

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Hillsborough 1st PAC**

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**Case No.: FEC 22-339**

**TO:** Cindy Zayas, Chair  
1213 Music Tree Place  
Dover, FL 33527

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

**NOTICE OF HEARING (INFORMAL HEARINGS (IH))**

A hearing will be held in this case before the Florida Elections Commission on, **November 14, 2023 at 8:30 a.m., or as soon thereafter as the parties can be heard**, at the following location: **402 South Monroe Street, 12 HOB, Tallahassee, Florida 32399**. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

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

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

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

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

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

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

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

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

**See further instructions on the reverse side.**

**Tim Vaccaro**

Executive Director  
Florida Elections Commission  
October 31, 2023

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

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



# Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-1050

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

[FEC@myfloridalegal.com](mailto:FEC@myfloridalegal.com) · [www.fec.state.fl.us](http://www.fec.state.fl.us)



September 6, 2023

Hillsborough 1st PAC  
Cindy Zayas, Chair  
1213 Music Tree PL  
Dover, FL 33527

**RE: Case No.: FEC 22-339; Respondent: Hillsborough 1st PAC**

Dear Ms. Zayas:

The Florida Elections Commission at its August 15, 2023, virtual meeting was unable to hear this case. Therefore, this case has been rescheduled for its next meeting, which is scheduled for November 14-15, 2023, in Tallahassee. A notice of hearing indicating the exact date and time will be mailed approximately 14 days before the hearing.

If you have any questions, please contact us at the number listed above or at [fec@myfloridalegal.com](mailto:fec@myfloridalegal.com).

Sincerely,

*Tim Vaccaro*

Executive Director

TV/dm

cc: Division of Elections, Complainant

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Hillsborough 1st PAC**

**Case No.: FEC 22-339**

**TO:** Cindy Zayas, Chair  
1213 Music Tree PL  
Dover, FL 33527

Division of Elections  
500 South 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, **August 15, 2023 at 8:30 a.m.**, or as soon thereafter as the parties can be heard, at the following location: **Virtual Meeting via GoTo Webinar:**

**WEB PARTICIPATION:** <https://attendee.gotowebinar.com/register/4391393799096818270>

**AUDIO PARTICIPATION:** 1 877 309 2074    **ATTENDEE ACCESS CODE:** 424-284-031

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:

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

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

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

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

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

**See further instructions on the reverse side.**

**Tim Vaccaro**

Executive Director  
Florida Elections Commission  
August 1, 2023

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

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

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

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

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

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

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

STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION

Florida Elections Commission,  
Petitioner,

Case No.: FEC 22-339

v.

Hillsborough 1st PAC,  
Respondent.

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**ORDER OF PROBABLE CAUSE**

**THIS MATTER** was heard by the Florida Elections Commission (“Commission”) at its regularly scheduled meeting on May 16, 2023, in Tallahassee, Florida.

On February 24, 2023, 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 violations:

**Count 1:**

On or about May 10, 2022, Hillsborough 1st PAC violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 M4 Report.

**Count 2:**

On or about June 10, 2022, Hillsborough 1st PAC violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 M5 Report.

**Count 3:**

On or about June 24, 2022, Hillsborough 1st PAC violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P1 Report.

**Count 4:**

On or about July 1, 2022, Hillsborough 1st PAC violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P1A Report.

**Count 5:**

On or about July 8, 2022, Hillsborough 1st PAC violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P2 Report.

**Count 6:**

On or about July 15, 2022, Hillsborough 1st PAC violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P2A Report.

**Count 7:**

On or about July 22, 2022, Hillsborough 1st PAC violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P3 Report.

**Count 8:**

On or about July 29, 2022, Hillsborough 1st PAC violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P4 Report.

**Count 9:**

On or about August 5, 2022, Hillsborough 1st PAC violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer



in writing on the prescribed reporting date that it would not be filing its 2022 P5 Report.

**DONE AND ORDERED** by the Florida Elections Commission on May 16, 2023.



Tim Vaccaro, J.D., Executive Director  
For Joni Alexis Poitier, Vice Chair  
Florida Elections Commission

Copies furnished to:  
Mattie T. Clay, Assistant General Counsel  
Hillsborough 1st PAC, 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 thirty (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 thirty (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 thirty (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 West 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: Hillsborough 1st PAC**

**Case No.: FEC 22-339**

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**TO:** Cindy Zayas, Chair  
1213 Music Tree PL  
Dover, FL 33527

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

**NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)**

A hearing will be held in this case before the Florida Elections Commission on, **May 16, 2023 at 8:30**, or as soon thereafter as the parties can be heard, at the following location: **Join Zoom Meeting:**

[https://us06web.zoom.us/join/register/tZMpduMuqTsqGt1MNuVpQBO15XPapAI\\_9zfC](https://us06web.zoom.us/join/register/tZMpduMuqTsqGt1MNuVpQBO15XPapAI_9zfC)

Audio Participation:  
Dial: 1 301 715 8592

Meeting ID:  
874 1067 0009

Passcode:  
772737

After registering, you will receive a confirmation email containing information about joining the meeting.

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

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**See further instructions on the reverse side.**

***Tim Vaccaro***

Executive Director  
Florida Elections Commission  
May 2, 2023

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**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Hillsborough 1st PAC**

**Case No.: FEC 22-339**

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**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 106.07(7), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on January 12, 2023, the following facts and law support this staff recommendation:

1. On September 14, 2022, the Florida Elections Commission (“Commission”) received a referral from the Department of State, Division of Elections (“Division”), alleging that Hillsborough 1st PAC (“Respondent”) violated Chapter 106, Florida Statutes.

2. Respondent is a political committee registered with the Division. (ROI Exhibit 2; Attachment A)<sup>1</sup> Cindy Zayas was appointed to serve as the committee’s chairperson, and Anibal Cabrera was appointed to serve as the committee’s treasurer. (ROI Exhibit 1, page 1; ROI Exhibit 2, pages 1-2)

3. By letter dated November 8, 2022, the Executive Director notified Respondent that Commission staff would investigate the following statutory provision:

**Section 106.07(7), Florida Statutes:** As alleged in the complaint, Respondent, a political committee registered with the Division of Elections, 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 periods:

- 2022 M4
- 2022 M5
- 2022 P1
- 2022 P1A
- 2022 P2
- 2022 P2A
- 2022 P3
- 2022 P4
- 2022 P5

4. By letter dated April 27, 2022, Donna S. Brown, Chief, Bureau of Election Records, sent Respondent a letter acknowledging that the Division had received its Statement of Organization and Appointment of Campaign Treasurer and Designation of Campaign Depository for Political Committees forms. (ROI Exhibit 3, page 1)

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<sup>1</sup> The Report of Investigation is referred to herein as “ROI.”

