### STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re: Gabriela Flores	Case No.: FEC 24-032
<b>ΓO:</b> Gabriela Flores 1260 Lake Helen Osteen Road Lake Helen, FL 32744	Division of Elections 500 S. Bronough Street RA Gray Building, Room 316 Tallahassee, FL 32399

### NOTICE OF HEARING (INFORMAL HEARING (IH))

A hearing will be held in this case before the Florida Elections Commission on **December 3, 2025**, at 1:00 pm, or as soon thereafter as the parties can be heard, via Webinar at: **Registration URL** https://attendee.gotowebinar.com/register/8443550463090426453. Webinar ID 144-463-043 Audio Only 1 877 309 2074 -- 786-784-735.

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.

Executive Director Florida Elections Commission November 7, 2025

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 24-032

Gabriela Flores, Respondent.

v.

### ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting held on August 20, 2025, at 1:00 p.m. via Zoom teleconferencing.

On November 26, 2024, Staff recommended to the Commission that there was probable cause to believe that the Florida Election Code was violated. The facts articulated in Staff's Recommendation are adopted by reference and incorporated herein. Based on the Complaint, Report of Investigation, Staff's Recommendation, and oral statements (if any) made at the probable cause hearing, the Commission finds that there is **probable cause** to charge Respondent with the following violation(s):

### Count 1:

On or about February 8, 2024, Gabriela Flores violated Section 106.07(2)(b)1., Florida Statutes, when she failed to timely file an addendum to the committee's 2023 Q4 Report within seven days after receiving notice from the Department of State, Division of Elections, that the report required amendment.

**DONE AND ORDERED** by the Florida Elections Commission on August 20, 2025.

Tim Vaccaro, J.D., Executive Director For Joseph S. Van de Bogart, Chair

Florida Elections Commission

Copies furnished to: Jeffrey J. Kelly, Assistant General Counsel Gabriela Flores, 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 <u>consent order</u> 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 <u>informal hearing</u> held before the Commission, if you <u>do not</u> 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 <u>formal hearing</u> 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: Gabriela Flores /		/ Case No.: FB	C 24-032
ТО:	Gabriela Flores 1260 Lake Helen Osteen Road Lake Helen, FL 32744	Division of El 500 S. Bronou RA Gray Buil Tallahassee, F	gh Street ding, Room 316

### NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION (PCD))

A hearing will be held in this case before the Florida Elections Commission on, **August 20, 2025 at 1:00 p.m.**, or as soon thereafter as the parties can be heard, at the following location: **Virtual Meeting Session Two via Zoom link:** https://us06web.zoom.us/meeting/register/o8eHKJsYRgmtfmAzZNft5A.

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 July 28, 2025 Please refer to the information below for further instructions related to your particular hearing:

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

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

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

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

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

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

### STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re:	Gabriela Flores	/	Case No.: FEC 24-032
то:	Gabriela Flores 1260 Lake Helen Osteen Road Lake Helen, FL 32744		Division of Elections 500 S. Bronough Street, Room 316 Tallahassee, FL 32399

### NOTICE OF CANCELLATION OF HEARING (PROBABLE CAUSE DETERMINATION (PCD))

You are hereby notified that the previously scheduled hearing for February 26 and 27, 2025, is cancelled. It is anticipated that your case will be heard at the next regularly scheduled meeting, on a date to be determined. A Notice of Hearing will be mailed approximately 14 days prior to the new hearing date.

Tim Vaccaro

Executive Director Florida Elections Commission February 24, 2025

### STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re	In Re: Gabriela Flores		Case No.: FEC 24-032
		/	
TO:	Gabriela Flores		Division of Elections
	1260 Lake Helen Osteen Road		500 S. Bronough Street, Room 316
	Lake Helen, FL 32744		Tallahassee FL 32399

### NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION (PCD))

A hearing will be held in this case before the Florida Elections Commission on, February 27, 2025 at 9:00 a.m., or as soon thereafter as the parties can be heard, at the following location: 412 Knott Building, Pat Thomas Committee Room, 404 South Monroe Street, 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 February 5, 2025

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

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

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

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

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

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

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

### STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re: Gabriela Flores,	Case No.: 1	FEC 24-032
	/	

### 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(2)(b)1.**, **Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on November 4, 2024, the following facts and law support this staff recommendation:

- 1. On February 14, 2024, the Florida Elections Commission ("Commission") received a referral from the Division of Elections ("Complainant" or "Division"), alleging that Gabriela Flores ("Respondent") violated Chapter 106, Florida Statutes.
- 2. Respondent is the treasurer for Floridians for Opportunity, a political committee registered with the Division. (Attachment A)
- 3. On January 8, 2024, the Appointment of Campaign Treasurer and Designation of Campaign Depository for Political Committees form ("DS-DE 6") was filed appointing Respondent as treasurer for the committee. (ROI Exhibit 1)
- 4. By letter dated January 10, 2024, Donna S. Brown, Chief, Bureau of Election Records, sent Respondent a letter acknowledging that the Division had received her DS-DE 6 form. (ROI Exhibit 2)
- 5. The acknowledgement letter provided Respondent with a confidential PIN number to grant access to the EFS. 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 Chapter 106, Florida Statutes, and the *Calendar of Reporting Dates* as well as other relevant documents. (ROI Exhibit 2)
- 6. By letter dated March 19, 2024, the Executive Director notified Respondent that Commission staff would investigate the following statutory provision:

Section 106.07(2)(b)1., Florida Statutes: Respondent, treasurer for Floridians for Opportunity, a political committee registered with the Division of Elections, failed to timely make necessary amendments to the 2023 Q4 campaign treasurer's report, as alleged in the complaint.

