's Recommendation, and oral statements (if any) made at the probable cause hearing, the Commission finds that there is **probable cause** to charge Respondent with the following violation(s):

[THIS SPACE INTENTIONALLY LEFT BLANK]

Count 1:

On or about July 10, 2017, Respondent violated Section 106.19(1)(c), Florida Statutes, when it failed to file the 2017 M6 report by the designated due date disclosing the reportable financial activity that occurred during that reporting period.

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

DONE AND ORDERED by the Florida Elections Commission on August 14, 2018.



M. Scott Thomas, Chairman
Florida Elections Commission

Copies furnished to:
Cole H. Kekelis, Assistant General Counsel
Moving Florida Forward Today, 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: Moving Florida Forward Today

Case No.: FEC 17-295

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the referral in this case recommending that there is **probable cause** to charge Respondent with violating **Section 106.19(1)(c), Florida Statutes**, and **no probable cause** to charge Respondent with violating **Section 106.07(7), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on February 13, 2018, and the Addendum to the Report of Investigation submitted on April 25, 2018, the following facts and law support this staff recommendation:

1. On September 7, 2017, the Florida Elections Commission (“Commission”) received a referral from the Department of State, Division of Elections (“Division”) alleging that Moving Florida Forward Today (“Respondent”) violated Chapter 106, Florida Statutes.

2. Respondent is a political committee registered with the Division. According to its Statement of Organization of Political Committee (“DS-DE 5”), which was filed with the Division on June 19, 2017, Tania Cruz is Respondent’s chairperson and treasurer. (ROI Exhibit 1)¹

3. By letter dated October 25, 2017, the Executive Director notified Respondent that Commission staff would investigate the following statutory provisions:

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

- 2017 M6

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

- 2017 M6

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

4. By letter dated June 20, 2017, Kristi Reid Bronson, Division of Elections, Chief, Bureau of Election Records, sent Ms. Cruz a letter acknowledging that the Division had received Respondent's DS-DE 5. The acknowledgment letter advised Respondent that all the Division's publications and reporting forms were available on its website, including Chapter 106, Florida Statutes, the *Political Committee Handbook*, and the *Calendar of Reporting Dates*. The letter warned Respondent that it was their responsibility to read, understand, and follow the requirements of Florida's election laws. (ROI Exhibit 8)

5. Respondent's 2017 M6 report, which covered the period of June 1, 2017, through June 30, 2017, was due on July 10, 2017. Respondent failed to file either the report or a waiver of the report. The Division mailed Respondent three notifications that the 2017 M6 report or a waiver of the report, whichever was applicable, had not been filed. They were dated July 11, 2017, July 28, 2017, and August 9, 2017. (ROI Exhibits 2-4)

6. Respondent ultimately filed the 2017 M6 report on February 2, 2018, which was after this complaint was filed and 207 days after the due date. The report disclosed a single contribution received on June 30, 2017, in the amount of \$5,000 from Florida Neighbors. (AROI Exhibits 2 & 3)²

7. A subpoena was issued to Respondent's designated campaign depository, Bank United, to determine what contributions were received or expenditures were made by Respondent during the relevant reporting period. The bank provided a statement indicating that no records were found under Respondent's name. (ROI Exhibit 5)

8. However, information disclosed on Respondent's 2017 M8 report showed an expenditure to Citibank. Records were subpoenaed from Citibank, which confirmed that a \$5,000 deposit was made to the account on June 30, 2017.³ (AROI Exhibit 4 & Attachment A)

9. Pursuant to Section 106.07(7), Florida Statutes, in any reporting period during which a 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 political committee is required to notify the filing officer in writing on the prescribed reporting date that no report is being filed on that date.

10. Section 106.19(1)(c), Florida Statutes, prohibits a political committee from falsely reporting or deliberately failing to include any information required by Chapter 106, Florida Statutes.

11. Respondent was required to report all contributions received and all expenditures made for the purpose of influencing the results of an election.

² The Addendum to Report of Investigation is referred to herein as "AROI."

³ The account was not opened until June 29, 2017, so the bank records would not reflect any other financial activity that might have occurred during the 2017 M6 reporting period prior to opening the account.

12. Respondent was offered multiple opportunities to respond to the complaint and Commission staff's investigation, but failed to do so.

13. Based on the information above, Respondent deliberately failed to include information required by Chapter 106, Florida Statutes, when the committee failed to disclose the contribution received during the 2017 M6 reporting period by the designated due date.

14. "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).

15. The facts set forth above show that Respondent is a political committee registered with the Division. Respondent received a \$5,000 contribution during the 2017 M6 reporting period but failed to file the 2017 M6 report by the designated due date to disclose it. Respondent did not file the 2017 M6 report until 207 days after the due date. By failing to file the 2017 M6 report by the designated due date to disclose the contribution, Respondent deliberately failed to include information required by Chapter 106, Florida Statutes.

[THIS SPACE INTENTIONALLY LEFT BLANK]

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

Count 1:

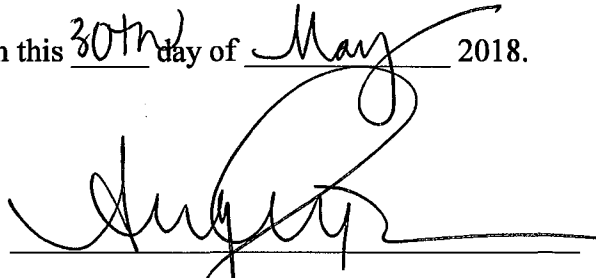
On or about July 10, 2017, Respondent violated Section 106.19(1)(c), Florida Statutes, when it failed to file the 2017 M6 report by the designated due date disclosing the reportable financial activity that occurred during that reporting period.

Respectfully submitted on May 30, 2018,



Cole H. Kekelis
Assistant General Counsel

I reviewed this Staff Recommendation this 30th day of May 2018.



Amy McKeever Toman
Executive Director



Florida Department of State
Division of Elections

Campaign Expenditures

Moving Florida Forward Today

This information is being provided as a convenience to the public, has been processed by the Division of Elections and should be cross referenced with the original report on file with the Division of Elections in case of questions.

