

James Molenaar -- Property Appraiser  
CCREC Questionnaire

	Question	Candidate Comments/Answers
1	Your age?	I am 55 years old.
2	List any other names you have used, dates of use, and the circumstances surrounding their use.	I have never been known by any other name.
3	What is your profession(s), if any?	Since 1995, I have been a practicing licensed attorney. I have also earned an MBA and a Masters of Laws Degree (LL.M.) in Information Technology and Privacy Law; and hold the professional designation of Certified Internal Auditor and Certified Fraud Examiner.
4	Your reason for leaving your profession to pursue this political position?	I would not be leaving my profession. I will bring all of my skills, abilities and training with me as the elected Property Appraiser. These skills include strategic thinking and problem solving abilities. I believe that public service is an obligation that all Americans should embrace, especially professionals such as CPA's, physicians, clergy and lawyers. Professionals are uniquely situated to positively impact lives. Running for public office is a way for me to put into use my complete legal training, along with my other specialized training for the greater good and mission to help the public.
5	What is current political party and for how long have you been a documented member of this party?	Currently, I am a member of the Republican Party. I have been a member of the Republican Party since I first registered to vote at the age of 18.
6	Did you vote for Trump both times? And did you EVER vote for Obama or vote as for a Democrat?	I voted for President Donald J. Trump both times, and I never voted for President Obama.
7	Have you held an elected position before in government (example: Municipal, Local, State, or Federal)?	Yes
8	What party were you a member of at the time?	Republican
9	What was that elected position?	Park Commissioner (Local/Municipal election)
10	What was the start/ end dates for that elected position?	From 2000 to 2004.
11	Have you ever been required to file a Form 1 with the Florida Commission on Ethics? If so, list all?	Yes, 2006 - 2013
12	Have you ever been required to file a Form 6 with the Florida Commission on Ethics? If so, list all?	Yes, in 2020.
13	Excluding non-criminal traffic citations or infractions, have you EVER been arrested, taken into custody, detained for investigation or charged with a crime by any Law Enforcement Agency or State/Federal Attorney's Office (include expungements, indictments, criminal summons', criminal information's, sealed records, injunctions, pre-trial diversion, pardons, nolle prosequi, etc.) as an adult or juvenile? If yes, explain in complete detail.	No.
14	Have you run for an elected position(s) before and failed to win the position(s)?	
15	Have you ever been made aware of a complaint being filed against you with the Florida Commission on Ethics? If so, please provide the dates and complete circumstances, including outcome or resolution of each matter.	No.
16	Have you ever been made aware of a complaint being filed against you with the Florida Department of State and/or the Florida Elections Commission? If so, please provide the dates and complete circumstances, including outcome or resolution of each matter.	No.
17	Do you possess a professional license? If so, please describe.	Yes, I am a licensed attorney in the State of Florida and the State of Illinois.
18	Do you possess any professional certifications? If so, please describe.	Yes, please see below: <ul style="list-style-type: none"> <li>• Licensed member of the Illinois Bar – License No. 6230659</li> <li>• Licensed member of the Florida Bar – License No. 0022785</li> <li>• Certified Internal Auditor (CIA) Certificate Serial No. 175091</li> <li>• Certified Fraud Examiner (CFE) Certification No. 707371</li> <li>• Certified Florida Public Records Manager (FCRM) Member No. 1047</li> <li>• Notary Public Commission No. GG 147734</li> </ul>
19	If you listed any license or certification above, have you ever been disciplined, suspended, reprimanded, denied renewal of your license or failed to renew your certification? If so, please provide full details.	No.
20	Are you now or have you ever been a member, or supported the views of beliefs, of any foreign or domestic organization, association, movement, group, or combination of persons which is totalitarian, fascist, communist, or subversive, or which has adopted, or shows a policy of advocating or approving the commission of acts of force or violence to deny other persons their rights under the Constitution of the United States, or which seeks to alter the form of Government of the United States by unconstitutional means? If yes, explain in detail with dates, name of organization, association, movement, or combination of persons, and the circumstances surrounding your membership in, support of, or belief in such:	No.
21	Do you currently have, or have you ever had ANY Social Media accounts? If yes, list ALL Social Media (websites and affidavits that enable users to create and/or share content or participate in social networking) accounts you currently have or have ever had along with the applicable username, screen name, handle, blog name, channel name, URL (web address), or other identifying information for the account.	I have a personal LinkedIn account and no social media accounts.