### Alleged Violation: Section 106.07(2)(b)1., Florida Statutes

- 7. The campaign's 2023 Q4 report was filed on January 10, 2024. The report was incomplete when filed. The report contained two expenditures being incorrectly labeled as monetary transactions instead of candidate expenses, and the expenditure amount was omitted from one of the transactions. *See* Compl.
- 8. The Division sent two letters (dated January 12, 2024, and January 29, 2024) notifying Respondent that the campaign's 2023 Q4 report was incomplete, and that Respondent was required to amend the report within 7 days of receipt of the notification. An Error Report showing why the report was incomplete was attached to each notification (ROI Exhibits 3 & 4). The final notification was confirmed delivered on February 1, 2024. (ROI Exhibit 4, page 3).
- 9. As of February 8, 2024, Respondent had not filed the required amendments to the report. *See* Compl.
- 10. On March 3, 2024, Respondent responded to the Division's referral, acknowledging the errors and stating that the errors had been rectified and promptly submitted. Respondent also apologized for not responding to the Division's letters, stating that she lives in a rural area and did not check the mailbox every day. Respondent became aware of the errors upon receiving the certified letter. (ROI Exhibit 6; ROI Exhibit 7, page 2)
- 11. On March 3, 2024, Respondent amended the report by classifying one expenditure as a candidate expense instead of a monetary transaction and updated the expenditure amount from \$0.00 to \$1,000.00 on June 18, 2024. (Attachment B; ROI Exhibit 5, pages 3 and 6)
- 12. Respondent failed to timely amend the campaign's 2023 Q4 report within seven days of receiving notification from the Division.
- 13. "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).
- 14. The facts set forth above show that Respondent is the treasurer for Floridians for Opportunity, a political committee registered with the Division. Respondent failed to timely file the required amendment to the campaign's 2023 Q4 report within seven days of receiving notification from the Division that the report was incomplete and required amendment

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 February 8, 2024, Gabriela Flores violated Section 106.07(2)(b)1., Florida Statutes, when she failed to timely file an addendum to the committee's 2023 Q4 Report within seven days after receiving notice from the Department of State, Division of Elections, that the report required amendment.

Respectfully submitted on November 26th, 2024.

Jeffrey J. Kelly

Assistant General Counsel

I reviewed this Staff Recommendation this 26th day of November 2024.

Stephanie J. Cunningham

General Counsel

# Committee Tracking System

### **Floridians for Opportunity**

Type:Political Committee

Status: Active

Address:801 South Broad Street

Brooksville, FL 34601

Phone: (352)796-3224

Chairperson: David Santiago

Treasurer: Gabriela Flores

1260 Lake Helen Osteen Road

Lake Helen, FL 32744

Registered Agent: Gabriela Flores

1260 Lake Helen Osteen Road

Lake Helen, FL 32744

Purpose:

Affiliates:

Campaign Finance Activity

Campaign Documents



# **Campaign Expenditures**

### **Floridians for Opportunity**

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	Purpose	Typ Reimb
2023 Q4 12/11/2023 2023 Q4 12/15/2023 2023 Q4 12/16/2023	350.00 FLORES GABRIELA 1,000.00 SANTIAGO EMMA 5,000.00 FLORES ENRIQUE	1260 LAKE HELEN OSTEND RD. 2631 EUSTACE AVE 1260 LAKE HELEN OSTEND RD.	LAKE HELEN, FL 32744 DELTONA, FL 32725 LAKE HELEN, FL 32744	ACCOUNTING SERVICES POLITICAL COMMITTEE CAMPAIGN DONATION CITY OF DELTONA COMMIS CONSULTING SERVICES FOR ELECTIONS IN 202	S CAN
3 Expenditure(s) Selected	6,350.00	Query the Campaign Finance	<u>Data Base</u>		

[Department of State] [Division of Elections] [Candidates and Races] [Campaign Finance Information]

### FLORIDA ELECTIONS COMMISSION

### Report of Investigation for Failure to Timely Amend

Case Number: FEC 24-032

Section 106.07(2)(b)1., Florida Statutes, failure of the treasurer for a candidate or political committee to file an addendum to an incomplete report after receiving notice from the filing officer.

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

**Division of Elections (Division)** 

**Referral Filed:** February 14, 2024

**Respondent Type:** Treasurer for Political

Committee

### I. Preliminary Information:

- 1. I investigated whether Respondent violated this section of the election laws by failing to file amended report(s) for the following campaign treasurer report(s) after receiving notice from the filing officer: 2023 Q4.
- 2. An Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 6) was filed on January 8, 2024. Respondent was appointed as campaign treasurer for Floridians for Opportunity, a political committee registered with the Division. To review the DS-DE 6, refer to Exhibit 1.
- 3. On January 10, 2024, the Division sent Respondent a letter acknowledging Respondent's appointment as the campaign treasurer for Floridians for Opportunity. The letter 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 2.

### II. Alleged Violation of Section 106.07(2)(b)(1)., Florida Statutes:

- 4. The Division sent correspondence to the address provided on the DS-DE 6 notifying Respondent that one or more campaign treasurer report(s) were incomplete. The correspondence included error report(s) referencing the following report(s): 2023 Q4. To review the correspondence and error report(s), refer to Exhibit 3.
- 5. On January 29, 2024, the Division sent a letter marked "Final Notice" with delivery confirmation to the address provided on the DS-DE 6 notifying Respondent that one or more campaign treasurer report(s) were incomplete. The letter included an error report referencing the following report(s): 2023 Q4. It was confirmed delivered on February 1, 2024. To review the "Final Notice," error report and delivery confirmation, refer to Exhibit 4.
- 6. As noted above, the "Final Notice" was confirmed delivered on February 1, 2024. The Division filed the referral on February 14, 2024. By filing the referral, the Division affirmed that as of that date, the report(s) at issue had not been amended to correct all errors identified by the Division. To review the report(s) at issue, refer to Exhibit 5.

### THIS SPACE INTENTIONALLY LEFT BLANK

- 7. Respondent did respond to the referral by email on March 3, 2024. She stated, "I want to sincerely acknowledge the errors identified in the report, which have since been rectified and promptly submitted for agency review. I apologize for any inconvenience caused by the oversights...Living in a community with a rural mailbox occasionally leads to extended periods without checking the box. Upon receiving the certified letter, I became aware of the errors in the report." To review the response, refer to Exhibit 6.
- 8. I called Respondent for the purpose of providing an opportunity to discuss the allegations made in the referral. When asked about the failure to timely amend the report at issue, Respondent stated, "My mailing situation was not good during that timeframe. The mailing address is in a rural area, and I didn't check it every day." Respondent acknowledged that she possessed and had read Chapter 106, Florida Statutes, and the *Political Committee Handbook*. To review the phone log, refer to Exhibit 7.