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

6. 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.

7. The *Political Committee Handbook* references the statutory requirement regarding written notification and directs political committees to notify the Division by way of the Division’s electronic filing system. (ROI Exhibit 4, page 2) The *Political Committee EFS User’s Guide* shows the process through which to notify the Division. The user’s guide instructs political committees to select the relevant reporting period and place a checkmark in a box titled “Waiver” to indicate the lack of reportable financial activity. (ROI Exhibit 5, pages 2 & 3)

8. Respondent failed to notify the filing officer on the prescribed reporting dates that no reports would be filed for the following reporting periods, as set forth in the table below. (ROI Exhibit 6, page 1)

<b>Report</b>	<b>Report Cover Period</b>	<b>Date Notification Due</b>	<b>Date Notification Filed</b>	<b>No. of Days Late</b>
2022 M4	4/15/22– 4/30/22	5/10/22	8/6/22	88
2022 M5	5/1/22– 5/31/22	6/10/22	8/6/22	57
2022 P1	6/1/22– 6/17/22	6/24/22	8/6/22	43
2022 P1A	6/18/22– 6/24/22	7/1/22	8/6/22	36
2022 P2	6/25/22– 7/1/22	7/8/22	8/6/22	29
2022 P2A	7/2/22 – 7/8/22	7/15/22	8/6/22	22
2022 P3	7/9/22 – 7/15/22	7/22/22	8/6/22	15
2022 P4	7/16/22 – 7/22/22	7/29/22	8/6/22	8
2022 P5	7/23/22 – 7/29/22	8/5/22	8/6/22	1

9. Commission staff was unable to contact the committee’s chairperson. The committee’s treasurer, Anibal Cabrera, stated that a lengthy illness prevented him from timely filing the notices. The treasurer stated that a destroyed mailbox also interrupted consistent mail delivery and the receipt of the Division’s correspondence. The treasurer stated that the committee



has not had any financial activity; therefore, he considered dissolving the committee. The treasurer stated that the chairperson has been uncommunicative regarding the committee's finances and all correspondence from the Division and the Commission. The treasurer stated that he possessed and read Chapter 106, Florida Statutes, and the *Political Committee Handbook*. (ROI Exhibit 7)

10. "Probable Cause" is defined as reasonable grounds of suspicion supported by circumstances sufficiently strong to warrant a cautious person in the belief that the person has committed the offense charged. *Schmitt v. State*, 590 So. 2d 404, 409 (Fla. 1991). Probable cause exists where the facts and circumstances, of which an [investigator] has reasonably trustworthy information, are sufficient in themselves for a reasonable man to reach the conclusion that an offense has been committed. *Department of Highway Safety and Motor Vehicles v. Favino*, 667 So. 2d 305, 309 (Fla. 1st DCA 1995).

11. The facts set forth above show that Respondent is a political committee registered with the Division. Respondent failed to notify the filing officer on the prescribed reporting dates that no reports would be filed for the 2022 M4, 2022 M5, 2022 P1, 2022 P1A, 2022 P2, 2022 P2A, 2022 P3, 2022 P4, and 2022 P5 reporting periods.

Based upon these facts and circumstances, I recommend that the Commission find probable cause to charge Respondent with violating the following:

**Count 1:**

On or about May 10, 2022, Hillsborough 1st PAC violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 M4 Report.

**Count 2:**

On or about June 10, 2022, Hillsborough 1st PAC violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 M5 Report.

**Count 3:**

On or about June 24, 2022, Hillsborough 1st PAC violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P1 Report.

**Count 4:**

On or about July 1, 2022, Hillsborough 1st PAC violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer

in writing on the prescribed reporting date that it would not be filing its 2022 P1A Report.

**Count 5:**

On or about July 8, 2022, Hillsborough 1st PAC violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P2 Report.

**Count 6:**

On or about July 15, 2022, Hillsborough 1st PAC violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P2A Report.

**Count 7:**

On or about July 22, 2022, Hillsborough 1st PAC violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P3 Report.

**Count 8:**

On or about July 29, 2022, Hillsborough 1st PAC violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P4 Report.

**Count 9:**

On or about August 5, 2022, Hillsborough 1st PAC violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P5 Report.

Respectfully submitted on February 24, 2023.



---

Mattie T. Clay  
Assistant General Counsel



I reviewed this Staff Recommendation this 24<sup>th</sup> day of February 2023.

Handwritten signature of Stephanie J. Cunningham in black ink.

---

Stephanie J. Cunningham  
General Counsel

## *Committee Tracking System*

### **Hillsborough 1st PAC**

**Type:**Political Committee

**Status:**Active

**Address:**817 East Conover Street  
Tampa, FL 33603

**Phone:**(813)409-8465

**Chairperson:**Cindy Zayas  
1213 Music Tree Place  
Dover, FL 33527

**Treasurer:**Anibal D. Cabrera  
817 East Conover Street  
Tampa, FL 33603

**Registered Agent:**Anibal D. Cabrera  
817 East Conover Street  
Tampa, FL 33603

**Purpose:**

**Affiliates:**

Campaign Finance Activity

Campaign Documents

**FLORIDA ELECTIONS COMMISSION**

**Report of Investigation for Failure to Notify Filing Officer**

**Case Number: FEC 22-339**

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

**Respondent: Hillsborough 1<sup>st</sup> PAC**

**Respondent's Atty: N/A**

**Division of Elections (Division)**

**Referral Filed: September 14, 2022**

**Respondent Type: Political Committee**

**I. Preliminary Information:**

1. Respondent is a political committee registered with the Division.

2. An Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 6) was filed on April 25, 2022. Anibal David Cabrera was appointed as campaign treasurer. To review the DS-DE 6, refer to Exhibit 1.

3. A Statement of Organization (DS-DE 5) for the political committee was filed with the Division on April 25, 2022. To review the Statement of Organization, refer to Exhibit 2.

4. An acknowledgement letter was mailed to the address provided on the DS-DE 5 on April 27, 2022, advising Respondent that all political committees filing reports with the Division are required to file by means of the Division's electronic filing system (EFS). Respondent was provided with a user identification number and initial password allowing access to the EFS.

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

6. The *Political Committee Handbook* discusses filing a waiver when there is no activity to disclose. To review the relevant page of the *Handbook*, refer to Exhibit 4.

7. The *Political Committee EFS User's Guide* discusses how to notify the Division on the prescribed reporting date that no report will be filed using the EFS. Specifically, the *Handbook* instructs the user to click the box next to "waiver" if there is no activity to disclose. To review the relevant pages from the *EFS User's Guide*, refer to Exhibit 5.