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22	What are the main strengths that you feel you possess for this position?	<ul style="list-style-type: none"> <li>• I support the America First political movement, however I am not an isolationist, anti-interventionist, anti-Semitic, nor xenophobic. I believe in American exceptionalism and believe that the security of our nation lies in the strength and character of our people. America needs a president and leaders who are principled strategists, folks who do the right thing for the right reasons, and put America first. I support the Constitution of the United States, and believe it is worth fighting for. It is my belief that in local government, a leader cannot succeed by narrow-mindedly dealing with the world as he envisions it may be, rather he must deal with the world as it truly is presently.</li> <li>• I am a true patriot and the proud son of my father (Decd.), a Vietnam Veteran; and my mother who supported him while he was on active duty and for the entire 57 years they were married.</li> <li>• As the father of two minor daughters, I unapologetically believe that the National Collegiate Athletic Association (NCAA) should prohibit biological men from participating in women's sports; and applaud the National Association of Intercollegiate Athletics (NAIA) unanimous vote to restrict most women's sports to biological males from participating in such competitions. For the sake of our women and girls we must protect their opportunities to compete safely and succeed in athletic competitions fairly.</li> <li>• For the reasons listed above, along with my proven track record of success with creating, building, and leading teams, along with my well developed personal skills, training and experience within governmental organizations, and always protecting taxpayers make me the ideal candidate for you to recommend me for the Collier County Republican Executive Committee endorsement.</li> </ul>
23	What are the three most important items/issues that you want to address during your term in this position?	<ol style="list-style-type: none"> <li>1. I will put a fresh pair of eyes on all of the systems and operations of the organization, bring smart solutions that help cut costs, save time, and accomplish goals more efficiently and effectively; and institute a corporate governance model (tone at the top) of fairness and constancy to all residential and commercial property owners;</li> <li>2. Audit and review the finances and operations of the Property Appraiser thereby providing assurance on the organization's governance, risk management, control processes, and implement required changes to help the organization achieve its strategic, operations, financial, and compliance objectives; and</li> <li>3. Conduct extensive community outreach and educational opportunities for the public so they can become familiar with the importance of this independent constitutional office, and personally educating the public on every possible exemption allowed to by law, along with local real estate market trends.</li> </ol>
24	As the newly elected Property Appraiser, what, if any, changes or policies would you seek to implement on your first day? Your first 100 days? Your first term? (please explain why you believe these changes need be made or policies implemented?)	<ul style="list-style-type: none"> <li>• On the first day, I will initiate a policy of always being accessible to the taxpayers, the public, and staff. Simultaneously, I will also begin building a Best-in-Class Fraud Hotline for the Property Appraiser.</li> <li>• In my first 100 days, demonstrate my commitment to this office by continually building and maintaining property appraiser partnerships across our community, county and state with interested parties and stakeholders.</li> <li>• In my first term, along with the issues stated in Q. 24 above, I will enhance the Property Appraiser's overall fraud prevention and detection efforts. I will build a roadmap that will educate and empower each staff member to play a vital role in fraud detection and prevention programs.</li> </ul>
25	What knowledge do you have of Florida Statutes → Taxation and Finance Title XIV, Chapter 193?	As a Florida licensed attorney with substantial experience in real estate law, I have knowledge about Property Assessment Administration and Finance Law. Furthermore, the purpose of this chapter is to recognize and fulfill the state's responsibility to secure a just valuation for ad valorem tax purposes of all property and provide a uniform assessment as between property within each county and property in every other county or taxing district.
26	Do you have knowledge of Florida Statutes § 197.3181 and/or § 197.3182, if so, do you support allowing people to take advantage of any protections due to him or her by state law when making repairs or replacing property due to Hurricane Ian? If not, why not?	Yes.
27	Do you support the Florida Tax Payer Bill of Rights (Florida Statute § 213.015)?	Yes.
28	Do you support Governor Ron DeSantis' signing of HB 621 which protects property rights, provides homeowners remedies against squatting, and increase penalties on squatters?	Yes.