Thanks Malland

**SIGNATURE OF INVESTIGATOR:** 

Date: November 4, 2024

# FLORIDA ELECTIONS COMMISSION

# REPORT OF INVESTIGATION

### **Gabriela Flores -- FEC 24-032**

LIST OF EXHIBITS		
Exhibits #s	Description of Exhibits	
Exhibit 1	DS-DE 9	
Exhibit 2	Acknowledgment Letter	
Exhibit 3	Division Correspondence	
Exhibit 4	Final Notice	
Exhibit 5	CTR and QTR	
Exhibit 6	Respondent Response	
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.

CHECK APPROPRIATE BOX:	
Initial Filing for. Primary Treasurer Deputy Treasurer	
	OFFICE USE ONLY
Re-filing to Change: Primary Treasurer Deputy Treasurer Primary/S	Secondary Depository
1, Committee	2. Telephone
Floridians For Opportunity	13861801-1525
Name of Treasurer or Deputy Treasurer	5. Telephone (optional)
Gabriela Flores	( )
6. Mailing Address	32744
1260 Lake Helen Osteer	n Road Lake Helen FL
7. Street Address	
Lake Helen Osteen Rd., La	ake Helen, FL 32744
8. The following bank has been designated as the Primary Deposi	
9. Name of Bank 10. Street A	Address
Fairwinds Credit Union III E	toward Blvd.
11. City	12. State 13. Zip Code
Deltona	FL 32738
14. Signature of Chairman 15. Name of	of Chairman (Print or Type)
	id Santiago
Campaign Treasurer's Acceptance	e of Appointment
1. Gabriela Flores	, do hereby accept the appointment a
(Please Print or Type)	
treasurer or deputy treasurer for Floridian For	Opportunity
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.
1-4-2024 X Sofin	L Volume
Date Signature of DS-DE 6 (Rev. 4/19)	Campaign Treasurer or Deputy Treasurer

### Chellman, Malcolm C.

From: David Santiago <dsantiago457@gmail.com>

Sent: Monday, January 8, 2024 5:02 AM

To: ElecRecords
Subject: Change request

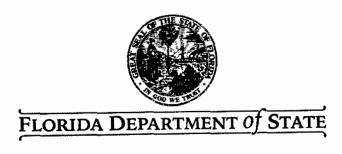
Attachments: Adobe Scan Jan 4, 2024 (1).pdf

### EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Attached is a request to update the registered agent and Treasurer for Floridians for opportunity committee.

Best regards David Santiago



#### **RON DESANTIS**

Governor

CORD BYRD Secretary of State

January 10, 2024

Gabriela Flores, Treasurer Floridians for Opportunity (64203) 1260 Lake Helen Osteen Road Lake Helen, Florida 32744

Dear Ms. Flores:

Your appointment as campaign treasurer for **Floridians for Opportunity** was filed in this office on January 8, 2024. Enclosed is your confidential PIN number to access the Division's Electronic Filing System (EFS) for submitting campaign treasurer's reports.

All of the Division's publications and reporting forms are available on the Division of Elections' website at <a href="https://dos.myflorida.com/elections">https://dos.myflorida.com/elections</a>. 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.

If you have questions concerning your campaign account or the EFS, you may call the Help Desk at (850) 245-6280.

Sincerely,

Donna S. Brown, Chief Bureau of Election Records

DSB/dla

**Enclosures** 

pc: David Santiago, Chairperson

FLORIDA ELECTIONS



## FLORIDA DEPARTMENT OF STATE

# Cord Byrd Secretary of State DIVISION OF ELECTIONS

January 12, 2024

Gabriela Flores, Treasurer for Floridians for Opportunity 1260 Lake Helen Osteen Road Lake Helen, FL 32744

Re: PAC 64203

Dear Ms. Flores:

The Division of Elections has determined that one or more campaign reports are incomplete for the reasons noted in the attached error report.

Pursuant to Section 106.07(2), Florida Statutes, you have 7 days from receipt of this notice to file an amended report to correct errors or provide missing information. If the audit states that a written explanation is required, provide the division with a signed letter of explanation addressing the errors noted in the report(s). Your explanation should (1) reference the specific error(s) that occurred; (2) describe how you corrected the errors (example: refunded excess contribution and reported the refund in 2021 M8 report); and (3) list the report(s) and sequence number(s) that were amended to reflect the corrections. Please be advised that failure to supply this information within the time allowed may constitute a violation of Chapter 106, Florida Statutes.

If you need assistance in filing an amendment, please contact Leah Gray at (850) 245-6280.

Sincerely,

Donna S. Brown, Chief Bureau of Election Records

Attachment

cc: David Santiago, Chairperson



### FLORIDA DEPARTMENT OF STATE

### Cord Byrd Secretary of State

### **DIVISION OF ELECTIONS**

## FINAL NOTICE

**Delivery Confirmation:** 

USPS TRACKING # 9488 8178 9820 3243 6222 39

FOR TRACKING GO TO USPS.COM

January 29, 2024

Gabriela Flores, Treasurer for Floridians for Opportunity 1260 Lake Helen Osteen Road Lake Helen, FL 32744

Re: PAC 64203

Dear Ms. Flores:

You have previously been advised that one or more campaign treasurer's reports are incomplete for the reasons noted in the attached error report.

Pursuant to Section 106.07(2), Florida Statutes, you have 7 days from receipt of this letter to correct errors or provide missing information. If the audit states that a written explanation is required, provide the division with a signed letter of explanation addressing the errors noted in the report(s). Your explanation should (1) reference the specific error(s) that occurred; (2) describe how you corrected the errors (example: refunded excess contribution and reported the refund in 2021 M8 report); and (3) list the report(s) and sequence number(s) that were amended to reflect the corrections. Please be advised that if you fail to comply with this request, the Division will forward this matter to the Florida Elections Commission for further action. Section 106.265(1), Florida Statutes, authorizes the Florida Elections Commission to impose civil penalties of up to \$1,000 per violation.

If you need assistance in filing an amendment, please contact Jasmine Jordan at (850) 245-6280.

