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COMMISSION ON ETHICS  
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*"A Public Office is a Public Trust"*

January 27, 2016

The Honorable Rick Scott  
Governor, State of Florida  
The Capitol, 400 S. Monroe St.  
Tallahassee, Florida 32399-0001

Re: Complaint No. 14-119, In re PHILLIP J. BRUTUS

Dear Governor Scott:

The Florida Commission on Ethics has completed a full and final investigation of a complaint involving Mr. Phillip J. Brutus, a former candidate for the Florida House of Representatives (who was not elected). Pursuant to Section 112.324(8), Florida Statutes, we are reporting our findings and recommending appropriate disciplinary action to you in this case. Enclosed are copies of our final order and of our file in this matter. As we have found pursuant to a stipulation that Mr. Brutus violated the Sunshine Amendment and the Code of Ethics in the manner described by our order, we recommend that you publicly censure and reprimand him and that you impose a civil penalty upon him in the amount of \$1,500 (one thousand five hundred dollars), penalties which he has agreed to be subjected to and to pay. If we may be of any assistance to you in your deliberations, please do not hesitate to contact us. We would appreciate your informing us of the manner in which you dispose of this matter. For information regarding collection of the civil penalty, please contact the Office of the Attorney General, Ms. Elizabeth A. Miller, Assistant Attorney General.

Sincerely,

  
Virilindia Doss

Executive Director

VAD/cca

Enclosures

cc: Mr. Phillip J. Brutus, Respondent  
Ms. Elizabeth A. Miller, Commission Advocate  
Ms. Stephanie Kienzle, Complainant

COMMISSION ON ETHICS

Final Order No. 16-001

ORDERED by the State of Florida Commission on Ethics meeting in public session on

January 22, 2016.

January 27, 2016  
Date Rendered

Stanley M. Weston  
Stanley M. Weston  
Chair

cc: Mr. Phillip J. Brutus, Respondent  
Ms. Elizabeth A. Miller, Commission Advocate  
Ms. Stephanie Kienzle, Complainant

FLORIDA  
COMMISSION ON ETHICS  
DEC 16 2015  
RECEIVED

**BEFORE THE  
STATE OF FLORIDA  
COMMISSION ON ETHICS**

**In re: Phillip J. Brutus,**

**Respondent.**

**Complaint No. 14-119**

**JOINT STIPULATION OF FACT, LAW, AND RECOMMENDED ORDER**

Respondent, Phillip J. Brutus, and the Advocate for the Florida Commission on Ethics enter into this Joint Stipulation of Fact, Law, and Recommended Order with respect to the above-styled Complaint. Subject to acceptance by the Commission on Ethics, the parties agree that they enter into this stipulated settlement in lieu of further hearings in this cause. The parties stipulate as follows:

**STIPULATED FINDINGS OF FACT**

1. At all times material to the Complaint in the above-styled case, Respondent was a candidate for the Florida House of Representatives, and was subject to the provisions of the Code of Ethics for Public Officers and Employees, Part III, Chapter 112, Florida Statutes.
2. On July 7, 2014, a sworn Complaint was filed with the Commission on Ethics alleging that Respondent had violated the Code of Ethics.
3. Pursuant to Section 112.322, Florida Statutes, the Executive Director of the Commission on Ethics found that the Complaint was legally sufficient and ordered a preliminary investigation of the Complaint for a probable cause determination of whether Respondent had violated the Code of Ethics. The Report of Investigation was released on May 14, 2015.
4. On July 24, 2015 the Commission on Ethics found probable cause to believe Respondent had violated Article II, Section 8, Florida Constitution and Section 112.3144, Florida Statutes.

The allegation is:

Respondent violated Article II, Section 8, Florida Constitution, and Section 112.3144, Florida Statutes, by failing to disclose his net worth, liabilities, and two real properties on his 2013 CE Form 6, "Full and Public Disclosure of Financial Interests."

5. Respondent admits the facts as set forth in the Report of Investigation, which is specifically incorporated by reference in this Joint Stipulation.