29	Do you personally agree with having Homestead Exemption Applications be made only in person?	Yes.
30	As the Property Appraiser, will you consider late Homestead exemptions filed after the March 1st deadline? If so, why? If not, why not?	Yes, I will follow the law, and Florida Statute §196.011(8) permits any applicant, in very rare circumstances, who is qualified to receive any exemption, including a homestead exemption through early September. The deadline is set by Florida Statute and falls on the 25th day following the mailing of the Notices of Proposed Property Taxes, also known as the TRIM (Truth in Millage) Notice, and that occurs in mid-August. However, the statute further requires receipt of sufficient evidence, as determined by the property appraiser to warrant granting the exemption. Only upon receiving sufficient evidence demonstrating the applicant was unable to apply for the exemption in a timely manner or otherwise demonstrating extenuating circumstances would I consider granting the exemption. It is noteworthy, that it is solely up to the property appraiser on whether or not the applicant has sufficiently met this burden and whether or not to grant the late-filed exemption.
31	What, if any, is your financial background?	I have a Masters of Business Administration (MBA) from the University of Florida; a Certified Internal Auditor certification; and hold a Certified Fraud Examiner certification. Furthermore, I served as an Internal Audit Manager and Senior Legal Counsel for a Clerk of Court for many years.
32	Are you able to interpret governmental fund financial statements?	Yes.
33	What experience do you have reviewing and working with budgets for a large governmental organization?	In my years working as an internal auditor, I frequently reviewed Collier County's budget that was at that time \$1.2 billion. Furthermore, as a member of the public and as a concerned citizen, I also regularly review the Collier County Public School's (CCPS) budget to make suggestions and provide input on School Board expenditures to CCPS Board Members.

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34	Describe what steps you will go through when a Property Appraiser draft budget is presented for discussion/acceptance/input?	<p>The Property Appraiser is an independent constitutional officer, i.e. an elected official whose operations are funded by the county, but remain independent from the governing body of the County Commission, which ultimately decides the budget. It is important to understand constitutional officers are independently elected and the county manager does not set their budget as with departments under the umbrella of the County Board of Commissioners. My steps may include attending budget workshops, making formal presentations before the County Commission, and having one on one conversations with staff and commissioners. As such, it is important that the Property Appraiser work with county staff, including the county manager, the county budget director and the elected board members of the County Commission. Equally important is speaking with Property Appraiser department heads and directors about goals, must-haves, and operational or functional concerns they may have. Once all information is gathered, I will then evaluate the current model against past budgets and future projections. I also will welcome transparency by making proposed budgets available to the public and welcome the opportunity to discuss expenditures and funding sources.</p> <p>Finally, as required by Florida Statute § 195.087, on or before June 1 of each year, my office staff will submit to the Department of Revenue a budget for the operation of the property appraiser's office for the ensuing fiscal year beginning October 1. At this same time, I will submit a copy of the budget to the Collier County Board of County Commissioners. Upon final approval of the budget by the Department of Revenue, this budget will be posted on the property appraiser's official website within 30 days.</p>
35	What training and experience have you had in preparing and giving presentations?	<p>I have robust experience with making and giving public presentations, including:</p> <ul style="list-style-type: none"> <li>• Formal training in college at Purdue University, the University of Florida MBA program, and in Law School at the Michigan State College of Law</li> <li>• Frequently preparing and presenting Continuing Legal Education (CLE) and Continuing Professional Education (CPE) seminars</li> <li>• I have tried over 1,000 case in administrative hearings, approximately 60 non-jury trials, and approximately 30 jury trials to verdict</li> <li>• As the Internal Audit Manager, I made and gave audit finding presentations to the Collier County Board of County Commissioners along with recommendations</li> <li>• There many other examples I can provide upon request.</li> </ul>
36	What experience/training have you had in information technology?	<p>I have a Masters Degree in Information Technology and Privacy Law (L.L.M.). I have years of experience examining operating systems and database management and storage systems, along with content creation. For example, I have training and experience with SAP, NeoGov, Microsoft Suits, LexisNexis, Westlaw, CLEAR and NCIC/FCIC just to name a few. This experience further includes preparing and trying cases in the court that involve computer, electronic and digital evidence.</p>