Sincerely,

Donna S. Brown, Chief

Sheena Da

Bureau of Election Records

Attachment

cc: David Santiago, Chairperson

Room 316 R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 323 99-0250 • (850) 245-6280 FAX: (850) 245-6260 • WWW Address: http://www.dos.state.fl.us • E-Mail: ElecRecords@dos.myflorida.com

/26/2	

### Florida Department of State - Division of Elections

Page 1

-		D٥	
- 14	TOP	Ke	זיונום

Committee: Floridians for Opportunity  Report: 2023 Q4 (221) Covering Period: 10/1/23 - 12/31/23			Type: PAC - BOT Account: 64203				
						Contrit	outions
Expend	itures					(	
Seq	<u>Date</u>	<u>Name</u>	Address	City/State/Zip	Type	Expenditure Purpose	Amount Amend
1	12/11/23	FLORES GABRIELA	1260 LAKE HELEN OSTEND RD.	LAKE HELEN, FL 3-2744	MON	ACCOUNTING SERVICES POLITICAL COMMITTEE	\$350.00
		*Invalid Expenditure T	ype: Only type 'Candidate Expense	e' valid for office data			
2	12/15/23	SANTIAGO EMMA	2631 EUSTACE AVE	DELTONA, FL 3-2725	MON	CAMPAIGN DONATION CITY OF DELTONA DISTRI	\$0.00
		*Invalid Expenditure T	ype: Only type 'Candidate Expens	e' valid for office data			
		*Amount is Zero					

### **Fund Transfers**

### Other Distributions

# **USPS Tracking®**

Enter tracking or barcode numbers

FAQs >

Remove X **Tracking Number:** 9488817898203243622239 Add to Informed Delivery (https://informeddelivery.usps.com/) **Latest Update** Your item was delivered in or at the mailbox at 8:09 am on February 1, 2024 in LAKE HELEN, FL 32744. Get More Out of USPS Tracking: **USPS Tracking Plus® Delivered** Delivered, In/At Mailbox LAKE HELEN, FL 32744 February 1, 2024, 8:09 am See All Tracking History What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Where-is-my-package) **Text & Email Updates USPS Tracking Plus® Product Information** See Less ^ Track Another Package

			T OF STATE, DI\ ASURER'S REP(	VISION OF ELECT ORT SUMMARY	TIONS	
(1) Floridians for Opportunity			(2)	64203		
Candidate, Committe or Party Name		(=)	I.D. Number			
(3) 801 South Broad Street			Brooksville	FL	34601	
Address (number and stre Check box if address	eet) has changed since las	st report	City	State	Zip Code	
(4) Check appropriate box(e	s):					
Candidate (office sought):  Political Committee Committee of Continuous Existance Party Executive Committee			=	C has DISBANDED CE has DISBANDED		
		(5) REPOR	RT IDENTIFIERS			
Cover Period: From 10	/01/2023	To 12	/31/2023	Report Type:	Q4	
Original	X Amendment	☐ Sp	ecial Election Repor	t		
(6) CONTRIBUTIONS THIS REPORT			(7) EXPENDITURES THIS REPORT			
Cash & Checks	\$0.00	<b>)</b>	Monetary Expe	nditures		\$6,350.00
Loans	\$0.0	0	Transfers to Of	fice Account		\$0.00
Total Monetary \$0.00		Total Mor	netary		\$6,350.00	
In-Kind	\$0.0	0	(8) Other Distrik	butions		
It is a	first degree misdemear		ertification person to falsify a pul	blic record (ss.839.13	, F.S.)	
I certify that I have examined this report and it is true, correct and complete			I certify that I have examined this report and it is true, correct and complete			
Name of			Name of Candidate X Chaiman (PC/PTY Only			 /PTY Only
X Signature			XSignature			

Prepared on: 7/25/24 4:30:09PM Reviewed On: 6/18/24 11:50 am

### **CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS**

Page 1 of 1

Name: Floridians for Opportunity

Report: 2023 Q4

Period: 10/01/2023

to 12/31/2023

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

Seq#	Full Name (Last, Suffix, First, Middle	Contributor	Occupation	Amount
Date	Street Address & City, State, Zip	Туре	In-Kind Description	Amend
				1
	,			

### CAMPAIGN TREASURER'S REPORT – ITEMIZED EXPENDITURES

Page 1 of 1

Name: Floridians for Opportunity

Report: 2023 Q4

Period: 10/01/2023

to 12/31/2023

** Record	ls in Filed	Report **
-----------	-------------	-----------

0	Full Name			Amount
Seq#	(Last, Suffix, First, Middle	Туре	Purpose	l
Date	Street Address & Citv. State. Zip		·	Amend
1	FLORES GABRIELA	MON	ACCOUNTING SERVICES POLITICAL COMMITTEE	\$350.00
12/11/2023	1260 LAKE HELEN OSTEND RD.	I WION		UPD
	LAKE HELEN, FL 32744			
* 1	FLORES GABRIELA	MON	ACCOUNTING SERVICES POLITICAL COMMITTEE	\$350.00
12/11/2023	1260 LAKE HELEN OSTEND RD.	IVIOIN	7.6666.11	History 02/02/24
12/11/2023	LAKE HELEN, FL 32744			History 03/03/24
2	SANTIAGO, EMMA (Office: LOC 002 002)	CAN	CAMPAIGN DONATION CITY OF DELTONA	\$1,000.00
12/15/2023	2631 EUSTACE AVE	CAN		UPD
12/15/2023	DELTONA, FL 32725		DISTRICT 2 CANDIDATE	UPD
* 2	SANTIAGO EMMA	MON	CAMPAIGN DONATION CITY OF DELTONA	\$1,000.00
40/45/0000	2631 EUSTACE AVE	IVICIN		LIDD II: 06/10/24
12/15/2023	DELTONA, FL 32725		DISTRICT 2 CANDIDATE	UPD History 06/18/24
* 2	SANTIAGO EMMA	MON	CAMPAIGN DONATION CITY OF DELTONA	\$0.00
40/45/0000	2631 EUSTACE AVE	IVION		11: 4 02/02/24
12/15/2023	DELTONA, FL 32725		DISTRICT 2 CANDIDATE	History 03/03/24
3	FLORES ENRIQUE	MON	FIELD WORK AND CONSULTING	\$5,000.00
40/46/0000	1260 LAKE HELEN OSTEND RD.	IVIOIN	TILLE WORK / WE GOTTON	
12/16/2023	LAKE HELEN. FL 32744			