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

8. I investigated whether Respondent violated this section of the election laws by not timely notifying the filing officer, in writing, that no report(s) would be filed due to not receiving any contributions or making expenditures during the following reporting period(s). To review Respondent's filing history reflecting the untimely filed notification(s) summarized below, refer to Exhibit 6.

**THIS SPACE INTENTIONALLY LEFT BLANK**

Report	Report Cover Period	Date Notification Due	Date Notification Filed	No. of Days Late
2022 M4	4/15/22– 4/30/22	5/10/22	8/6/22	88
2022 M5	5/1/22– 5/31/22	6/10/22	8/6/22	57
2022 P1	6/1/22– 6/17/22	6/24/22	8/6/22	43
2022 P1A	6/18/22– 6/24/22	7/1/22	8/6/22	36
2022 P2	6/25/22– 7/1/22	7/8/22	8/6/22	29
2022 P2A	7/2/22 – 7/8/22	7/15/22	8/6/22	22
2022 P3	7/9/22 – 7/15/22	7/22/22	8/6/22	15
2022 P4	7/16/22 – 7/22/22	7/29/22	8/6/22	8
2022 P5	7/23/22 – 7/29/22	8/5/22	8/6/22	1

9. Respondent did not respond to the referral.

10. On December 21, 2022, I called Respondent’s Treasurer, Mr. Cabrera, for the purpose of providing an opportunity to discuss the allegations made in the referral.<sup>1</sup> Mr. Cabrera explained that a lengthy illness had prevented him from timely filing waivers; further, a destroyed mailbox interrupted consistent mail delivery and receipt of Division correspondence. Mr. Cabrera stated that Respondent has not had any financial activity; therefore, Mr. Cabrera is considering dissolving Respondent. Lastly, Mr. Cabrera stated that Respondent’s Chairperson, Ms. Zayas, has been uncommunicative regarding Respondent’s finances and correspondence from Division and the Commission. Mr. Cabrera explained he was in receipt of and had read Chapter 106, Florida Statutes, and the *Political Committee Handbook*. To review the phone log, refer to Exhibit 7.



**SIGNATURE OF INVESTIGATOR:**

**Date:** January 12, 2023

<sup>1</sup> On December 15, 2022, and December 19, 2022, attempts were made to contact Cindy Zayas, Respondent’s Chairperson, via phone. After these failed attempts, I conducted the phone interview with Respondent’s Treasurer, Mr. Cabrera.

**FLORIDA ELECTIONS COMMISSION**  
**REPORT OF INVESTIGATION**  
**Hillsborough 1<sup>st</sup> PAC -- FEC 22-339**

<b>LIST OF EXHIBITS</b>	
<b>Exhibits #s</b>	<b>Description of Exhibits</b>
Exhibit 1	DS-DE 6
Exhibit 2	Statement of Organization
Exhibit 3	Acknowledgment Letter
Exhibit 4	<i>Political Committee Handbook</i> pages
Exhibit 5	<i>EFS User's Guide</i> pages
Exhibit 6	Filing History
Exhibit 7	Phone Log

**APPOINTMENT OF CAMPAIGN TREASURER  
AND DESIGNATION OF CAMPAIGN  
DEPOSITORY FOR  
POLITICAL COMMITTEES**  
(Sections 106.011(2) and 106.021(1), F.S.)

RECEIVED

2022 APR 25 AM 8:48

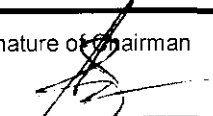
CLERK OF SUPERIOR COURT  
TALLAHASSEE, FL

**CHECK APPROPRIATE BOX:**

Initial Filing for:  Primary Treasurer  Deputy Treasurer

Re-filing to Change  Primary Treasurer  Deputy Treasurer  Primary/Secondary Depository

OFFICE USE ONLY

1. Committee HILLSBOROUGH 1ST PAC		2. Telephone ( 813 ) 409-8465	
3. Name of Treasurer or Deputy Treasurer <b>ANIBAL D CABRERA</b>		4. Email (optional) threebridgesadvisory@gmail.com	
5. Telephone (optional) ( 813 ) 409-8465			
6 Mailing Address 817 E CONOVER ST, TAMPA, FL 33603			
7. Street Address 817 E CONOVER ST, TAMPA, FL 33603			
8 The following bank has been designated as the <input checked="" type="checkbox"/> Primary Depository <input type="checkbox"/> Secondary Depository			
9. Name of Bank TRUIST BANK		10 Street Address 1701 E 7TH AVE	
11. City TAMPA		12 State FL	13. Zip Code 33605
14. Signature of Chairman 		15. Name of Chairman (Print or Type) CINDY ZAYAS	

**Campaign Treasurer's Acceptance of Appointment**

I, ANIBAL DAVID CABRERA, do hereby accept the appointment as  
(Please Print or Type)  
treasurer or deputy treasurer for HILLSBOROUGH 1ST PAC  
(Committee)

**UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING CAMPAIGN TREASURER'S  
ACCEPTANCE OF APPOINTMENT AND THAT THE FACTS STATED ARE TRUE.**

4/14/22 Date   Signature of Campaign Treasurer or Deputy Treasurer

**STATEMENT OF ORGANIZATION  
OF POLITICAL COMMITTEE**

(PLEASE TYPE)

OFFICE USE ONLY

RECEIVED

2022 APR 25 AM 8:47

**1. Full Name of Committee**

HILLSBOROUGH 1ST PAC

Telephone

813-409-8465

Mailing Address (include city, state and zip code)

817 E CONOVER ST, TAMPA, FL 33603

Street Address (include city, state and zip code)

817 E CONOVER ST, TAMPA, FL 33603

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

Name of Affiliated or  
Connected Organization

Mailing Address

Relationship

NONE

**3. Area, Scope and Jurisdiction of the Committee**

Supporting and/or Opposing Candidates & Issues, for Statewide Legislative, Multiple Counties & Municipalities.