About the Campaign Finance Data Base

Rpt Yr	Rpt Type	Date	Amount	Expense Paid To	Address	City State Zip
2017	M8	08/08/2017	70.00	CITIBANK CBO SERVICES	PO BOX 6201	SIOUX FALLS, SD 57117
2017	M8	08/31/2017	4,000.00	JIMENEZ NICOLE	10320 SW 100 AVENUE	MIAMI, FL 33176
			4,070.00			

2 Expenditure(s) Selected

Query the Campaign Finance Data Base

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

ATTACHMENT A

**FLORIDA ELECTIONS COMMISSION
ADDENDUM TO REPORT OF INVESTIGATION
Case No.: FEC 17-295**

Respondent: Moving Florida Forward Today
Counsel for Respondent: None

Complainant: Division of Elections
Counsel for Complainant: None

On **February 13, 2018**, the Florida Elections Commission staff completed a Report of Investigation on this case. Additional information was needed to expound upon and clarify certain information in the Report of Investigation.

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

1. It was alleged by Complainant that Respondent's chairman failed to timely notify the filing officer that the committee had no reportable activity during the 2017 M6 reporting period. The 2017 M6 Report covered the period from June 1 through June 31, 2017. The Final Notice from the Division that the report was still outstanding was mailed on August 9, 2017. To review the letter from the Division, refer to ROI Exhibit 4.

2. On February 1, 2018, Commission staff received an email from Ms. Willis, Respondent's filing officer, that the M6 Report was still outstanding. To review the email from Ms. Willis, refer to ROI Exhibit 7.

3. I subpoenaed information from the bank listed on the DS-DE 6 as the depository for the committee, Bank United. The bank indicated that they had no records of any activity under Respondent's name. To review the letter from the bank, refer to ROI Exhibit 5.

4. On February 20, 2018, a final check of the Division's website showed that Respondent had filed the 2017 M6 Report, showing activity during the period. The report was filed on February 2, 2018, 207 days late, and will be discussed in detail in the following section of this report. To review a copy of the printout from the Division's website, refer to Exhibit 1. To review the filing history from the Division's website, refer to Exhibit 2. To review the 2017 M6 Report, refer to Exhibit 3.

II. Alleged Violation of Section 106.19(1)(c), Florida Statutes:

5. It was alleged that Respondent did not report information required by Chapter 106, Florida Statutes.

6. Information disclosed on the reports filed by Respondent's chairman showed expenditures to Citibank on July 28, 2017. I subpoenaed records from Citibank. According to bank records, Respondent made a deposit on June 30, 2017 for \$5,000. To review the bank records,

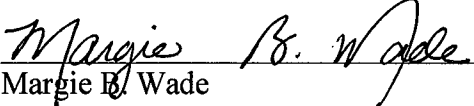
refer to Exhibit 4.

7. According to bank records, there were no expenditures during the 2017 M6 reporting period. To review bank records, refer to Exhibit 4.

8. As previously discussed, Respondent's chairman disclosed the information on a report that was filed on February 2, 2018—207 days after the report was due. To review the 2017 M6 Report, refer to Exhibit 3.

9. Respondent's chairman did not provide a written response to the referral. I attempted to contact Respondent's chairman by telephone; however, my attempts were not successful.

Respectfully submitted on April 25, 2018,


Margie B. Wade
Investigation Specialist

Current address of Respondent	Current address of Complainant
Moving Florida Forward Today 517 Minocrea Avenue Coral Gables, Florida 33134	Division of Elections 500 South Bronough Street, Room 316 Tallahassee, Florida 32399
Name and Address of Filing Officer:	Chair of Committee
Kristi Willis, Chief Bureau of Elections Records 500 South Bronough Street, Room 3016 Tallahassee, Florida 32399	Tania Cruz, Chairman Moving Florida Forward Today 517 Minocrea Avenue Coral Gables, Florida 33134

Copy furnished to:

David Flagg, Investigations Manager

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Moving Florida Forward Today -- FEC 17-295

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	Printout from DOE Website
Exhibit 2	Filing History
Exhibit 3	2017 M6 Report
Exhibit 4	Bank Records



Florida Department of State
Division of Elections

Moving Florida Forward Today

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. If all contributions for a reporting period are less than 1 dollar Then they may not be displayed.

	Filing Period	Contributions			Expend	Other	Transfers
		Monetary	Loans	InKind			
<input type="radio"/>	06/09/2017 - 06/30/2017	5,000.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	07/01/2017 - 07/31/2017	19,000.00	0.00	0.00	16,110.00	0.00	0.00
<input type="radio"/>	08/01/2017 - 08/31/2017	0.00	0.00	0.00	4,070.00	0.00	0.00
<input type="radio"/>	08/19/2017 - 09/21/2017	0.00	0.00	0.00	4,000.00	0.00	0.00
W	09/01/2017 - 09/30/2017	0.00	0.00	0.00	0.00	0.00	0.00
<input type="radio"/>	10/01/2017 - 10/31/2017	0.00	0.00	0.00	15.00	0.00	0.00
<input type="radio"/>	11/01/2017 - 11/30/2017	0.00	0.00	0.00	15.00	0.00	0.00
<input type="radio"/>	12/01/2017 - 12/31/2017	0.00	0.00	0.00	15.00	0.00	0.00
<input type="radio"/>	01/01/2018 - 01/31/2018	0.00	0.00	0.00	15.00	0.00	0.00
<input type="radio"/>	All Dates (Totals)	24,000.00	0.00	0.00	24,240.00	0.00	0.00

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

X Indicates that detail has not been released

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

Select Detail Type

Expenditures

Select Sort Order

Date(Ascending)

Select Output Type

Display On Screen

Submit Query Now

EXHIBIT 1



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Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Name:

Election:

Acct:

Type:

Committee Name: Moving Florida Forward Today
Account: 69885

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
3/12/2018	M2	3/7/2018						
2/12/2018	M1	2/2/2018						
1/10/2018	M12	2/2/2018	SNT	23	\$3.75		\$3.75	\$0.00
12/11/2017	M11	2/2/2018	SNT	53	\$3.75		\$3.75	\$0.00
11/13/2017	M10	2/2/2018	SNT	81	\$3.75		\$3.75	\$0.00
10/10/2017	M9	2/2/2018	CLO	115	\$0.00		\$0.00	\$0.00
9/22/2017	SG2	2/2/2018	SNT	133	\$1,000.00		\$1,000.00	\$0.00
9/22/2017	M8	2/2/2018	SNT	133	\$17.50		\$17.50	\$0.00
8/10/2017	M7	2/2/2018	SNT	176	\$4,750.00		\$4,750.00	\$0.00
7/10/2017	M6	2/2/2018	SNT	207	\$1,250.00		\$1,250.00	\$0.00

EXHIBIT 2

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

(1) Moving Florida Forward Today (2) 69885
Candidate, Committee or Party Name I.D. Number

(3) 517 Minorca Avenue Coral Gables FL 33134
Address (number and street) City State Zip Code

Check box if address has changed since last report

(4) Check appropriate box(es):

- Candidate (office sought):
 Political Committee Check if PC has DISBANDED
 Committee of Continuous Existence Check if CCE has DISBANDED
 Party Executive Committee

(5) REPORT IDENTIFIERS

Cover Period: From 06/09/2017 To 06/30/2017 Report Type: M6

Original Amendment Special Election Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks \$5,000.00
 Loans \$0.00
 Total Monetary \$5,000.00
 In-Kind \$0.00

(7) EXPENDITURES THIS REPORT

Monetary Expenditures \$0.00
 Transfers to Office Account \$0.00
 Total Monetary \$0.00

(8) Other Distributions

Certification

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

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

Name of Treasurer Deputy Treasurer

X
Signature

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

Name of Candidate Chairman (PC/PTY Only)

X
Signature

ID: 69885

CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

Page 1 of 1

Name: Moving Florida Forward Today

Report: 2017 M6

Period: 06/09/2017 to 06/30/2017

** Records in Filed Report **

Seq #	Full Name (Last, Suffix, First, Middle)	Contributor	Occupation	Amount
Date	Street Address & City, State, Zip	Type	In-Kind Description	Amend
1	FLORIDA NEIGHBORS 558 W. NEW ENGLAND AVE., STE. 230 WINTER PARK, FL 32789	F		\$5,000.00
06/30/2017		CHE		UPD
* 1	FLORIDA NEIGHBORS 558 W. NEW ENGLAND AVE., STE. 230 WINTER PARK, FL 32789	F		\$5,000.00
		CHE		History 02/02/18

EXHIBIT 3 page 2 of 6

ID:

CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

Name: Moving Florida Forward Today

Report: 2017 M6

Period: 06/09/2017 to 06/30/2017

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

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

EXHIBIT 3 page 3 of 6

ID:

CAMPAIGN TREASURER'S REPORT - ITEMIZED FUND TRANSFERS

Page 1 of 1

Name: Moving Florida Forward Today

Report: 2017 M6

Period: 06/09/2017 to 06/30/2017

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

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

* Incomplete Record

Reviewed On: 2/2/18 4:29 pm

Prepared on: 4/9/18 8:29:44AM

EXHIBIT 3 page 4 of 6

ID:

CAMPAIGN TREASURER'S REPORT - ITEMIZED DISTRIBUTIONS

Page 1 of 1

Name: Moving Florida Forward Today

Report: 2017 M6

Period: 06/09/2017 to 06/30/2017

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

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

EXHIBIT 3 page 5 of 6

Queued Items for 2017-M6

Account: 69885

Moving Florida Forward Today

Rpt Seq: 1

<i>ProcessDescription</i>	<i>Status</i>	<i>Submitter</i>	<i>Created</i>	<i>LastUpdate</i>
Create Pending Report	Processing Complete	69885	7/10/2017 10:33:04 PM	7/10/2017 10:33:04 PM
Review Pending Report	Processing Complete	69885	7/21/2017 8:23:17 PM	7/21/2017 8:23:17 PM
Recalc Pending Report Total	Processing Complete	69885	7/21/2017 8:24:32 PM	7/21/2017 8:24:32 PM
Review Pending Report	Processing Complete	69885	9/29/2017 11:31:24 AM	9/29/2017 11:31:24 AM
Delete Pending Report	Processing Complete	69885	9/29/2017 11:47:22 AM	9/29/2017 11:47:22 AM
Create Pending Report	Processing Complete	69885	9/29/2017 11:47:44 AM	9/29/2017 11:47:44 AM
Review Pending Report	Processing Complete	69885	9/29/2017 12:02:57 PM	9/29/2017 12:02:57 PM
Review Pending Report	Processing Complete	69885	2/1/2018 3:25:11 PM	2/1/2018 3:25:11 PM
Review Pending Report	Processing Complete	69885	2/2/2018 11:52:31 AM	2/2/2018 11:52:31 AM
Recalc Pending Report Total	Processing Complete	69885	2/2/2018 11:53:32 AM	2/2/2018 11:53:32 AM
Review Pending Report	Processing Complete	69885	2/2/2018 11:55:33 AM	2/2/2018 11:55:33 AM
Recalc Pending Report Total	Processing Complete	69885	2/2/2018 11:56:19 AM	2/2/2018 11:56:19 AM
Review Pending Report	Processing Complete	69885	2/2/2018 11:56:23 AM	2/2/2018 11:56:23 AM
File Pending Report	Processing Complete	69885	2/2/2018 11:57:43 AM	2/2/2018 11:57:43 AM
Review Filed Report	Processing Complete	69885	2/2/2018 11:58:31 AM	2/2/2018 11:58:31 AM
Review Filed Report	Processing Complete	69885	2/2/2018 12:03:20 PM	2/2/2018 12:03:20 PM
Recalc Filed Report Totals	Processing Complete	69885	2/2/2018 12:03:56 PM	2/2/2018 12:03:56 PM
Review Filed Report	Processing Complete	69885	2/2/2018 12:04:18 PM	2/2/2018 12:04:18 PM
Recalc Filed Report Totals	Processing Complete	69885	2/2/2018 12:04:18 PM	2/2/2018 12:04:18 PM
Recalc Filed Report Totals	Processing Complete	69885	2/2/2018 12:04:40 PM	2/2/2018 12:04:40 PM
Review Filed Report	Processing Complete	69885	2/2/2018 12:05:35 PM	2/2/2018 12:05:35 PM
Recalc Filed Report Totals	Processing Complete	69885	2/2/2018 12:05:41 PM	2/2/2018 12:05:41 PM
Review Filed Report	Processing Complete	69885	2/2/2018 12:27:19 PM	2/2/2018 12:27:19 PM
Amend Filed Report	Processing Complete	69885	2/2/2018 12:28:11 PM	2/2/2018 12:28:11 PM
Review Pending Report	Processing Complete	69885	2/2/2018 12:29:42 PM	2/2/2018 12:29:42 PM
File Pending Report	Processing Complete	69885	2/2/2018 12:31:14 PM	2/2/2018 12:31:14 PM
Review Filed Report	Processing Complete	69885	2/2/2018 4:17:30 PM	2/2/2018 4:17:30 PM
Amend Filed Report	Processing Complete	69885	2/2/2018 4:18:02 PM	2/2/2018 4:18:02 PM
Review Filed Report	Processing Complete	69885	2/2/2018 4:29:17 PM	2/2/2018 4:29:17 PM
Review Pending Report	Processing Complete	69885	2/5/2018 1:20:44 PM	2/5/2018 1:20:44 PM