Exhibit 5 Page 3 of 6

### CAMPAIGN TREASURER'S REPORT – ITEMIZED FUND TRANSFERS

Page 1 of 1

Name: Floridians for Opportunity

Report: 2023 Q4

Period: 10/01/2023

to 12/31/2023

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

Seq #	Full Name (Last, Suffix, First, Middle Street Address & Citv. State. Zip	Туре	Nature of Account	Amount Amend

Exhibit 5 Page 4 of 6

### CAMPAIGN TREASURER'S REPORT – ITEMIZED DISTRIBUTIONS

Page 1 of 1

Name: Floridians for Opportunity

Report: 2023 Q4

Period: 10/01/2023

to 12/31/2023

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

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

Exhibit 5 Page 5 of 6

### Queued Items for 2023-Q4

Account: 64203

Floridians for Opportunity

Rpt Seq: 221

ProcessDescription	Status	Submitter	Created	LastUpdate
Create Pending Report	Processing Complete	64203	1/10/2024 4:49:55 PM	1/10/2024 4:49:55 PM
File Pending Report	Processing Complete	64203	1/10/2024 4:57:36 PM	1/10/2024 4:57:36 PM
Review Filed Report	Processing Complete	lfgray	1/11/2024 9:00:59 AM	1/11/2024 9:00:59 AM
Review Filed Report	Processing Complete	jbjordan	2/12/2024 9:05:26 AM	2/12/2024 9:05:26 AM
Review Filed Report	Processing Complete	jbjordan	2/12/2024 11:00:57 AM	2/12/2024 11:00:57 AM
Amend Filed Report	Processing Complete	64203	3/3/2024 9:34:37 AM	3/3/2024 9:34:37 AM
File Pending Report	Processing Complete	64203	3/3/2024 9:38:34 AM	3/3/2024 9:38:34 AM
Review Filed Report	Processing Complete	tdsetzer	3/26/2024 11:41:43 AM	3/26/2024 11:42:26 AM
Review Filed Report	Processing Complete	tdsetzer	3/26/2024 1:40:35 PM	3/26/2024 1:40:35 PM
Review Filed Report	Processing Complete	tdsetzer	4/11/2024 2:38:10 PM	4/11/2024 2:38:10 PM
Amend Filed Report	Processing Complete	64203	6/18/2024 11:50:23 AM	6/18/2024 11:50:23 AM
File Pending Report	Processing Complete	64203	6/18/2024 11:52:19 AM	6/18/2024 11:52:19 AM



Case No. FEC 24-032 Acknowledgment and Correction of Errors in Campaign Reports for Floridians for Opportunity Political CommitteeGabby Santiago to: fec@myfloridalegal.com 03/03/2024 11:19 AM

Dear Donna Malphurs,

I hope this message finds you well. I am writing in confirmation of your letter dated February 15th regarding an ethics complaint on campaign reports for Floridians for Opportunity Political Committee.

I want to sincerely acknowledge the errors identified in the report, which have since been rectified and promptly submitted for agency review. I apologize for any inconvenience caused by the oversights.

I must express my regret for not responding to earlier letters from the Florida Department of State. Living in a community with a rural mailbox occasionally leads to extended periods without checking the box. Upon receiving the certified letter, I became aware of the errors in the report.

Specifically, we omitted selecting and entering the dollar amount for a particular contribution and mistakenly categorized one as local, when it should have been listed as a separate contribution. These adjustments have been duly filed and submitted to the agency.

I sincerely apologize for the delay in response and any concerns this may have caused. I appreciate your understanding and thank you for your consideration in this matter.

Best regards,

Gabriela Flores

Treasurer

Floridians for Opportunity

# FLORIDA ELECTIONS COMMISSION PHONE LOG

**Case No.: FEC 24-032** 

**Respondent:** Gabriela Flores - Treasurer

**Complainant:** Division of Elections

1. **Date and time:** 10/14/2024; 01:18 p.m. **Name:** Gabriela Flores - Respondent

Phone #: (386) 801-1525

**Summary:** Spoke with Respondent briefly. Explained case number FEC 24-032. She was at work and said she would call back this afternoon. She mentioned her mailing situation was not good during that timeframe.

**Entered by:** CM

2. **Date and time:** 10/14/2024; 03:31 p.m. **Name:** Gabriela Flores - Respondent

**Phone** #: (386) 801-1525

**Summary:** Respondent called. Respondent was very cooperative and willing to answer questions about the case, which can be reviewed in the "RESPONDENT INTERVIEW

MEMO" below. Entered by: CM

3. Date and time:

Name:

Phone #:

**Summary:** 

**Entered by:** 

4. Date and time:

Name:

Phone #:

**Summary:** 

**Entered by:** 

5. Date and time:

Name:

Phone #:

**Summary:** 

**Entered by:** 

6. **Date and time:** 

Name:

Phone #:

**Summary:** 

**Entered by:** 

### RESPONDENT INTERVIEW MEMO – Call details at #1 & 2

- Please explain reason why you did not amend the following campaign treasurer report to correct all errors identified by the Division of Elections within 7 days of receiving notice from the Division that the report was incomplete and required amendment: 2023 Q4. "My mailing situation was not good during that timeframe. The mailing address is in a rural area, and I didn't check it every day."
- Have you ever run for public office? "No." If so, please name each office you ran for and state what year each election occurred.
- Have you ever been appointed to act as a campaign treasurer for a candidate? "No." If so, please name each such candidate, the office each ran for, and state what year each election occurred.
- Have you ever held the office of chairperson, treasurer, or other similar position for a political committee or electioneering communications organization? "No." If so, please name each committee, state the office you held for each, and state when you held each office.
- Have you ever prepared or signed a campaign treasurer's report? "No." If so, please state the name of the candidate or committee whose report you prepared or signed.
- Do you possess a copy of Chapter 106, Florida Statutes? "Possibly." If so, when did you first obtain it? Have you read it? "Yes. Read through it. Can't site it."
- Do you possess a copy of the *Political Committee Handbook*? "Yes." 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 letters of legal sufficiency in these cases? "No. I understand what was in the letter."

# FLORIDA ELECTIONS COMMISSION PHONE LOG

**Case No.: FEC 24-032** 

**Respondent:** Gabriela Flores - Treasurer

**Complainant:** Division of Elections

1. **Date and time:** 10/14/2024; 01:18 p.m. **Name:** Gabriela Flores - Respondent

**Phone** #: (386) 801-1525

**Summary:** Spoke with Respondent briefly. Explained case number FEC 24-032. She was at work and said she would call back this afternoon. She mentioned her mailing situation was not good during that timeframe.

