

**STATE OF FLORIDA
DEPARTMENT OF STATE**

DEPARTMENT OF STATE, DIVISION OF
ELECTIONS,

Petitioner,

v.

HAITIAN AMERICAN POLITICAL ACTION
COMMITTEE (27409),

Final Order No. DOS 13-08 DE

Respondent.

_____ /

FINAL ORDER

The Division of Elections, Florida Department of State (the "Division") having jurisdiction over this matter pursuant to section 106.03(7), Florida Statutes, and rules promulgated thereunder, hereby enters its Final Order of Revocation revoking Haitian American Political Action Committee (the "Respondent") registration as a political committee in the State of Florida.

FINDINGS OF FACT

The Division, being fully advised as to the premises, finds and orders as follows:

1. Respondent is a registered political committee but not for the sole purpose of seeking signatures of registered electors in support of an initiative. The Respondent's registration number is 27409.

2. On January 29, 2013, the Division mailed a Notice of Intent to Revoke (attached and incorporated by reference) to the most recent address on file for the Respondent's chairperson. The notice (mistakenly dated January 29, 2012) stated that Respondent's aggregate reported financial activity during the 2012 calendar year fell below the \$500 level necessary to maintain registration status.

3. The Notice of Intent to Revoke informed Respondent of the opportunity to provide documentation to the Division to show why the Respondent's registration should not be revoked.

4. The Notice of Intent to Revoke was not returned as being undeliverable.

5. Respondent did not respond to the Notice of Intent to Revoke.

6. On March 1, 2013, the Division mailed Respondent's chairperson a Final Notice of Revocation (attached and incorporated by reference). The notice informed Respondent of the right to a hearing and advised Respondent that if a request for hearing was not made within 30 days of the date of the notice, the right to hearing would be waived, and final action would be taken by the Division.

7. Respondent did not respond or otherwise timely request a hearing.

CONCLUSIONS OF LAW

8. As provided in Section 106.03, Florida Statutes, the Division is the agency having jurisdiction to administer and enforce the provisions of this section.

9. Rule 1S-2.021, Florida Administrative Code, establishes procedures for the Division to dissolve and cancel the registration of political committees for limited activity. Subsection (1)(c) of Rule 1S-2.021, Florida Administrative Code, provides that a filing officer

shall revoke a committee's registration when "the committee's aggregate reported financial activity during the calendar year is less than \$500 unless the committee is only registered and required to report as the sponsor of a proposed constitutional amendment by initiative who intended to seek the signatures of the registered voters."

10. Based upon the foregoing and a complete review of the record, it is ORDERED that Respondent's registration as a political committee with the Department of State, Division of Elections, is hereby REVOKED pursuant to Section 106.03(7), Florida Statutes, and Rule 1S-2.021, Florida Administrative Code.

FINAL ORDER

Based on the foregoing, the Division issues this Final Order revoking the registration of the Haitian American Political Action Committee (27409) as a political committee in the State of Flor.da.

DONE AND ORDERED at Tallahassee, Florida, this 15 day of April 2013.



Maria L. Matthews, Director
Division of Elections

NOTICE OF RIGHTS

This Order constitutes final agency action. Judicial review of this proceeding may be instituted by filing a notice of appeal, with the filing fee prescribed by law in the District Court of Appeal, pursuant to Section 120.68, Florida Statutes, and a copy with the clerk of the Department of State. Such notice must be filed within 30 calendar days of the date this order is filed in the official records of the Department of State as indicated in the Certificate of Clerk. Review proceedings shall be conducted in accordance with the Florida Rules of Appellate Procedure.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order was hand-delivered to the Agency Clerk, Department of State, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250 and that a true and correct copy of the foregoing Final Order was mailed on this 24th day of April, 2013, by certified U.S. mail to Haitian American Political Action Committee, 670 NE 160 Terrace, Miami, Florida 33162.



Ashley E. Davis
Assistant General Counsel
Florida Department of State
Florida Bar No. 48032
500 S. Bronough Street
Tallahassee, Florida 32399



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

March 1, 2013

Mr. Wilbert Laurent, Chairperson
Haitian American Political Action Committee (27409)
670 NE 160 Terrace
Miami, Florida 33162

RE: FINAL NOTICE OF INTENT TO REVOKE

Dear Mr. Laurent:

On January 29, 2013, the Division provided you with a Notice of Intent to Revoke pursuant to Section 106.03(7), Florida Statutes, and Rule 1S-2.021, Florida Administrative Code. The notice informed you of the Division's intent to revoke your committee's registration as a political committee based on the committee's failure to meet the following criteria:

The committee's aggregate reported financial activity during the 2012 calendar year was less than \$500.

The notice advised you to provide documentation showing that the committee's certification should not be revoked. The Division did not receive a response to this notification. Accordingly, the Division hereby issues a Final Notice of Intent to Revoke.

If you object to this revocation you must file a request for hearing within 30 days of the date of this notice. The request must be filed with the Department of State, Division of Elections, Bureau of Election Records, The R.A. Gray Building, Room 316, 500 South Bronough Street, Tallahassee, Florida 32399-0250 and will be forwarded to the Florida Elections Commission for a hearing based upon the notice and any supporting documentation. If you desire a personal appearance before the Commission, you must include in your request for hearing a separate request for a personal appearance. Failure to file a request for a hearing constitutes a waiver of your right to a hearing and will cause a final order to be entered revoking the committee's registration.

If you have any questions please call (850) 245-6280.

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records

KRB/lkb

Division of Elections

R.A. Gray Bldg., Rm. 316 • 500 S Bronough St. • Tallahassee, Florida 32399-0250
Telephone: (850) 245-6240 • Facsimile: (850) 245-6259 elections.myflorida.com
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FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

January 29, 2012

Mr. Wilbert Laurent, Chairman
Haitian American Political Action Committee (27409)
670 NE 160 Terrace
Miami, Florida 33162

RE: NOTICE OF INTENT TO REVOKE

Dear Mr. Laurent:

Pursuant to Section 106.03(7), Florida Statutes, and Rule 1S-2.021, Florida Administrative Code, you are hereby notified of the Division's intent to revoke your committee's registration as a political committee based on the following:

The committee's aggregate reported financial activity during the 2012 calendar year was less than \$500.

If you object to this revocation you must provide documentation showing that the committee's registration should not be revoked. Documentation must be provided within 30 days of the date of this letter to Department of State, Division of Elections, Bureau of Election Records, The R.A. Gray Building, Room 316, 500 South Bronough Street, Tallahassee, Florida 32399-0250.

If you have any questions please call (850) 245-6280.

Sincerely,

A handwritten signature in cursive script that reads "Kristi Reid Bronson".

Kristi Reid Bronson, Chief
Bureau of Election Records

KRB/lkb

Enclosure



Division of Elections
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