EXHIBIT 3 page 6 of 6

Citibank CBO Services 050
P.O. Box 6201
Sioux Falls, SD 57117-6201

001/R1/04F016

000
CITIBANK, N. A.
Account

MOVING FLORIDA FORWARD TODAY
517 MINORCA AVENUE
CORAL GABLES FL 33134

Statement Period
Jun 29 - Jun 30, 2017

Page 1 of 1

CitiBusiness® ACCOUNT AS OF JUNE 30, 2017

Relationship Summary:

Checking	\$5,000.00
Savings	-----
Checking Plus	-----

SUGGESTIONS AND RECOMMENDATIONS

Effective 8/1/2017, the Deposit Assessment Fee charged on your Average Daily Collected Balances will increase from 0.13% to 0.175%.

CHECKING ACTIVITY

CitiBusiness Streamlined Checking

9145323467

Beginning Balance: \$0.00
Ending Balance: \$5,000.00

Date	Description	Debits	Credits	Balance
06/30	DEPOSIT		5,000.00	5,000.00

CUSTOMER SERVICE INFORMATION

IF YOU HAVE QUESTIONS ON:

YOU CAN CALL:

YOU CAN WRITE:

Checking

877-528-0990
(For Speech and Hearing
Impaired Customers Only
TDD: 800-945-0258)

CitiBusiness
100 Citibank Drive
San Antonio, TX 78245-9966

For change in address, call your account officer or visit your branch.

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EXHIBIT 4

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Case No.: FEC 17-295

Respondent: Moving Florida Forward Today
Counsel for Respondent: None

Complainant: Division of Elections
Counsel for Complainant: None

Pursuant to Section 106.25, Florida Statutes, on September 7, 2017, the Florida Elections Commission (Commission) received information from the Division of Elections (Division) that Respondent violated Chapter 106, Florida Statutes. Commission staff, therefore, investigated whether Respondent violated the following statutes:

Section 106.07(7), Florida Statutes, failure of a political committee that did not receive any contributions or make any expenditures during a reporting period to notify timely the filing officer, in writing, that no report is being filed; and

Section 106.19(1)(c), Florida Statutes, prohibiting a person or organization from falsely reporting or deliberately failing to report information required by Chapter 106, Florida Statutes.

I. Preliminary Information:

1. Respondent is a political committee that registered with the Division on June 19, 2017. Tania Cruz is listed as its chairman and treasurer. To review the Statement of Organization, refer to Exhibit 1.
2. Respondent's filing officer is Kristi Willis (f/k/a Kristi Reid-Bronson), Chief, Bureau of Elections Records.
3. Complainant is the Division.

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

4. I investigated whether Respondent violated this section of the election laws by not timely filing a written notice with the filing officer that no report would be filed.
5. According to Complainant, Respondent did not file its 2017 M6 Report. Additionally, Respondent did not timely file a notification, in writing, that no report was being filed.
6. On July 11, 2017, the Division mailed Respondent's chairman, Ms. Cruz, a notification that the 2017 M6 Report had not been filed. The letter reads, "Our records indicate

that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was July 10, 2017." To review a copy of the notification letter, refer to Exhibit 2.

7. The Division mailed a second notice to Respondent's chairman on July 28, 2017. The second notice contain verbiage similar to the initial notification. To review the second notification, refer to Exhibit 3.

8. On August 9, 2017, the Division mailed a "Final Notice" to Respondent's chairman with delivery confirmation. To review the Final Notice with the USPS Tracking Results, refer to Exhibit 4.

9. Respondent's chairman did not provide a written response to the referral. I attempted to call Respondent's chairman; however, I was not successful. I mailed Respondent's chairman a questionnaire affidavit; however, the affidavit was not returned.

10. I subpoenaed bank records from the depository listed on the Statement of Organization, Bank United. Bank United provided a statement that no records were found under Respondent's name. To review the Statement of Organization, refer to Exhibit 1. To review the letter from the bank, refer to Exhibit 5.

11. According to the Division's website, Respondent is still listed as an active committee; however, no financial activity is recorded. To review the downloads from the Division's website, refer to Exhibit 6.

12. Ms. Willis, Respondent's filing officer, also indicated that the 2017 M6 Report remains outstanding. To review the email from Ms. Willis, refer to Exhibit 7.

13. No record of Respondent having previously violated this section of the election laws was found.

III. Alleged Violation of Section 106.19(1)(c), Florida Statutes:

14. I investigated whether Respondent violated this section of the election laws by falsely reporting or deliberately failing to report information required by Chapter 106, Florida Statutes.