**Entered by:** CM

2. **Date and time:** 10/14/2024; 03:31 p.m. **Name:** Gabriela Flores - Respondent

**Phone** #: (386) 801-1525

**Summary:** Respondent called. Respondent was very cooperative and willing to answer questions about the case, which can be reviewed in the "RESPONDENT INTERVIEW

MEMO" below. Entered by: CM

3. Date and time:

Name:

Phone #:

**Summary:** 

**Entered by:** 

4. Date and time:

Name:

Phone #:

**Summary:** 

**Entered by:** 

5. Date and time:

Name:

Phone #:

**Summary:** 

**Entered by:** 

6. **Date and time:** 

Name:

Phone #:

**Summary:** 

**Entered by:** 

### RESPONDENT INTERVIEW MEMO – Call details at #1 & 2

- Please explain reason why you did not amend the following campaign treasurer report to correct all errors identified by the Division of Elections within 7 days of receiving notice from the Division that the report was incomplete and required amendment: 2023 Q4. "My mailing situation was not good during that timeframe. The mailing address is in a rural area, and I didn't check it every day."
- Have you ever run for public office? "No." If so, please name each office you ran for and state what year each election occurred.
- Have you ever been appointed to act as a campaign treasurer for a candidate? "No." If so, please name each such candidate, the office each ran for, and state what year each election occurred.
- Have you ever held the office of chairperson, treasurer, or other similar position for a political committee or electioneering communications organization? "No." If so, please name each committee, state the office you held for each, and state when you held each office.
- Have you ever prepared or signed a campaign treasurer's report? "No." If so, please state the name of the candidate or committee whose report you prepared or signed.
- Do you possess a copy of Chapter 106, Florida Statutes? "Possibly." If so, when did you first obtain it? Have you read it? "Yes. Read through it. Can't site it."
- Do you possess a copy of the *Political Committee Handbook*? "Yes." 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 letters of legal sufficiency in these cases? "No. I understand what was in the letter."

INV001 (12/01) 2



## Florida Elections Commission

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



March 19, 2024

Gabriela Flores 1260 Lake Helen Osteen Road Lake Helen, FL 42744

RE: Case No.: FEC 24-032; Respondent: Gabriela Flores

Dear Ms. Fores:

On February 14, 2024, the Florida Elections Commission received a complaint alleging that you violated Florida's election laws. I have reviewed the complaint and find that it contains one or more **legally sufficient allegations**. The Commission staff will investigate the following alleged violation:

Section 106.07(2)(b)1., Florida Statutes: Respondent, treasurer for Floridians for Opportunity, a political committee registered with the Division of Elections, failed to timely make necessary amendments to the 2023 Q4 campaign treasurer's report, as alleged in the complaint.

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

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

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

Pursuant to Section 106.25, Florida Statutes, complaints, investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 or 106, Florida Statutes, are

Gabriela Flores March 19, 2024 Page 2 FEC 24-032

<u>confidential</u> until the Commission finds probable cause or no probable cause, unless the Respondent files a written waiver of confidentiality with the Commission. The confidentiality provision does not apply to the Complainant or the Respondent.

Should you retain counsel, your attorney must file a notice of appearance with the Commission before any member of the commission staff can discuss this case with him or her.

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

If you have additional questions, please contact **Charles Mellow**, the investigator assigned to this case, by phone at (850) 922-4539 or by email at Charles.Mellow@myfloridalegal.com.

Sincerely,

Executive Director

TV/jd



Case No. FEC 24-032 Acknowledgment and Correction of Errors in Campaign Reports for Floridians for Opportunity Political CommitteeGabby Santiago to: fec@myfloridalegal.com 03/03/2024 11:19 AM

Dear Donna Malphurs,

I hope this message finds you well. I am writing in confirmation of your letter dated February 15th regarding an ethics complaint on campaign reports for Floridians for Opportunity Political Committee.

I want to sincerely acknowledge the errors identified in the report, which have since been rectified and promptly submitted for agency review. I apologize for any inconvenience caused by the oversights.

I must express my regret for not responding to earlier letters from the Florida Department of State. Living in a community with a rural mailbox occasionally leads to extended periods without checking the box. Upon receiving the certified letter, I became aware of the errors in the report.

Specifically, we omitted selecting and entering the dollar amount for a particular contribution and mistakenly categorized one as local, when it should have been listed as a separate contribution. These adjustments have been duly filed and submitted to the agency.

I sincerely apologize for the delay in response and any concerns this may have caused. I appreciate your understanding and thank you for your consideration in this matter.

Best regards,

Gabriela Flores

Treasurer

Floridians for Opportunity

## **DIVISION OF ELECTIONS** FEC NOTICE FORM

To FEC from Division of Elections

Name:

Floridians for Opportunity

Account Number: 64203

Chairperson:

**David Santiago** 

Treasurer:

Gabriela Flores

Registered Agent: Gabriela Flores

The Division of Elections hereby provides this notice to the Florida Elections Commission pursuant to sections 106.22(7) and 106.25, Florida Statutes. An apparent violation of Chapter 106, Florida Statutes, has occurred based upon a failure to file addendums after notice as required by section 106.07(2), Florida Statutes, for the following report:

2023 Q4

- On July 10, 2014, Floridians for Opportunity (64203) registered as a political committee with the Division and has remained in an active status since that date. David Santiago is the chairperson. Gabriela Flores is the treasurer and registered agent.
- On January 12, 2024, the Division mailed Floridians for Opportunity notification that one or more campaign treasurer's reports were incomplete.
- On January 29, 2024, the Division mailed Floridians for Opportunity notification with delivery confirmation that one or more campaign treasurer's reports were incomplete. (See attached letter and delivery confirmation.)
- As of February 13, 2024, one or more campaign treasurer's reports remain incomplete.

Sent By:

Donna S. Brown

Date:

February 13, 2024

jbj



## FLORIDA DEPARTMENT OF STATE

#### Cord Byrd Secretary of State

## **DIVISION OF ELECTIONS**

# **FINAL NOTICE**

**Delivery Confirmation:** 

USPS TRACKING # 9488 8178 9820 3243 6222 39

FOR TRACKING GO TO USPS.COM

January 29, 2024

Gabriela Flores, Treasurer for Floridians for Opportunity 1260 Lake Helen Osteen Road Lake Helen, FL 32744

Re: PAC 64203

Dear Ms. Flores:

You have previously been advised that one or more campaign treasurer's reports are incomplete for the reasons noted in the attached error report.