**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

ANIBAL DAVID  
CABRERA

817 E CONOVER ST,  
TAMPA, FL 33603

TREASURER



<b>6. List by Name, Address and Position, Other Principal Officers, Including Officers and Members of the Finance Committee, If Any (include chairman's name)</b>			
Full Name	Mailing Address	Committee Title or Position	
CINDY ZAYAS	1213 MUSIC TREE PL, DOVER, FL 33527	CHAIRMAN	
<b>7. List by Name, Address, Office Sought and Party Affiliation Each Candidate or Other Individual that this Committee is Supporting (if none, please indicate)</b>			
Full Name	Mailing Address	Office Sought	Party
TBD			
<b>8. List Any Issues this Committee is Supporting: TO BE DETERMINED</b>			
List Any Issues this Committee is Opposing: TO BE DETERMINED			
<b>9. If this Committee is Supporting the Entire Ticket of a Party, Give Name of Party</b>			
NONE			
<b>10. In the Event of Dissolution, What Disposition will be Made of Residual Funds?</b>			
GIVE TO LIKE MINDED STATE COMMITTEE AND OR CANDIDATE			
<b>11. List all Banks, Safety Deposit Boxes, or Other Depositories Used for Committee Funds</b>			
Name of Bank or Depository & Account Number		Mailing Address	
NO		TRUIST BANK 1701 E 7TH, TAMPA, FL 33605	
<b>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</b>			
Report Title	Dates Required to be Filed	Name & Position of Official	Mailing Address
N/A			
STATE OF <u>FLORIDA</u> <u>HILLSBOROUGH</u> COUNTY			
I, <u>CINDY ZAYAS</u> , certify that the information in this Statement of			
Organization is complete, true and correct.			
<input checked="" type="checkbox"/>		Date	
Signature of Chairman of Political Committee		01/14/2022	



## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**LAUREL M. LEE**  
Secretary of State

April 27, 2022

Cindy Zayas, Chairperson  
Hillsborough 1st PAC  
1213 Music Tree Place  
Dover, Florida 33527

Dear Ms. Zayas:

This will acknowledge receipt of the Statement of Organization and Appointment of Campaign Treasurer and Designation of Campaign Depository for **Hillsborough 1st PAC**, which were placed on file in our office on April 25, 2022. 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 **May 10, 2022**. The report will cover the period of April 1-30, 2022 (2022 M4). 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).

### EFS Access

Below is the web address to access the EFS and the committee's user identification number. Enclosed are the committee's confidential, filing credentials.

**EFS Website Address:** <https://efs.dos.state.fl.us>  
**Identification Number:** 80526

### Timely Filing

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

Cindy Zayas, Chairperson  
April 27, 2022  
Page Two

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 three days late and, thereafter, \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

### **Electronic Receipts**

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

### **Instructions and Assistance**

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

**All of the Division's publications and reporting forms are available on the Division of Elections' website at <https://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,



Donna S. Brown, Chief  
Bureau of Election Records

DSB/kaf

Enclosures

pc: Anibal D. Cabrera, Treasurer

# Political Committee Handbook



Florida Department of State  
Division of Elections  
R. A. Gray Building, Room 316  
500 South Bronough Street  
Tallahassee, FL 32399-0250  
850.245.6280

(Rev. 9/27/2019)

Any political committee required to file reports with a filing officer other than the Division must file reports on the 60<sup>th</sup> day immediately preceding the primary election and bi-weekly on each Friday thereafter through and including the 4<sup>th</sup> day immediately preceding the general election, with additional reports due on the 25<sup>th</sup> and 11<sup>th</sup> 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 five days after the designated due date that was delivered by the U.S. Postal Service is deemed timely filed unless it has a postmark indicating the report was mailed after the designated due date. A certificate of mailing obtained from and dated by the U.S. Postal Service at the time of mailing or a receipt from an established courier company, which bears a date on or before the date on which the report is due, is proof of mailing in a timely manner.

Reports filed with the Division through the [Electronic Filing System \(EFS\)](#) are due no later than midnight, Eastern Time, of the due date.

*(Sections [106.07](#), [106.0705](#), and [106.141](#), Fla. Stat.;  
[Chapter 11: Electronic Filing of Campaign Reports](#))*

### 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\(8\)](#), Fla. Stat.)*

### 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. However, the political committee **must notify the filing officer in writing on or before the prescribed reporting date that no report is being filed on that date.** (A notice of no activity filed with the Division must be filed electronically using the [EFS](#).) The next report filed must specify that the report covers the entire period between the last submitted report and the report being filed.

*(Sections [106.07\(7\)](#) and [106.0705](#), Fla. Stat.)*

**Department of State  
Division of Elections**

# **Political Committee EFS User's Guide**



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

**EFS HELP LINE: 850-245-6280**

**January 2011**

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

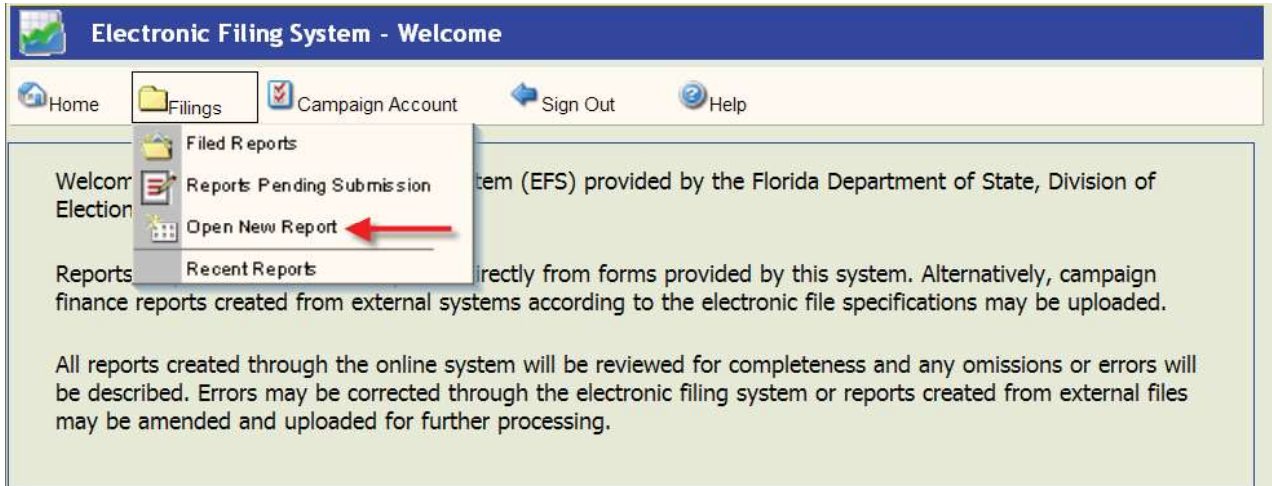
DS-DE 110B (eff. 01/11)

# Create a New Report by Data Entry

From the Welcome screen, click



and then



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

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


Election Cycle:

Report Type:

Coverage Period:   Due Date:

Special Election Report  Waiver

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

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

Click  arrow next to **Report Type** select report type corresponding to the correct cover period and due date.

The **Cover Period** dates will automatically fill in based on the **Calendar of Election and Reporting Dates**.