15. To review information pertaining to this section of law, refer to paragraphs 5 through 12 of this report.

16. No record of Respondent having previously violated this section of the election law was found.

IV. FEC History:

17. Respondent has not previously appeared before the Commission.

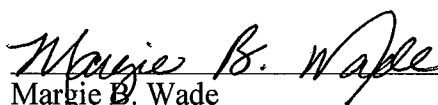
Conclusion:

18. On February 2, 2018, I called Respondent's chairman for the final interview. She did not return my call.

19. On June 20, 2017, Ms. Willis, Respondent's filing officer, mailed Respondent's chairman a letter acknowledging receipt of Respondent's Statement of Organization. The letter informs the reader that all of the Division's publications and reporting forms are available on their website. The letter reads, "**It is your responsibility to read, understand and follow the requirements of Florida's election laws.**" The letter advises the reader to "**print a copy of the flowing documents: Chapter 106, Florida Statutes, Political Committee Handbook, Calendar of Reporting Dates and Rule 1S-2.017, Florida Administrative Code.**" To review Ms. Willis' letter, refer to Exhibit 8. To review the relevant pages of the Handbook, refer to Exhibit 9.

20. Because Respondent has not contacted the Commission or returned an affidavit, I am unable to ascertain whether Respondent has read Chapter 106, Florida Statutes and/or the *Political Committee Handbook*.

Respectfully submitted on February 13, 2018.



Margie B. Wade
Investigation Specialist

Current address of Respondent

Moving Florida Forward Today
517 Minorca Avenue
Coral Gables, Florida 33134

Current address of Complainant

Division of Elections
500 South Bronough Street, Room 316
Tallahassee, Florida 32399

Name and Address of Filing Officer:

Kristi Willis, Chief
Bureau of Elections Records
500 South Bronough Street, Room 316
Tallahassee, Florida 32399

Chair of Committee

Tania Cruz, Chairman
Moving Florida Forward Today
517 Minorca Avenue
Coral Gables, Florida 33134

Copy furnished to:

David Flagg, Investigations Manager

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Moving Florida Forward Today -- FEC 17-295

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	Statement of Organization
Exhibit 2	Notification Letter
Exhibit 3	Second Notice
Exhibit 4	Final Notice
Exhibit 5	Letter from Bank
Exhibit 6	Downloads from the Division's Website
Exhibit 7	Email from Ms. Willis
Exhibit 8	Letter from Ms. Willis
Exhibit 9	Relevant Pages from Handbook

**STATEMENT OF ORGANIZATION
OF POLITICAL COMMITTEE**

(PLEASE TYPE)

OFFICE USE ONLY
DEPARTMENT OF STATE
17 JUN 19 AM 9:47
DIVISION OF ELECTIONS
TALLAHASSEE, FL

1. Full Name of Committee

Moving Florida Forward Today

Telephone

(86) 325-5956

Mailing Address (include city, state and zip code)

517 Minorca Ave., Coral Gables, FL 33134

Street Address (include city, state and zip code)

Same as above

2. Affiliated or Connected Organizations (includes other committees of continuous existence and political committees)

Name of Affiliated or Connected Organization	Mailing Address	Relationship
<i>None</i>		

3. Area, Scope and Jurisdiction of the Committee *Political committee supporting or opposing statewide, legislative, multicounty candidates and for issues.*

4. Nature of Organization or Organization's Special Interest (e.g., medical, legal, education, etc.)

Political

5. Identify by Name, Address and Position, the Custodian of Books and Accounts (include treasurer's name)

Full Name	Mailing Address	Committee Title or Position
<i>Tania Cruz</i>	<i>517 Minorca Ave. Coral Gables, FL 33134</i>	<i>Chair person Treasurer</i>

6. List by Name, Address and Position, Other Principal Officers, Including Officers and Members of the Finance Committee, If Any (include chairman's name)

Full Name	Mailing Address	Committee Title or Position
Tania Cruz	517 Miramar Ave. Coral Gables, FL 33134	Chair person

7. List by Name, Address, Office Sought and Party Affiliation Each Candidate or Other Individual that this Committee is Supporting (if none, please indicate)

Full Name	Mailing Address	Office Sought	Party
TBD			

8. List Any Issues this Committee is Supporting:
List Any Issues this Committee is Opposing: > TBD

9. If this Committee is Supporting the Entire Ticket of a Party, Give Name of Party
 None

10. In the Event of Dissolution, What Disposition will be Made of Residual Funds?
 Return to contributor and/or donate to charity.

11. List all Banks, Safety Deposit Boxes, or Other Depositories Used for Committee Funds

Name of Bank or Depository & Account Number	Mailing Address
Bank United	999 Ponce de Leon Blvd. # 10 Coral Gables, FL 33134

12. List all Reports Required to be Filed by this Committee with Federal Officials and the Names, Addresses and Positions of Such Officials, If Any

Report Title	Dates Required to be Filed	Name & Position of Official	Mailing Address
All applicable IRS filings			

STATE OF Florida COUNTY Miami-Dade

I, Tania Cruz, certify that the information in this Statement of Organization is complete, true and correct.

X Tania Cruz
 Signature of Chairman of Political Committee

6/14/17
 Date



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

July 11, 2017

Tania Cruz, Treasurer
Moving Florida Forward Today
517 Minorca Ave.
Coral Gables
Florida,

PAC 69885

Dear Ms. Cruz:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was July 10, 2017.

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

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

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

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

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

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

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

Second Notice

July 28, 2017

Tania Cruz, Treasurer
Moving Florida Forward Today
517 Minorca Ave.
Coral Gables
Florida,

PAC 69885

Dear Ms. Cruz:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was July 10, 2017.

We mailed, via regular mail, the first notice of the failure to file the above-mentioned report or notification to the address on file with our office on July 11, 2017.

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

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

Final Notice

Delivery Confirmation:

USPS TRACKING # **9114 9014 9645 0849 2366 61**
& CUSTOMER RECEIPT For Tracking or inquiries go to USPS.com
or call 1-800-222-1811

August 9, 2017

Tania Cruz, Treasurer
Moving Florida Forward Today
517 Minorca Ave.
Coral Gables
Florida,

PAC 69885

Dear Ms. Cruz:

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

<u>Year</u>	<u>Report</u>	<u>Cover Period</u>
2017	M6	6/1/17 - 6/30/17

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

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

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

EXHIBIT 4 page 1 of 2

USPS Tracking® Results

[FAQs > \(http://faq.usps.com/?articleId=220900\)](http://faq.usps.com/?articleId=220900)

Track Another Package +

Remove X

Tracking Number: 9114901496450849236661



Delivered

Updated Delivery Day: Saturday, August 12, 2017 ⓘ

Product & Tracking Information

[See Available Actions](#)

Postal Product:

Features:
USPS Tracking®

DATE & TIME	STATUS OF ITEM	LOCATION
August 12, 2017, 3:05 pm	Delivered, In/At Mailbox	MIAMI, FL 33134
▲		
August 12, 2017, 7:39 am	Arrived at Post Office	MIAMI, FL 33134
August 12, 2017, 6:50 am	Arrived at USPS Facility	MIAMI, FL 33134
August 12, 2017, 6:05 am	Arrived at USPS Regional Facility	MIAMI FL DISTRIBUTION CENTER

Your item was delivered in or at the mailbox at 3:05 pm on August 12, 2017 in MIAMI, FL 33134.