Pursuant to Section 106.07(2), Florida Statutes, you have 7 days from receipt of this letter to correct errors or provide missing information. If the audit states that a written explanation is required, provide the division with a signed letter of explanation addressing the errors noted in the report(s). Your explanation should (1) reference the specific error(s) that occurred; (2) describe how you corrected the errors (example: refunded excess contribution and reported the refund in 2021 M8 report); and (3) list the report(s) and sequence number(s) that were amended to reflect the corrections. Please be advised that if you fail to comply with this request, the Division will forward this matter to the Florida Elections Commission for further action. Section 106.265(1), Florida Statutes, authorizes the Florida Elections Commission to impose civil penalties of up to \$1,000 per violation.

If you need assistance in filing an amendment, please contact Jasmine Jordan at (850) 245-6280.

Sincerely,

Donna S. Brown, Chief

Bureau of Election Records

cours Baber

Attachment

cc: David Santiago, Chairperson

# Florida Department of State - Division of Elections

# Error Report

	eport: 20	oridians for Oppo 023 Q4 (221)	Covering Period: 10/1/23 -	12/31/23		Type: Account:
Contrib	utions					
Expend	itures		~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~			(
Seq	<u>Date</u>	<u>Name</u>	Address	City/State/Zip	<u>Type</u>	Expenditure Purpos
1	12/11/23	FLORES GABRIELA	1260 LAKE HELÉN OSTEND RD.	LAKE HELEN, FL 3-2744	MON	ACCOUNTING SERVICES POLITICAL COMMITTEE
		*Invalid Expendit	ure Type: Only type 'Candidate Expens	se' valid for office data		
2	12/15/23	SANTIAGO EMMA	2631 EUSTACE AVE	DELTONA, FL 3-2725	MON	CAMPAIGN DONATION CITY
		*Invalid Expendit	ure Type: Only type 'Candidate Expen	se' valid for office data		DELIGIA DISTRI
		*Amount is Zero				

# Fund Transfers

Other Distributions

**Tracking Number:** 

Remove X

# 9488817898203243622239

Copy

Add to Informed Delivery (https://informeddelivery.usps.com/)

# **Latest Update**

Your item was delivered in or at the mailbox at 8:09 am on February 1, 2024 in LAKE HELEN, FL 32744.

**Get More Out of USPS Tracking:** 

**USPS Tracking Plus®** 

### **Delivered**

Delivered, In/At Mailbox

LAKE HELEN, FL 32744 February 1, 2024, 8:09 am

See All Tracking History

What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates

USPS Tracking Plus®

Product Information

### See Less ∧

Track Another Package

Enter tracking or barcode numbers

# Queued Items for 2023-Q4

Account: 64203

Floridians for Opportunity

Rpt Seq: 221

ProcessDescription	Status	Submitter	Created	LastUpdate	
Create Pending Report	Processing Complete	64203	1/10/2024 4:49:55 PM	1/10/2024 4:49:55 PM	
File Pending Report	<b>Processing Complete</b>	64203	1/10/2024 4:57:36 PM	1/10/2024 4:57:36 PM	
Review Filed Report	<b>Processing Complete</b>	lfgray	1/11/2024 9:00:59 AM	1/11/2024 9:00:59 AM	
Review Filed Report	<b>Processing Complete</b>	jbjordan	2/12/2024 9:05:26 AM	2/12/2024 9:05:26 AM	
Review Filed Report	<b>Processing Complete</b>	jbjordan	2/12/2024 11:00:57 AM	2/12/2024 11:00:57 AM	

	FLORIDA DEPARTMEI CAMPAIGN TRI	NT OF STATE, DIVIS EASURER'S REPOR		IONS	
(1) Floridians for Opportunity		(2) <u>6</u>	4203		
Candidate, Committe or Party I	Name	I.	D. Number		
(3) 801 South Broad Street	Brooksville	FL	34601	_	
Address (number and street)  Check box if address has	Address (number and street)  Check box if address has changed since last report			Zip Code	
(4) Check appropriate box(es):  Candidate (office sought):  Political Committee  Committee of Continuous  Party Executive Committee	Existance	=	as DISBANDED has DISBANDED		
	(5) REPO	ORT IDENTIFIERS			
Cover Period: From 10/01/20  X Original		2/31/2023 pecial Election Report	Report Type:	Q4	
(6) CONTRIBUTIONS THIS RE	PORT	(7)	EXPENDITURES 1	THIS REPORT	
Cash & Checks	\$0.00	Monetary Expendit	tures		\$5,350.00
.oans	\$0.00	Transfers to Office			\$0.00
Total Monetary	\$0.00	Total Moneta	ary		\$5,350.00
n-Kind	\$0.00	(8) Other Distribution	ons		
It is a first d	ogree misdemeanor for any	Certification person to falsify a public	record (ss.839.13,	F.S.)	_
I certify that I have examined this retrue, correct and complete	I certify that I have true, correct and co	examined this repo omplete	ort and it is		
Name of Treasurer	Name of 0	Candidate X	Chaiman (PC/P	TY Only	
X		X			
Signature		Signature			

Reviewed On: 2/12/24 11:00 am

ID: ,

## **CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS**

Page 1 of 1

Name: Floridians for Opportunity

Report: 2023 Q4

Period: 10/01/2023

to 12/31/2023

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

Seq#	Full Name (Last, Suffix, First, Middle	Contributor	Occupation	Amount
Date	Street Address & City, State, Zip	Туре	In-Kind Description	Amend
-				

