

FILED
14 MAY 22 PM 2:24
CLERK OF THE COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Yvenoline Dargenson

**Case No.: FEC 13-150
F.O. No.: FOFE 14-084W**

CONSENT FINAL ORDER

The Respondent, **Yvenoline Dargenson**, and the Florida Elections Commission ("Commission") agree that this Consent Order resolves all of the issues between the parties in this case. The parties jointly stipulate to the following facts, conclusions of law, and order:

FINDINGS OF FACT

1. On May 2, 2013, a complaint was filed with the Commission alleging that Respondent violated Chapter 106, Florida Statutes.
2. The Respondent has expressed a desire to enter into negotiations directed toward reaching a consent agreement.
3. The Respondent and the staff stipulate to the following facts:
 - a. Respondent was a candidate for the North Miami City Beach Council, Group 4, in the 2013 municipal election.
 - b. Respondent failed to list March 30, 2013 expenditure for her filing fee and April 8, 2013 expenditure for a political sign bond fee on her 2013 G3 Report covering the dates of March 20, 2013 through April 12, 2013. Respondent certified the report was true, correct, and complete when it was not.
 - c. On May 28, 2013, Respondent filed an amended 2013 G3 Report that failed to list her March 30, 2013 expenditure for her filing fee. Respondent certified the report was true, correct, and complete when it was not.

CONCLUSIONS OF LAW

4. The Commission has jurisdiction over the parties to and subject matter of this cause, pursuant to Section 106.26, Florida Statutes.

5. Section 106.25(4) (i) 3, Florida Statutes, allows the Commission to approve a consent agreement with a Respondent prior to the Commission finding probable cause that a violation of the election laws occurred. The consent agreement has the same force and effect as a consent agreement reached after the Commission finds probable cause.

6. The Commission staff and the Respondent stipulate that staff can prove the facts in paragraph three above by clear and convincing evidence, and to the Commission's ability to impose a civil penalty in this case.

ORDER

7. The Respondent and the staff of the Commission have entered into this Consent Order voluntarily and upon advice of counsel.

8. The parties shall each bear its own attorney fees and costs that are in any way associated with this case.

9. The Commission will consider the Consent Order at its next available meeting.

10. The Respondent voluntarily waives the right to any further proceedings under Chapters 104, 106, and 120, Florida Statutes, and the right to appeal the Consent Order.

11. This Consent Order is enforceable under Sections 106.265 and 120.69, Florida Statutes. The Respondent expressly waives any venue privileges and agrees that if enforcement of this Consent Order is necessary, venue shall be in Leon County, Florida, and Respondent shall be responsible for all fees and costs associated with enforcement.

12. If the Commission does not receive the signed Consent Order by March 12,

2014, the staff withdraws this offer of settlement and will proceed with the case.

13. Payment of the civil penalty must be made by cashier's check, money order, or attorney trust account check is a condition precedent to the Commission's consideration of the Consent Order. The certified funds must be good for 120 days.

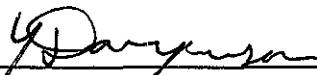
PENALTY

WHEREFORE, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondent has violated Section 106.07(5) on two occasions and imposes a fine of \$600 for the violations.

Therefore it is

ORDERED that the Respondent shall remit to the Commission a civil penalty in the amount of \$600, inclusive of fees and costs. The civil penalty shall be paid by cashier's check, money order, or attorney trust account check and good for 120 days. The civil penalty should be made payable to the Florida Elections Commission and sent to 107 W. Gaines Street, Collins Building, Suite 224, Tallahassee, Florida, 32399-1050.

The Respondent hereby agrees and consents to the terms of this Order on March 4, 2014.



Yvenoline Dargenson
1511 NE 161 Street
North Miami Beach, Florida 33162

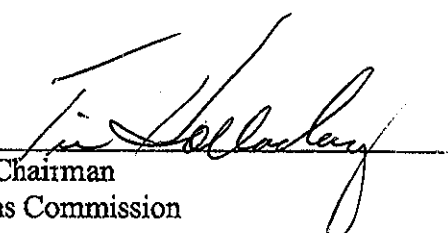
The Commission staff hereby agrees and consents to the terms of this Consent Order on

March 18, 2014.



Eric Lipman
General Counsel
Florida Elections Commission
107 W. Gaines Streets
Collins Building, Suite 224
Tallahassee, FL 32399-1050

Approved by the Florida Elections Commission at its regularly scheduled meeting held
on May 6 and 7, in Tallahassee, Florida.



Tim Holladay, Chairman
Florida Elections Commission

5-6-14

Date

Copies furnished to:

Eric Lipman, General Counsel
Yvenoline Dargenson, Respondent

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

MONEY ORDER

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK



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Date 03/13/2014

Pay To The Order Of:

Florida Election Commission

\$** 600.00 **

Pay:

SIX HUNDRED DOLLARS AND 00 CENTS

NOT VALID FOR MORE THAN \$1000.00

Do not write outside this box

Memo: FBC-13-150
Note: For information only. Comment has no effect on bank's payment.

Yvonne Rangan

SENDER/DRAWER:

1511 NE 161 Street, NMB 31 33182

ADDRESS:

JPMorgan Chase Bank, N.A.
Columbus, OH