37	What experience have you had in the Florida's Government-in-the-Sunshine law?	<p>Since becoming a licensed attorney in Florida in 2006, and being a public servant nearly this entire time, I have consistently been exposed to and worked with the Sunshine Law. I frequently make tailored public records request and have reviewed hundreds of requests made by the public of the various governmental agencies with whom I have been employed. I reviewed the pretendant statues and legal cases on a regular basis. I have received specialized training on records management and earned the designation of Certified Florida Records Manager (FCRM) Member. Finally, I am frequently contacted by people who seek legal advice and guidance regarding the Florida Sunshine Law and various other records laws.</p>
38	Do you support Florida's Government-in-the-Sunshine law? If not, why not?	<p>Yes. I believe the result of the Florida's Government-in-the-Sunshine Law makes lawmaking more transparent, and over the years has increased the public's confidence in governmental leadership and the legislative process.</p>
39	Do you support granting the Florida Homestead Exemption to non-immigrant investors without a green card (i.e. is not a permanent resident) or US citizenship? If so, why? If not, why not?	<p>No. I agree with several Florida courts that held that a homeowner who is not a U.S. citizen cannot legally establish the intent to reside in Florida permanently for the purposes of homestead unless the homeowner, or a family member residing at the home, is a permanent resident as defined by immigration law. Under Florida law, in general, a person is a resident if he or she lives in a place and has no present intentions of "removing themselves therefrom," i.e., leaving.</p>
40	As the elected Collier County Property Appraiser, will you report all instances of suspected criminal Homestead fraud to the proper law enforcement authorities, and will you notify the public of your finding(s)?	<p>Yes.</p>
41	As the elected Collier County Property Appraiser, will you report all religious, charitable, or educational entities claiming exemptions they are not entitled to the proper law enforcement authorities if you believe it is criminal and nature, and will you notify the public of your finding(s)?	<p>Yes.</p>

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<p>42</p>	<p>Do you have any thought on possible legislation that could protect a buyer from a tax bill that could be 10x what the prior owner paid when the property is reassessed after the sale? High tax bills prevent many, including local renters from buying a home.</p>	<p>Yes*, I support any legislation that would increase transparency and protect the consumer. As an attorney, one of the biggest complaints I hear from clients who are first time home buyers or people from moving from another state is about the absolute shock they get when they receive their first tax bill. Many are panicked and distressed when they realize their tax bill a great deal higher than the taxes paid on that same home by the previous owner. Notably, this is because of the 1995 amendment to the Florida constitution "Save our Homes." This amendment caps how much a Florida homestead's assessed value can increase each year to the lesser of 3% or the rate of inflation (National Consumer Price Index). There have been eleven years of positive home residential home value growth and this has resulted in the largest Save our Home cap benefits. However, this has also resulted in the largest "cap rests" experienced by buyers of residential property after the home is sold, primarily when the prior owner received the benefit of a homestead exemption and the Save Our Homes cap for in past years. Upon the sale of the house, the property appraiser is required to reset the capped assessed value to the market value of the home, and this becomes the basis of the new owner's property taxes. However, Floridians who move their primary residence from one home they own in Florida to another are eligible for what is known as "portability." Portability allows these buyers to transfer the benefits of Save Our Homes cap assessed value increases from their old home to their new home.</p> <p>I would further support legislation that would require online listings of residential property to include a property tax estimator tool that would calculate the property tax that will be due on the property at the current rates, legislation that prohibits printed listing materials and social media posts produced from including the current owner's property taxes. (see HB 295 and SB 380). While this may not protect a buyer from a tax bill that is ten times higher, I would support a "tax estimator" bill that would require disclosure of estimated post-sale property tax bills. I believe this legislation would go a long way to better informing home buyers of their future property tax obligations, while at the same time allowing buyers time to prepare.</p> <p>* This question may be better suited for a legislative candidate because Property Appraiser does not typically draft legislation nor control the legislative process.</p>
<p>43</p>	<p>What training and experience do you have in preparing and giving public presentations?</p>	<p>I have robust experience with giving public presentations, including:</p> <ul style="list-style-type: none"> <li>• Formal training in college at Purdue University, the University of Florida MBA program, and in Law School at the Michigan State College of Law</li> <li>• Frequently prepare and present Continuing Legal Education (CLE) and Continuing Professional Education (CPE) seminars</li> <li>• I have tried over 1,000 case in administrative hearings, approximately 60 non-jury trials, and approximately 30 jury trials to verdict</li> <li>• As the Internal Audit Manager, I made audit finding presentations to the Collier County Board of County Commissioners along with recommendations</li> <li>• There many other examples I can provide upon request.</li> </ul>