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

If this report is for a special election, click the  box next to **Special Election Report**. (If no special elections are scheduled this option will not be available.)

**\*\*\*\*\*NOTE\*\*\*\*\***

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

Election Cycle: 2010 General Election  
Report Type: F2 2010  
Coverage Period: 7/17/2010 7/30/2010 Due Date: 08/06/2010  
 Special Election Report  Waiver

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

Report: 2010 - G4 - 27 2010 General Election Covers: 10/16/2010-10/28/2010 Due: 10/29/2010

Amendment  Waiver Complete Status: Incomplete Detail Records  
File Date: Review Status: Not Reviewed  
Status: Data Entry Last Review:

# of Transactions: 0

Contributions		Total Amount	Expenditures		Total Amount
Cash and Checks:		0.00	Monetary:		0.00
Loans:		0.00	Transfers to Off Acct:		0.00
Total Monetary:		0.00	Total Monetary:		0.00
In-Kind:		0.00	Other Distributions:		0.00

Review Messages

Created: 10/26/2010 11:41:25 AM By: 50552 Revised: 10/26/2010 11:41:25 AM By: 50552

# File the Report

If the **Review Status** is Updated Detail – Needs Review the report has not been reviewed since the last update. (See page 39 for instructions on how to submit the report to the system for review.)

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

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

Amendment     Waiver    Complete Status: Complete Detail Records

File Date:     Review Status: Reviewed

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

# of Transactions: 1    **Review**    **Recalculate**    **Go To File Report**    **Append File**    **Delete Report**    **Save**

Contributions		Total Amount	Expenditures		Total Amount
Cash and Checks:	<input type="text"/>	0.00	Monetary:	<input type="text"/>	51.00
Loans:	<input type="text"/>	0.00	Transfers to Off Acct:	<input type="text"/>	0.00
Total Monetary:	<input type="text"/>	0.00	Total Monetary:	<input type="text"/>	51.00
In-Kind:	<input type="text"/>	0.00	Other Distributions:	<input type="text"/>	0.00

Review Messages:

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

Click on **Go To File Report**.

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

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

Step 1: Enter the candidate/chairperson PIN.

Step 2: Select the 'Report Approved' button.

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

Review Status: Reviewed

Original     Amended

Waiver

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

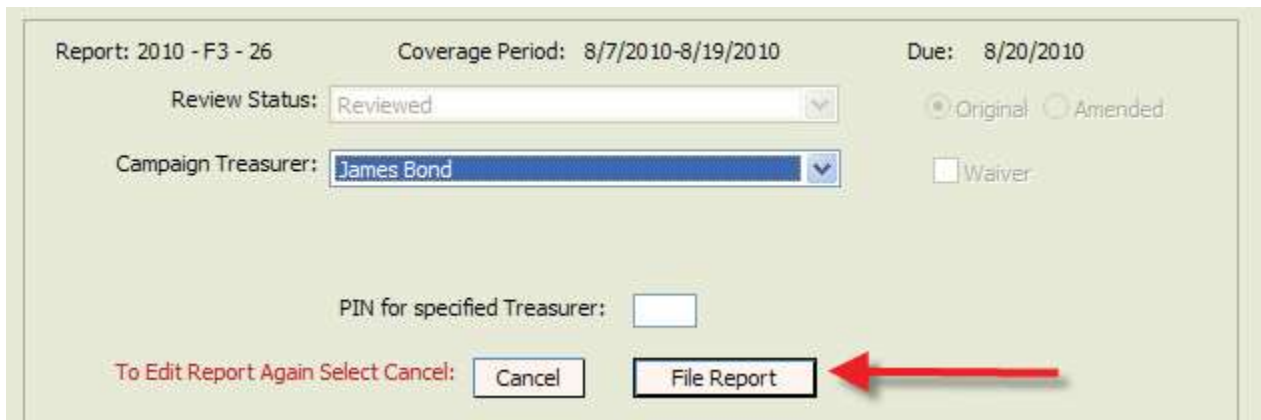
If there is more than one treasurer, click on the drop down and select the treasurer that is filing the report.



Campaign Treasurer: James Bond

A red arrow points to the dropdown arrow on the right side of the 'James Bond' selection.

The treasurer enters his PIN and then clicks **File Report**.



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

Review Status: Reviewed

Campaign Treasurer: James Bond

PIN for specified Treasurer:

To Edit Report Again Select Cancel:

Options:  Original  Amended  Waiver

A red arrow points to the 'File Report' button.

**IMPORTANT NOTE:** If changes need to be made after a chairperson PIN is entered, the treasurer must undo the chairperson PIN validation before the system will allow changes. See page 49 for instructions.



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### Florida Department of State - Division of Elections

### Florida Election System Reports

Candidate/Committee Lookup

**Pol Action Comm**  
**Name:** Hillsborough 1st PAC

**Name:** hillsborough 1st

**Account:** 80526

Election:

Acct: 80526

Type: Pol Action Comm

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
12/12/2022	M11	12/12/2022						
11/4/2022	G6	11/4/2022						
11/3/2022	D6	11/3/2022						
11/2/2022	D5	11/2/2022						
11/1/2022	D4	11/1/2022						
10/31/2022	D3	10/31/2022						
10/30/2022	D2	10/30/2022						
10/29/2022	D1	10/29/2022						
10/28/2022	G5	10/28/2022						
10/21/2022	G4A	10/21/2022						
10/14/2022	G4	10/14/2022						
10/7/2022	G3	10/7/2022						
10/7/2022	G3A	10/7/2022						
9/23/2022	G2A	9/23/2022						
9/16/2022	G2	9/16/2022						
9/9/2022	G1A	9/9/2022						
9/2/2022	G1	9/9/2022	CLO	7	\$0.00		\$0.00	\$0.00
8/26/2022	P7A	9/9/2022	PEN	14	\$0.00		\$0.00	\$0.00
8/19/2022	P7	9/9/2022	PEN	21	\$0.00		\$0.00	\$0.00
8/12/2022	P6	9/9/2022	PEN	28	\$0.00		\$0.00	\$0.00
8/5/2022	P5	8/6/2022	CLO	1	\$0.00		\$0.00	\$0.00
7/29/2022	P4	8/6/2022	CLO	8	\$0.00		\$0.00	\$0.00
7/22/2022	P3	8/6/2022	CLO	15	\$0.00		\$0.00	\$0.00
7/15/2022	P2A	8/6/2022	CLO	22	\$0.00		\$0.00	\$0.00
7/8/2022	P2	8/6/2022	CLO	29	\$0.00		\$0.00	\$0.00
7/1/2022	P1A	8/6/2022	CLO	36	\$0.00		\$0.00	\$0.00
6/24/2022	P1	8/6/2022	CLO	43	\$0.00		\$0.00	\$0.00
6/10/2022	M5	8/6/2022	CLO	57	\$0.00		\$0.00	\$0.00
5/10/2022	M4	8/6/2022	PEN	88	\$0.00		\$0.00	\$0.00