#### **STIPULATED CONCLUSIONS OF LAW**

6. Respondent is subject to the provisions of Part III, Chapter 112, Florida Statutes, the Code of Ethics for Public Officers and Employees.

7. The Commission on Ethics has jurisdiction over the Complaint as filed in this proceeding and over Respondent.

8. Respondent admits the allegation as set forth in paragraph four (4) of the Stipulated Findings of Fact, above.

9. Respondent violated Article II, Section 8, Florida Constitution, and Section 112.3144, Florida Statutes, by failing to properly disclose his net worth, liabilities, and two real properties on his 2013 CE Form 6, "Full and Public Disclosure of Financial Interests."

#### **STIPULATED RECOMMENDED ORDER**

10. The Advocate accepts Respondent's admission(s) in this proceeding.

11. The Advocate and Respondent have entered into this Joint Stipulation and urge the Commission on Ethics to approve it in lieu of further hearings before the Commission in this cause.

12. Therefore, the Advocate recommends that:

(a) The Commission on Ethics approve this Joint Stipulation, embodying the stipulations, admissions, and recommendations of the parties; and

(b) The Commission on Ethics enter a Final Order and Public Report finding that Respondent violated Article II, Section 8, Florida Constitution and Section 112.3144, Florida Statutes, and recommending:

- (1) Public censure and reprimand of Respondent; and
- (2) A civil penalty of \$1,500.00.

13. Additionally, Respondent agrees to file an amended financial affidavit correcting all errors prior to the Commission on Ethics' acceptance of any stipulation. This agreement is based on Respondent's cooperation in this matter.

#### **FURTHER STIPULATIONS**

14. Respondent and the Advocate stipulate and covenant that they have freely and voluntarily entered into this Joint Stipulation of Fact, Law, and Recommended Order with full knowledge and understanding of its contents. Respondent and the Advocate further stipulate and covenant that this Joint Stipulation constitutes the full agreement of the parties and that there are no oral or written understandings between the parties other than those contained in this Joint Stipulation of Fact, Law, and Recommended Order.

15. Respondent and the Advocate stipulate and covenant that, in consideration of the provisions of this Joint Stipulation of Fact, Law, and Recommended Order, Respondent and the Advocate accept and will comply with the above-referenced Final Order and Public Report of the Commission on Ethics.

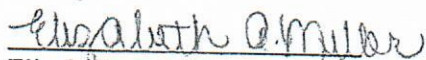
16. Respondent and the Advocate stipulate that this Joint Stipulation of Fact, Law, and Recommended Order is submitted to the Commission on Ethics for its consideration and ratification. In the event that it is not approved by the Commission on Ethics as written, this

document shall be of no purpose and effect and shall not be deemed an admission by Respondent.

17. Effective upon approval of this Joint Stipulation of Fact, Law, and Recommended Order by the Commission on Ethics, Respondent waives all time, notice, and hearing rights, requirements, and entitlements, as to all subsequent hearings in this proceeding.

Signed, dated and entered into:

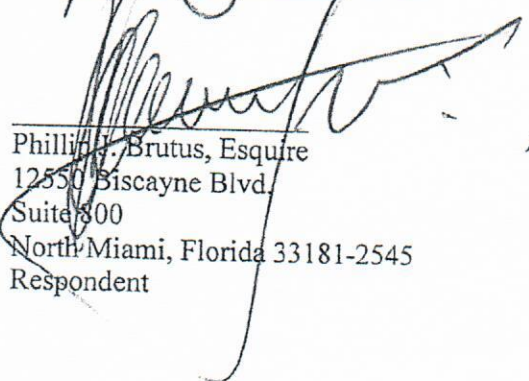
this 16<sup>th</sup> day of December, 2015



Elizabeth A. Miller  
Advocate for the Florida  
Commission on Ethics  
Florida Bar No. 578411  
Office of the Attorney General  
The Capitol, PL-01  
Tallahassee, Florida 32399-1050

Signed, dated and entered into:

this 4<sup>th</sup> day of December, 2015.

  
Phillip Brutus, Esquire  
12550 Biscayne Blvd.  
Suite 800  
North Miami, Florida 33181-2545  
Respondent