EXHIBIT 4 page 2 of 2



December 22, 2017

VIA FEDERAL EXPRESS


Margie B. Wade
Florida Elections Commission
107 W. Gaines Street
Collins Bldg., Suite 224
Tallahassee, FL 32399

**RE: Subpoena for Records
Moving Florida Forward Today**

Dear Ms. Wade:

Please be advised that after a diligent search, there were no records found regarding the above-referenced entity for the requested time frame.

Should you need anything further, feel free to contact the undersigned.

Best Regards,

Maritza Quintero
Legal Specialist
P (305) 231-6779
F (786) 313-1895

MQ

Committee Tracking System

Moving Florida Forward Today

Type:Political Committee

Status:Active

Address:517 Minorca Avenue
Coral Gables, FL 33134

Phone:(786)325-5956

Chairperson:Tania Cruz

Treasurer:Tania Cruz

517 Minorca Ave.
Coral Gables, FL 33134

Registered Agent:Tania Cruz

517 Minorca Avenue
Coral Gables, FL 33134

Purpose:

Affiliates:

Campaign Finance Activity

Campaign Documents

EXHIBIT 6 pages of 2



**Florida Department of State
Division of Elections**

Moving Florida Forward Today

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. If all contributions for a reporting period are less than 1 dollar Then they may not be displayed.

	Filing Period	Contributions			Expend	Other	Transfers
		Monetary	Loans	InKind			
<input checked="" type="radio"/>	All Dates (Totals)						

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 *6 page 2 of 2*

Margie Wade

From: Willis, Kristi R. <Kristi.Willis@DOS.MyFlorida.com>
Sent: Thursday, February 01, 2018 12:10 PM
To: Margie Wade
Subject: RE: 69885

Nothing has been filed.

From: Margie Wade [mailto:Margie.Wade@myfloridalegal.com]
Sent: Tuesday, January 30, 2018 11:02 AM
To: Willis, Kristi R. <Kristi.Willis@DOS.MyFlorida.com>
Subject: 69885

Hi Kristi,

I am writing to inquire whether Ms. Cruz, chairman of Moving Florida Forward Today (account 69885), has filed the 2017 M6 and M7 Reports or notices that no reports would be file. If she filed the reports or notices, please provide the dates the reports or notices were filed and copies of the reports or notices of no report.

Thanks for your assistance in this matter.

Margie B. Wade

Investigation Specialist
Florida Elections Commission
107 West Gaines Street, Suite 224
Tallahassee, Florida 32399
850.922.4539 ex. 113 (phone)
850.921.0783 (fax)

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FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

June 20, 2017

Tania Cruz, Chairperson
Moving Florida Forward Today
517 Minorca Avenue
Coral Gables, Florida 33134

Dear Ms. Cruz:

This will acknowledge receipt of the Statement of Organization and Appointment of Campaign Treasurer and Designation of Campaign Depository for **Moving Florida Forward Today**, which were placed on file in our office on June 19, 2017. This information appears to comply with the requirements of Section 106.03, Florida Statutes, and the name of this organization has been placed on our active committee list as a political committee.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **July 10, 2017**. The report will cover the period of June 1-30, 2017 (M6). All political committees that file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

Credentials and Sign-ons

Below is the web address to access the EFS and the committee's user identification number. The enclosed sealed envelope contains the committee's initial password. Once you have logged in using the initial password, you will be immediately prompted to change it to a confidential sign-on. The chairperson, campaign treasurer, and deputy treasurers are responsible for protecting this password from disclosure and are responsible for all filings using these credentials, unless the Division is notified that your credentials have been compromised.

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

Identification Number: 69885

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/



EXHIBIT 8 page 1 A.3

Tania Cruz, Chairperson
June 20, 2017
Page Two

Pin Numbers

Pin numbers are confidential secure credentials that allow you to submit reports and update information. The enclosed sealed envelopes contain your confidential pin numbers.

Each political committee chairperson is required to provide the Division of Elections with confidential personal information that may be used to allow access in the event that the password is forgotten or lost. When you enter the campaign account screen, there will be a drop down box where you pick a question (such as *What is your mother's maiden name?*) and supply an answer. All passwords and answers to questions are stored as encrypted data and cannot be viewed by Division staff and given out over the phone. Please notify the Division if your credentials have been compromised.

Timely Filing

All reports must be completed and filed through the EFS not later than midnight, Eastern Standard Time, of the due date. Reports not filed by midnight, Eastern Standard Time, 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, Eastern Standard Time, of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

Any political committee failing to file a report on the designated due date is subject to a fine of \$50 per day for the first 3 days and, thereafter, \$500 per day for each day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each primary and general election, the fine shall be \$500 per day, 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 chairperson and campaign treasurer and such persons are subject to the provisions of Section 106.07(5), Florida Statutes.

Tania Cruz, Chairperson
June 20, 2017
Page Three

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: Chapter 106, Florida Statutes, *Political Committee 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 Bronson, Chief
Bureau of Election Records

KRB/zjs

Enclosures

2016 Political Committee Handbook

FLORIDA
★ DIVISION OF ★
ELECTIONS

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. 01/27/2016)

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Chapter 10: Filing Campaign Reports

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

The chairperson and 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 chairperson 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.

*(Sections 106.011
and 106.07, F.S.)*

Where to File

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

Committees filing reports with the Division are required to file by means of the Electronic Filing System (see Chapter 11, Electronic Filing of Campaign Reports). If the committee'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 committee or organization 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 political committee required to file reports with the Division 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.