**FLORIDA ELECTIONS COMMISSION  
PHONE LOG  
Case No.: FEC 22-339**

**Respondent:** Hillsborough 1<sup>st</sup> PAC

**Complainant:** Division of Elections

1. **Date and time:** 12/15/22 @ 11:50am  
**Name:** Cindy Zayas/ Mr. Anibal David Cabrera  
**Phone #:** 813-409-8465  
**Summary:** I called Resp's chair using phone number on qualifying docs. I reached Mr. Anibal Cabrera, the PAC's treasurer. He stated that Ms. Zayas was not available and took a message. Mr. Cabrera stated that he was the treasurer and offered to answer questions regarding the PAC, but I deferred to speaking directly to the chair. He was very friendly and took my information.  
**Entered by:** CHS
2. **Date and time:** 12/19/22 @ 2:00pm  
**Name:** Cindy Zayas or Mr. Anibal David Cabrera  
**Phone #:** 813-409-8465  
**Summary:** I called Respondent and reached an automated voicemail, stating that the phone number was unavailable, and the mailbox was full. I was unable to leave a message.  
**Entered by:** CHS
3. **Date and time:** 12/21/22 @ 10:13am  
**Name:** Mr. Anibal "David" Cabrera  
**Phone #:** 813-409-8465  
**Summary:** I reached Mr. Cabrera, campaign treasurer. He stated that he has forwarded my information to chair, Cindy Zayas, but she has been unresponsive. Further, he explained that they were looking to replace her, as she was uncommunicative and was not participating in anything with the PAC. Mr. Cabrera was very forthcoming and willing to speak to me at length about the PAC. (**See memo below**)  
**Entered by:** CHS

**RESPONDENT INTERVIEW MEMO – Call details at #[813-409-8465]**

- Why were you unable to timely file reports or waivers for the 9 reporting periods?
  - Mr. Cabrera explained that he was aware that reports (or waivers) needed to be regularly filed. However, he became very ill with Covid and then an upper respiratory infection, which lasted for several months. At one point he was hospitalized with the illness. In the aftermath, he filed all late-waivers on the same date (8/6/22).
- Who was responsible for completing/filing the campaign treasurer reports?
  - Mr. Cabrera was responsible for completing and filing reports and waivers.
- Has your mailing address changed recently?
  - Mr. Cabrera explained that the Tampa-address was correct. However, a FedEx truck destroyed the mailbox, some mail has been lost, and he has relied on a PO Box and sporadic deliveries. He may not have received all correspondence.

- Who logged-in and filed the waivers on 8/6/22?
  - Mr. Cabrera.
- Have you ever run for public office? If so, please name each office you ran for and state what year each election occurred.
  - No, Mr. Cabrera has never run for public office.
- Have you ever been appointed to act as a campaign treasurer for a candidate? If so, please name each such candidate, the office each ran for, and state what year each election occurred.
  - Yes. Mr. Cabrera previously acted as campaign treasurer for Stacey Patel; it appears this was during the Special Election on December 19, 2017 for State Representative, District 58.
- Have you ever held the office of chairperson, treasurer, or other similar position for a political committee or electioneering communications organization? If so, please name each committee:
  - Yes. However, he usually works with an assistant treasurer or chair. He's used to having assistance and other people working alongside him.
  - Currently, he is campaign treasurer for the following active PACs:
    - Citizens of Florida
    - Front Line Patriots Fund, Inc.
    - Future of Liberty Fund
    - Blacks for DeSantis PAC
    - Conservative Leaders for Liberty
    - Freedom PAC
    - Hillsborough United
    - Action Up America
    - Action Up Florida
    - Citizens for Jax
    - Conservative Leadership Coalition
    - Last Line of Defense Fund
    - Pinellas Now
- Have you ever prepared or signed a campaign treasurer's report? If so, please state the name of the candidate or committee whose report you prepared or signed.
  - Yes. Mr. Cabrera has completed and filed CTRs for the above-referenced PACs.
- Do you possess a copy of Chapter 106, Florida Statutes? If so, when did you first obtain it? Have you read it?
  - Yes
- Do you possess a copy of the *Political Committee Handbook*? If so, when did you first obtain it? Have you read it?
  - Yes
- Do you have anything else to add for the Commission's consideration regarding the charges specified in the letter of legal sufficiency in this case?
  - Mr. Cabrera reiterated that health issues, problems with mail delivery, and an uncommunicative chair impacted his ability to timely file reports/waivers. He mentioned that the PAC has not had any financial activity. Finally, Mr. Cabrera said that he is considering shutting down the PAC and potentially removing Respondent from qualifying documents.



# Florida Elections Commission

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



November 8, 2022

Cindy Zayas, Chair  
Hillsborough 1<sup>st</sup> PAC  
1213 Music Tree Place  
Dover, FL 33527

**RE: Case No.: FEC 22-339; Respondent: Hillsborough 1<sup>st</sup> PAC**

Dear Ms. Zayas:

On September 14, 2022, the Florida Elections Commission received a complaint alleging your committee violated Florida's election laws. I have reviewed the complaint and find that it contains one or more **legally sufficient allegations**. The Commission staff will investigate the following alleged violation(s):

**Section 106.07(7), Florida Statutes:** As alleged in the complaint, Respondent, a political committee registered with the Division of Elections, 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 periods:

- 2022 M4
- 2022 M5
- 2022 P1
- 2022 P1A
- 2022 P2
- 2022 P2A
- 2022 P3
- 2022 P4
- 2022 P5

However, prior to an investigation, you have the option to **resolve your case now by** signing a minor violation consent order and **paying a fine of \$450**, per Rule 2B-1.003, Florida Administrative Code, **rather than the potential \$1,000 per violation** provided for in Section 106.265, Florida Statutes.

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



Cindy Zayas  
November 8, 2022  
Page 2  
FEC 22-339

The signed consent order would then be considered by the Commission at its next available meeting and would constitute final action by the Commission once it is accepted and approved by the Commission. You and the Complainant will receive notice at least 14 days before any hearing at which your case is to be considered.

**Please contact Mattie Clay by phone at (850) 922-4539, by email at Mattie.Clay@myfloridalegal.com,** or at the address listed above, to accept this minor violation consent order.

If you choose not to resolve this case by consent order, an investigation will be conducted, the Commission will hold one or more hearings to determine whether the alleged violation(s) occurred and, if so, the amount of fine to be imposed upon your committee.