. ID: 64203

## CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

Page 1 of 1

Name: Floridians for Opportunity

Report: 2023 Q4

Period: 10/01/2023

to 12/31/2023

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

Seq#	Full Name (Last, Suffix, First, Middle	Tues	Rumana	Amount
Date	Street Address & City, State, Zip	Туре	Purpose	Amend
* 1	FLORES GABRIELA 1260 LAKE HELEN OSTEND RD.	MON	ACCOUNTING SERVICES POLITICAL COMMITTEE	\$350.00
12/11/2023	LAKE HELEN, FL 32744	0.0		
* 2	SANTIAGO EMMA	MON	CAMPAIGN DONATION CITY OF DELTONA	\$0.00
12/15/2023	2631 EUSTACE AVE DELTONA, FL 32725		DISTRICT 2 CANDIDATE	
3	FLORES ENRIQUE	MON	FIELD WORK AND CONSULTING	\$5,000.00
12/16/2023	1260 LAKE HELEN OSTEND RD. LAKE HELEN, FL 32744			

· ID: •

## **CAMPAIGN TREASURER'S REPORT – ITEMIZED FUND TRANSFERS**

Page 1 of 1

Name: Floridians for Opportunity

Report: 2023 Q4

Period: 10/01/2023

to 12/31/2023

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

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

\* Incomplete Record

Reviewed On: 2/12/24 11:00 am

Preparet on: 2/12/2 | 11:01:08AN1

ID: .

## **CAMPAIGN TREASURER'S REPORT - ITEMIZED DISTRIBUTIONS**

Page 1 of 1

Name: Floridians for Opportunity

Report: 2023 Q4

Period: 10/01/2023

to 12/31/2023

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

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

# Report Detail

Page 1 of 1

Account/Seq

64203

5

Election/Type 20241105-GEN

PAC

# Floridians for Opportunity

Status/Reviewer		Mailed	Type/Recd	RESPONSE	
REF jbjordan	1st:	1/12/2024			
1/11/24 9:01 am	2nd:		2/1/2024		
	3rd:	1/29/2024			

2/12/24-Errors are still not corrected, sending to FEC - JBJ NOTES:

1/26/2024- Errors are not corrected, final notice sent- JBJ

#### HISTORY NOTES

## Floridians for Opportunity - 64203

**Unique ID Date Recorded Last Edited Date Orginally Recorded By** 80544 1/10/2024 4:23:00 PM **DLAdams** Provided Gabriela With her PIN also informed her we would need mr Santiago to call in for credentials. I tried calling however I was not able to reach him 80541 1/10/2024 4:02:00 PM DI Adams Attemted to deliver credentials via phone to number on PAC however I was not able to leave a voicemail or speak with anyone. The voicemail was not yet set up 80540 1/10/2024 3:57:00 PM **DLHoward** Re: Credential Request Form I released the confidential credentials to David Santiago per credential request form received January 10, 2024. dlh 80267 12/6/2023 2:03:00 PM **DLAdams** RE: Made contact with chairperson he will be sending in a letter of removal/resignation from/for the treasurer he asked when its done will we provide the new PT with credentials. I confirmed yes we will as soon as we get everything processed. - The pending file is on Derrions' Desk in pending status 72098 10/28/2020 9:56:00 AM dlhoward Ref: Confidential Credentials At approximately 9:45 AM, I received a call from Ms. Rhonda Jorgensen requesting the new credentials assigned to Representative David Santiago on October 27, 2020. I informed her that I would need a completed Credentials Request Form to leased to her this information. She indicated she would have Representative Santiago give me call so I can release this information to him over the phone. DLH 72092 10/27/2020 4:36:00 PM zisantos **RE: Chairperson Credentials** I left the treasurer a voicemail to have the chair call back for them or to send us an EFS Credential Request Form so they can file they're reports. 52634 3/7/2017 2:04:00 PM slbagley RE: M1 Amendment Mistake Received phone call from Kim who said she opened the 2016 M1 for an amendment and added an entry by mistake so she deleted after realizing she was in the wrong report. She called asking what to do because she didn't want to file an amendement to a waiver that didn't need an amendment made. I assisted her in deleting the amendment. SIb 49216 7/28/2016 4:32:00 PM slbagley RE: Fine Letter Received phone call from Kim, the treasurer's assistant. She called to find out why therer was a fine given to them for a late filing because she filed a waiver on 6/28/16 and the report was due on 7/1/16. After verifying with KRB, I explained to Kim the waiver is not considered a report. But when she amended the waiver and added a contribution it she was then on that day filing a report and that was the date the late fee was determined from. She claimed she did not know about the contribution until after the report was filed. SIb 44687 9/16/2015 10:50:00 AM issabree RE: Address Change Searched in can/com to see if the address has been updated for the chairparson and there is a different address in the system. I will send the documents to the updated address.

#### **HISTORY NOTES**

## Floridians for Opportunity - 64203

**Unique ID Date Recorded Last Edited Date** Orginally Recorded By 44447 8/28/2015 2:57:00 PM **issabree** RE: Attempt to contact Mr.LaRosa Called number for Mr.LaRosa and email has been sent to him for updating address but Mr.LaRosa has not sent in any mailings or faxes for updating his address. 44352 8/19/2015 2:41:00 PM issabree RE:Attempt to contact Mr.LaRosa Called number provided for Mr.LaRosa and number listed is to treasurers' office. Spoke with Teresa in regards to Mr.LaRasoa's incorrect address. She will send him an email so that he can fax us an updated address for future correspondences. 39122 7/18/2014 2:08:00 PM slbagley RE: Credential Request Email Sent Below is a copy of the email sent to Ms. McDaniel containing the credential request form. SIb 'kim.mcdaniel@suncoastcpagroup.com' Ms. McDaniel, Please have the chair and treasurer each fill out a copy of the attached form and return via the instructions at the bottom of the form. Once received, they (or who they list as the person to release to) will be contacted by one of our agents to release the credentials. Also below is the direct link for your PAC's information. http://election.dos.state.fl.us/committees/ComDetail.asp?account=64203 Stacy Bagley Administrative Assistant II **Bureau of Election Records** Florida Department of State R.A. Gray Building 500 S. Bronough Street Tallahassee, FL 32399 Helpline: 850.245.6280 7/18/2014 10:45:00 AM 39116 mcchellman Following CRF receipt, called and gave Kimberly McDanial the T's PIN and the PWD. She understood they needed another CRF to get the chair's PIN. She said they had no activity to report on the report due today. 39113 7/18/2014 10:09:00 AM slbagley RE: Phone Call Received I received a phone call from Mr. Woodruff's assistant asking about the status of their pac paperwork. I informed her their acknowledgement letter was mailed on July 14 and that their first report was due today. I sent her a copy of the credential request form. SIb