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

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

Any political committee required to file reports with a filing officer other than the division 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.

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. (See Chapter 12, Electronic Filing of Campaign Reports.)

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

Penalty for Late Filing

Any political committee 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 due immediately prior to the primary and general elections, 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.

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

Notice of No Activity

When there has been no reportable activity in the campaign account during a reporting period (no funds expended or received) the filing of the report is waived. The political committee shall notify the filing officer in writing on or before the prescribed reporting date that no report is being filed on that date. 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.)

A notice of no activity filed with the Division must be filed electronically using the Division's electronic filing system.

(Section 106.0705, F.S.)

Special Election Reports

When a special election is called to fill a vacancy in office, all political committees making contributions or expenditures to influence the results of the special election shall file campaign treasurers' reports with the filing officer on the dates set by the Department of State pursuant to Section 100.111, F.S.

When an election is called for an issue to appear on the ballot at a time when no candidates are scheduled to appear on the ballot, all political committees making contributions or expenditures in support of or in opposition to such issue shall file reports on the 18th and 4th days prior to such election.

Committees are to include on the special election campaign treasurer's reports only expenditures related to the special election made by the committee during the special election reporting periods. All contributions received and all expenditures made not related to the special election during the current quarter should be filed on the next quarterly report. Once a committee has participated in the special election and has filed a special election campaign report, all other special election reports remaining must also be filed by the committee, even if there is no further special election activity.

(Section 106.07(1), F.S.)

Incomplete Reports

Note: The Division's Electronic Filing System will allow a committee to file an incomplete report, however, filing a report that is incomplete means filing a report that is not in compliance with the Florida Statutes.

If a campaign treasurer files a report that is deemed incomplete, he or she will be notified by the filing officer by certified mail, or by another method using a common carrier that provides a proof of delivery as to why the report is incomplete. The campaign treasurer must file an addendum to the incomplete report within seven days of notification. The addendum must include all necessary information to complete the report. Failure to file a complete report after notice constitutes a violation of Chapter 106, F.S.

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

Reporting Total Sums

Each campaign treasurer's report required by Chapter 106, F.S., shall contain the total sums of all loans, in-kind contributions, and other receipts, and total sums of all expenditures made during the reporting period. The reporting forms shall be designed to elicit separate totals for in-kind contributions, loans, and other receipts.

(Section 106.07, F.S.)

Reporting Contributions

Each report must contain:

1. Full name, address, specific occupation, amount, and date of each person making a contribution. Reports must provide as clear a description as practicable of the principal type of business conducted for corporations contributing. Occupations or principal type of business are not required if the contribution is \$100 or less.
2. Name, address, amount, and date of each political committee or organization making any transfer of funds.
3. Full name, address, specific occupation, principal place of business of the lender and endorser, date and amount of each loan.
4. Statement of each contribution, rebate, refund or other receipts not listed in 1. through 3. above.

Multiple uniform contributions from the same person, aggregating no more than \$250 per calendar year, collected by an organization that is the affiliated sponsor of a political committee, may be reported by the political committee in an aggregate amount listing the number of contributors together with the amount contributed by each and the total amount contributed during the reporting period. The identity of each person making such uniform contribution must be reported to the filing officer as provided in subparagraph (a) 1. by July 1 of each calendar year, or, in a general election year, no later than the 60th day immediately preceding the primary election.

(Section 106.07(4), F.S.)

Contributions to a political committee may be received by an affiliated organization and transferred to the bank account of the political committee via check written from the affiliated organization if such contributions are specifically identified as intended to be contributed to the political committee. All contributions received in this manner shall be reported pursuant to Section 106.07, F.S., by the political committee as having been made by the original contributor.

(Section 106.08(10), F.S.)

Returning Contributions

If the contribution to be returned has not been deposited into the campaign account, report the contribution on Form DS-DE 2, Contributions Returned. This form can be found at the following link:

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

If the contribution has been deposited into the campaign account:

1. Report the contribution on the itemized contribution report form;
2. Write a check from the campaign account to the contributor for the amount of the contribution and report this on the itemized contribution report as a negative. The committee may also wish to write the filing officer and explain the error and request that the filing officer place the explanation in the committee's file.

Any contribution received by the chairperson, campaign treasurer, or deputy campaign treasurer of a political committee supporting or opposing a candidate with opposition in an election or supporting or opposing an issue on the ballot in an election on the day of that election or less than five days prior to the day of that election may not be obligated or expended by the committee until after the date of the election.

(Section 106.08, F.S.)

Reporting Expenditures

Each report must contain:

1. Full name and address of each person to whom expenditures have been made, along with the amount, date, and clear purpose of the expenditure. Name, address, and office sought by each candidate on whose behalf such expenditure was made.

2. Full name and address of each person to whom an expenditure for personal services, salary, or reimbursed expenses was made, along with the amount, date and clear purpose of the expenditure. *(See also Reporting Other Distributions)*
3. Total amount withdrawn and the total amount spent for petty cash purposes. Each expenditure from the petty cash fund need not be individually reported but complete records of petty cash expenditures must be kept.
4. Amount and nature of debts and obligations owed by or to the committee, which relate to the conduct of any political campaign.
5. The amount and nature of any separate interest-bearing accounts or certificates of deposit. Identification of the financial institution in which such accounts or certificates of deposit are located must be identified.
6. The primary purposes of an expenditure made indirectly through a campaign treasurer for goods and services such as communications media placement or procurement services, campaign signs, insurance and other expenditures that include multiple components as part of the expenditure. The primary purpose of an expenditure shall be that purpose, including integral and directly related components, that comprises 80 percent of such expenditure. *(See also Reporting Other Distributions)*

(Section 106.07, F.S.)

Reporting Other Distributions

Every distribution should be reported during the coverage period when the distribution actually occurred, as is the case with the expenditures and contributions. The related distribution(s) and expenditure can and often do occur in different reporting periods.

Types of distributions:

- Prepaid
- Credit card purchases/payments
- Reimbursements
- In-kind

Reports must contain:

1. Full name and address of each person to whom payment for reimbursement was made by check drawn upon the campaign account together with the purpose of such payment.
2. Expenditures made indirectly through a treasurer for goods or services, such as communications media placement or procurement services, campaign signs, insurance or other expenditures that include multiple integral components as part of the expenditure.
3. Distribution of goods and services to a candidate, committee or party.