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

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Tim Vaccaro", written over a light gray rectangular background.

Tim Vaccaro  
Executive Director

TV/jd

## DIVISION OF ELECTIONS FEC NOTICE FORM

To FEC from Division of Elections

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**Name:** Hillsborough 1<sup>st</sup> PAC  
**Account Number:** 80526  
**Chairperson:** Cindy Zayas  
**Treasurer:** Anibal D. Cabrera  
**Registered Agent:** Anibal D. Cabrera

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The Division of Elections hereby provides this notice to the Florida Elections Commission pursuant to sections 106.07(8)(d), 106.22(7), and 106.25(2), Florida Statutes. An apparent violation of Chapter 106, Florida Statutes, has occurred based upon repeated late filings or failure to notify the filing officer in writing that no report was being filed on the prescribed reporting date as required by section 106.07(7), Florida Statutes, for the following reports:

2022 M4	2022 M5	2022 P1
2022 P1A	2022 P2	
2022 P2A	2022 P3	
2022 P4	2022 P5	

- Hillsborough 1<sup>st</sup> PAC (80526) is a political committee registered with the Division of Elections. On April 25, 2022 the committee filed the DSDE 5 and DSDE 6 with the Division appointing Cindy Zayas as the chairperson and Anibal D. Cabrera as the treasurer for the committee.
- The 2022 M4 campaign treasurer's report was due on May 10, 2022. Hillsborough 1<sup>st</sup> PAC failed to notify the Division that no report was being filed on the prescribed reporting date. On August 6, 2022, the committee filed a notification of no activity. (See attached file receipt.)
- The 2022 M5 campaign treasurer's report was due on June 10, 2022. Hillsborough 1<sup>st</sup> PAC failed to notify the Division that no report was being filed on the prescribed reporting date. On August 6, 2022, the committee filed a notification of no activity. (See attached file receipt.)

- The 2022 P1 campaign treasurer's report was due on June 24, 2022. Hillsborough 1<sup>st</sup> PAC failed to notify the Division that no report was being filed on the prescribed reporting date. On August 6, 2022, the committee filed a notification of no activity. (See attached file receipt.)
- The 2022 P1A campaign treasurer's report was due on July 1, 2022. Hillsborough 1<sup>st</sup> PAC failed to notify the Division that no report was being filed on the prescribed reporting date. On August 6, 2022, the committee filed a notification of no activity. (See attached file receipt and letter.)
- The 2022 P2 campaign treasurer's report was due on July 8, 2022. Hillsborough 1<sup>st</sup> PAC failed to notify the Division that no report was being filed on the prescribed reporting date. On August 6, 2022, the committee filed a notification of no activity. (See attached file receipt.)
- The 2022 P2A campaign treasurer's report was due on July 15, 2022. Hillsborough 1<sup>st</sup> PAC failed to notify the Division that no report was being filed on the prescribed reporting date. On August 6, 2022, the committee filed a notification of no activity. (See attached file receipt and letter.)
- The 2022 P3 campaign treasurer's report was due on July 22, 2022. Hillsborough 1<sup>st</sup> PAC failed to notify the Division that no report was being filed on the prescribed reporting date. On August 6, 2022, the committee filed a notification of no activity. (See attached file receipt.)
- The 2022 P4 campaign treasurer's report was due on July 29, 2022. Hillsborough 1<sup>st</sup> PAC failed to notify the Division that no report was being filed on the prescribed reporting date. On August 6, 2022, the committee filed a notification of no activity. (See attached file receipt and letter.)
- The 2022 P5 campaign treasurer's report was due on August 5, 2022. Hillsborough 1<sup>st</sup> PAC failed to notify the Division that no report was being filed on the prescribed reporting date. On August 6, 2022, the committee filed a notification of no activity. (See attached file receipt and letter.)

---

**Sent By:** Donna S. Brown  
**Date:** September 9, 2022  
jmn

 **Treasurer Report Status**ID: **80526**      Name: **Hillsborough 1st PAC**

Report: 2022 - M4 - 1

Print Date: **8/18/2022 11:37:27 AM**

Election: 2022 General Election

Covers: 4/15/2022-4/30/2022

 Amended     Waiver

Due: 5/10/2022

Filed: **8/6/2022 12:25:41 AM**File Status: **Filed Report**Reviewed: **8/6/2022**Review Status: **Reviewed**Detail Complete: **No Detail Records Found**

File Method: Web Filed

Entry Method: Web Data Entry

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

Contributions: 0

Expenditures: 0

Fund Transfers: 0

Distributions: 0

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

 **Treasurer Report Status**

**ID: 80526**      **Name: Hillsborough 1st PAC**

Report: 2022 - M5 - 2

Print Date: **8/18/2022 11:39:12 AM**

Election: 2022 General Election

Covers: 5/1/2022-5/31/2022

Amended     Waiver

Due: 6/10/2022

Filed: **8/6/2022 12:28:02 AM**

File Status: **Filed Report**

Reviewed: **8/6/2022**

Review Status: **Reviewed**

Detail Complete: **No Detail Records Found**

File Method: Web Filed

**Number of Detail Records**

Entry Method: Web Data Entry

Contributions: 0

Expenditures: 0

Pending Queued Items: **0**

Fund Transfers: 0

Distributions: 0

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

 Treasurer Report Status

ID: <b>80526</b>	Name: <b>Hillsborough 1st PAC</b>
Report: 2022 - P1 - 3	Print Date: <b>8/18/2022 11:38:46 AM</b>
Election: 2022 General Election	
Covers: 6/1/2022-6/17/2022	<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Waiver
Due: 6/24/2022	
Filed: <b>8/6/2022 12:29:48 AM</b>	File Status: <b>Filed Report</b>
Reviewed: <b>8/6/2022</b>	Review Status: <b>Reviewed</b>
	Detail Complete: <b>No Detail Records Found</b>
File Method: Web Filed	<b><u>Number of Detail Records</u></b>
Entry Method: Web Data Entry	Contributions: 0
	Expenditures: 0
Pending Queued Items: <b>0</b>	Fund Transfers: 0
	Distributions: 0
To Print Report: Right Click Mouse and Select 'Print'	

 Treasurer Report Status

ID: <b>80526</b>	Name: <b>Hillsborough 1st PAC</b>
Report: 2022 - P1A - 4	Print Date: <b>8/18/2022 11:38:34 AM</b>
Election: 2022 General Election	
Covers: 6/18/2022-6/24/2022	<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Waiver
Due: 7/1/2022	
Filed: <b>8/6/2022 12:30:25 AM</b>	File Status: <b>Filed Report</b>
Reviewed: <b>8/6/2022</b>	Review Status: <b>Reviewed</b>
	Detail Complete: <b>No Detail Records Found</b>
File Method: Web Filed	<b><u>Number of Detail Records</u></b>
Entry Method: Web Data Entry	Contributions: 0
	Expenditures: 0
Pending Queued Items: <b>0</b>	Fund Transfers: 0
	Distributions: 0
To Print Report: Right Click Mouse and Select 'Print'	