(Section 106.07, F.S.)



FLORIDA ELECTIONS COMMISSION

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

October 25, 2017

Moving Florida Forward Today
Tania Cruz, Chair
517 Minorca Avenue
Coral Gables, FL 33134

RE: Case No.: FEC 17-295; Respondent: Moving Florida Forward Today

Dear Ms. Cruz:

On September 7, 2017, the Florida Elections Commission received a complaint alleging that you violated Florida's election laws. I have reviewed the complaint and find that it contains one or more **legally sufficient allegations**. The Commission staff will investigate the following alleged violations:

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

- 2017 M6

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

- 2017 M6

When we conclude the investigation, a copy of the Report of Investigation (ROI) will be mailed to you at the above address. Based on the results of the investigation, a staff attorney will make a written recommendation (Staff Recommendation or SR) to the Commission as to whether there is probable cause to charge respondent with violating Chapters 104 or 106, Florida Statutes. You will have an opportunity to respond to both the ROI and the SR. The Commission will then hold one or more hearings to determine whether the alleged violations occurred and, if so, the amount

Moving Florida Forward Today
October 25, 2017
Page 2
FEC 17-295

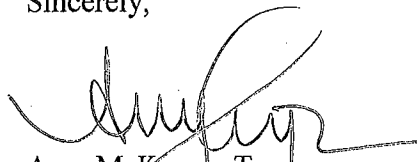
of the fine to be imposed. You and the complainant will receive notice at least 14 days before any hearing at which your case is to be considered.

Please note that all documents related to this matter will be mailed to the above address unless you **notify us of a new address**. Also, please remember that complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 or 106, Florida Statutes, are **confidential** until the Commission finds probable cause or no probable cause.

For additional information, please refer to the "Frequently Asked Questions" section of the Commission's website (www.fec.state.fl.us).

If you have additional questions, please contact **Margie Wade**, the investigator assigned to this case at extension 113.

Sincerely,



Amy McKeever Toman
Executive Director

AMT/enr

**DIVISION OF ELECTIONS
FEC NOTICE FORM**

RECEIVED

To FEC from Division of Elections

2017 SEP -7 P 3:38

STATE OF FLORIDA

Name: Moving Florida Forward Today
Account Number: 69885
Chairperson: Tania Cruz
Treasurer: Tania Cruz
Registered Agent: Tania Cruz

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 the failure to file a report after notice or failure to file a notification to the filing officer in writing that no report was being filed on the prescribed reporting date under s. 106.07(7).

Report(s):

2017 M6

Sent By: Kristi Reid Willis
Date: September 6, 2017 *KRW*

ejr

AFFIDAVIT

STATE OF FLORIDA

County of Leon

Kristi Reid Willis, being duly sworn, says:

1. I am the Chief of the Bureau of Election Records of the Division of Elections (Division). In that capacity, I oversee the Division's duties related to the filing of campaign finance reports.
2. This affidavit is made upon my personal knowledge, including information obtained from review of the attached records, of which I am the custodian.
3. I am of legal age and competent to testify to the matters stated herein.
4. Moving Florida Forward Today (69885) is a political committee registered with the Division. On June 19, 2017, Tania Cruz filed the DSDE 5 and 6 with the Division of Elections indicating that she was the chairperson and treasurer for the committee.
5. The 2017 M6 campaign treasurer's report was due on July 10, 2017. On July 11, 2017, the Division mailed Ms. Cruz notification that the 2017 M6 campaign treasurer's report had not been filed.
6. On July 28, 2017, the Division mailed Ms. Cruz notification that the 2017 M6 campaign treasurer's report had not been filed.
7. On August 9, 2017, the Division mailed Ms. Cruz final notification with delivery confirmation that the 2017 M6 report had not been filed. (See attached letter and delivery confirmation.)
8. Ms. Cruz did not notify the Division of Elections prior to or on the prescribed reporting date for the 2017 M6 report that no report was to be filed.

9. As of September 6, 2017, Ms. Cruz has not filed the 2017 M6 report.

I hereby swear or affirm that the foregoing information is true and correct to the best of my knowledge.

Kurt Reid Willis

Signature of Affiant

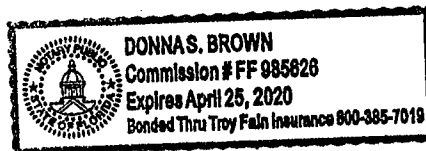
Sworn to (or affirmed) and subscribed before me this **6th** day
of **September, 2017**.

Donna S. Brown

Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known





FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

Final Notice

Delivery Confirmation:

USPS TRACKING # **9114 9014 9645 0849 2366 61**
& CUSTOMER RECEIPT For Tracking or inquiries go to USPS.com
or call 1-800-222-1811

August 9, 2017

Tania Cruz, Treasurer
Moving Florida Forward Today
517 Minorca Ave.
Coral Gables
Florida,

PAC 69885

Dear Ms. Cruz:

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

<u>Year</u>	<u>Report</u>	<u>Cover Period</u>
2017	M6	6/1/17 - 6/30/17

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

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

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

USPS Tracking® Results

FAQs > (<http://faq.usps.com/?articleId=220900>)

Track Another Package +

Remove X

Tracking Number: 9114901496450849236661



Delivered

Updated Delivery Day: Saturday, August 12, 2017 ⓘ

Product & Tracking Information

See Available Actions

Postal Product:

Features:
USPS Tracking®

DATE & TIME	STATUS OF ITEM	LOCATION
August 12, 2017, 3:05 pm	Delivered, In/At Mailbox	MIAMI, FL 33134
▲		
August 12, 2017, 7:39 am	Arrived at Post Office	MIAMI, FL 33134
August 12, 2017, 6:50 am	Arrived at USPS Facility	MIAMI, FL 33134
August 12, 2017, 6:05 am	Arrived at USPS Regional Facility	MIAMI FL DISTRIBUTION CENTER

Your item was delivered in or at the mailbox at 3:05 pm on August 12, 2017 in MIAMI, FL 33134.