FLORIDA DEPARTMENT OF STATE

**Cord Byrd**  
Secretary of State

DIVISION OF ELECTIONS

August 26, 2022

Anibal D. Cabrera, Treasurer  
Hillsborough 1st PAC  
817 East Conover Street  
Tampa, FL 33603-3603

PAC 80526

Dear Mr. Cabrera:

The notification that you had no reportable activity for the report deadline of July 1, 2022, was not filed until August 6, 2022. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

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

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

Sincerely,

Donna S. Brown, Chief  
Bureau of Election Records

cc: Cindy Zayas, Chairperson



 **Treasurer Report Status**

**ID: 80526**      **Name: Hillsborough 1st PAC**

Report: 2022 - P2 - 5

Print Date: **8/18/2022 11:39:01 AM**

Election: 2022 General Election

Covers: 6/25/2022-7/1/2022

Amended     Waiver

Due: 7/8/2022

Filed: **8/6/2022 12:30:53 AM**

File Status: **Filed Report**

Reviewed: **8/6/2022**

Review Status: **Reviewed**

Detail Complete: **No Detail Records Found**

File Method: Web Filed

**Number of Detail Records**

Entry Method: Web Data Entry

Contributions: 0

Expenditures: 0

Pending Queued Items: **0**

Fund Transfers: 0

Distributions: 0

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

 **Treasurer Report Status**

ID: **80526**      Name: **Hillsborough 1st PAC**

Report: 2022 - P2A - 6

Print Date: **8/18/2022 11:39:38 AM**

Election: 2022 General Election

Covers: 7/2/2022-7/8/2022

Amended     Waiver

Due: 7/15/2022

Filed: **8/6/2022 12:31:21 AM**

File Status: **Filed Report**

Reviewed: **8/6/2022**

Review Status: **Reviewed**

Detail Complete: **No Detail Records Found**

File Method: Web Filed

**Number of Detail Records**

Entry Method: Web Data Entry

Contributions: 0

Expenditures: 0

Pending Queued Items: **0**

Fund Transfers: 0

Distributions: 0

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



FLORIDA DEPARTMENT OF STATE  
**Cord Byrd**  
Secretary of State  
DIVISION OF ELECTIONS

August 26, 2022

Anibal D. Cabrera, Treasurer  
Hillsborough 1st PAC  
817 East Conover Street  
Tampa, FL 33603-3603

PAC 80526

Dear Mr. Cabrera:

The notification that you had no reportable activity for the report deadline of July 15, 2022, was not filed until August 6, 2022. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

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

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

Sincerely,

Donna S. Brown, Chief  
Bureau of Election Records

cc: Cindy Zayas, Chairperson

 Treasurer Report Status

ID: <b>80526</b>	Name: <b>Hillsborough 1st PAC</b>
Report: 2022 - P3 - 7	Print Date: <b>8/18/2022 11:38:20 AM</b>
Election: 2022 General Election	
Covers: 7/9/2022-7/15/2022	<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Waiver
Due: 7/22/2022	
Filed: <b>8/6/2022 12:31:47 AM</b>	File Status: <b>Filed Report</b>
Reviewed: <b>8/6/2022</b>	Review Status: <b>Reviewed</b>
	Detail Complete: <b>No Detail Records Found</b>
File Method: Web Filed	<b><u>Number of Detail Records</u></b>
Entry Method: Web Data Entry	Contributions: 0
	Expenditures: 0
Pending Queued Items: <b>0</b>	Fund Transfers: 0
	Distributions: 0
To Print Report: Right Click Mouse and Select 'Print'	

 **Treasurer Report Status**

ID: **80526**      Name: **Hillsborough 1st PAC**

Report: 2022 - P4 - 8

Print Date: **8/18/2022 11:39:24 AM**

Election: 2022 General Election

Covers: 7/16/2022-7/22/2022

Amended     Waiver

Due: 7/29/2022

Filed: **8/6/2022 12:32:11 AM**

File Status: **Filed Report**

Reviewed: **8/6/2022**

Review Status: **Reviewed**

Detail Complete: **No Detail Records Found**

File Method: Web Filed

**Number of Detail Records**

Entry Method: Web Data Entry

Contributions: 0

Expenditures: 0

Pending Queued Items: **0**

Fund Transfers: 0

Distributions: 0

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



FLORIDA DEPARTMENT OF STATE

**Cord Byrd**  
Secretary of State

DIVISION OF ELECTIONS

August 9, 2022

Anibal D. Cabrera, Treasurer  
Hillsborough 1st PAC  
817 East Conover Street  
Tampa, FL 33603-3603

PAC 80526

Dear Mr. Cabrera:

The notification that you had no reportable activity for the report deadline of July 29, 2022, was not filed until August 6, 2022. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

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

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

Sincerely,

Donna S. Brown, Chief  
Bureau of Election Records

cc: Cindy Zayas, Chairperson

 **Treasurer Report Status**

**ID: 80526**      **Name: Hillsborough 1st PAC**

Report: 2022 - P5 - 9

Print Date: **8/18/2022 11:37:40 AM**

Election: 2022 General Election

Covers: 7/23/2022-7/29/2022

Amended     Waiver

Due: 8/5/2022

Filed: **8/6/2022 12:32:38 AM**

File Status: **Filed Report**

Reviewed: **8/6/2022**

Review Status: **Reviewed**

Detail Complete: **No Detail Records Found**

File Method: Web Filed

Entry Method: Web Data Entry

Pending Queued Items: **0**

**Number of Detail Records**

Contributions: 0

Expenditures: 0

Fund Transfers: 0

Distributions: 0

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



FLORIDA DEPARTMENT OF STATE

**Cord Byrd**

Secretary of State

DIVISION OF ELECTIONS

August 9, 2022

Anibal D. Cabrera, Treasurer  
Hillsborough 1st PAC  
817 East Conover Street  
Tampa, FL 33603-3603

PAC 80526

Dear Mr. Cabrera:

The notification that you had no reportable activity for the report deadline of August 5, 2022, was not filed until August 6, 2022. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

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

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

Sincerely,

A handwritten signature in black ink that reads "Donna S. Brown".

Donna S. Brown, Chief  
Bureau of Election Records

cc: Cindy Zayas, Chairperson