

IN THE BROWARD COUNTY, FLORIDA, CHARTER SECTION 10.01
ENFORCEMENT HEARINGS FORUM

CAROL J. BREECE,
Broward County Inspector General,
Plaintiff,

CASE NO. EH-2026-001

V.

ABIODUN AJAYI,
Defendant.

_____ /

COMPLAINT

Plaintiff CAROL J. BREECE, the Inspector General in and for Broward County, Florida, by and through the undersigned counsel, files this Complaint against ABIODUN AJAYI for violations of Section 26-16 of the Broward County Code of Ordinances, as averred herein.

STATEMENT OF JURISDICTION

The Broward County Charter Section 10.01 Enforcement Hearings Forum has jurisdiction over this matter pursuant to Section 10.01.C.(2) of the Broward County Charter.

FACTS UPON WHICH THE PLAINTIFF IS ENTITLED TO RELIEF

1. Plaintiff is the Inspector General for Broward County.
2. At all times material to this Complaint, until on or about January 7, 2025,
Defendant ABIODUN “ABBEY” AJAYI was employed by Broward

County as the Operations Manager of the Records, Taxes and Treasury Division (“RTT”).

3. Defendant AJAYI’s standard work schedule as RTT Operations Manager was 8:30 a.m. to 5:00 p.m.
4. In March 2023, Defendant AJAYI informed the then Director of RTT, Thomas Kennedy (“Kennedy”), that she intended to seek election in the August 20, 2024, election as the Broward County Tax Collector.
5. On or about March 15, 2023, after Defendant AJAYI informed Kennedy that she intended to run for the Broward County Tax Collector seat, Kennedy advised Defendant AJAYI, both verbally and through a written memorandum, that as a County employee seeking elected public office she was prohibited from engaging in campaign-related activity during County working hours and prohibited from using County resources in furtherance of her campaign.
6. On May 1, 2023, Defendant AJAYI filed with the Broward County Supervisor of Elections her official “Statement of Candidate” for Broward County Tax Collector for the August 20, 2024, election.
7. At all times material to this Complaint, Defendant AJAYI had the following County email address: (aajayi@broward.org).
8. At all times material to this Complaint, Defendant AJAYI had the following

personal Gmail address: abbey.ajnoonan@gmail.com.

9. At all times material to this Complaint, Defendant AJAYI had the following

campaign Gmail address: abbeyfortaxcollector@gmail.com.

10. On Friday, March 29, 2024, at approximately 10:00 a.m., Defendant AJAYI

made a remote appearance on the Time Out 360 podcast from her County office.

11. During the March 29, 2024, podcast, which took place during her scheduled

working hours at the County, Defendant AJAYI promoted her campaign by identifying herself as a candidate for Broward County Tax Collector,

discussing her campaign platform, and providing her campaign email address and campaign website as contact information for viewers.

12. County time records reflect that Defendant AJAYI was working as a

Broward County employee at the time of the podcast appearance, as she did not request, receive approval, or use any type of leave for March 29, 2024.

13. Between approximately June 16, 2023, and July 11, 2024, Defendant

AJAYI used her County email address to send and receive at her County email address approximately 29 campaign-related emails during her working hours as a County employee.

14. These emails included campaign materials, campaign business

communications, campaign event information, and documents relating to her

candidacy for Broward County Tax Collector.

15. The campaign emails included but were not limited to:

- a. A November 2, 2023, email from Defendant AJAYI's personal Gmail address to her County email address forwarding an agenda for a campaign fundraising event for Defendant AJAYI scheduled that same day.
- b. An April 5, 2024, email, with the subject line "sPEECH," from Defendant AJAYI's County email address to her personal email address, attaching a document requesting the Broward County Democratic Black Caucus's endorsement.
- c. A May 14, 2024, email, with the subject line "RE: Application," from Defendant AJAYI's County email address to her personal email address, attaching a completed vendor application for a Juneteenth event in Fort Lauderdale. The Vendor's business name that she used in the application was "Abbey for Tax Collector."
- d. A June 27, 2024, email from Defendant AJAYI's personal Gmail address to her County email address forwarding a blank campaign questionnaire titled, "Candidate Questionnaire (1).pdf."
- e. A June 27, 2024, email from Defendant AJAYI's County email address to her personal Gmail address attaching the completed version

of the candidate questionnaire described above.

RELEVANT LAW

Broward County Code of Ordinances (2024)

Chapter 26 – PERSONNEL

ARTICLE II. -PERSONNEL PROGRAM

DIVISION 1. -GENERALLY

Sec. 26-16. - Elected public office.

(a) An employee seeking elected public office shall not engage in any activity related to seeking the office during working hours as a county employee. The county administrator shall adopt rules for the use of approved leave time for such employees.

Broward County Internal Control Handbook

VOLUME 15 – HUMAN RESOURCES DIVISION (2005)

Chapter 4 - WORK HOURS, LEAVE AND PAY POLICIES

IV. LEAVES WITH FULL OR PARTIAL PAY

A. Annual Leave Annual Leave is typically used for scheduled absences. Such as vacation or personal business. Employees may also use Annual Leave for unscheduled absences, subject to proper approvals. Also refer to the discussion of the use of Annual Leave concurrently with FMLA in the section on FMLA.

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6. Running for Elected Office An employee who wishes to run for elected office must use accrued Annual Leave before going on leave without pay status.

V. LEAVES WITHOUT PAY

A. Approved Leaves of Absence A leave of absence without pay may be granted to employees for valid reasons. Except for FMLA, all leaves of absence are at the discretion of management in view of the necessity of

maintaining work production and operations. It shall be the general practice that all applicable paid leave must be exhausted before a leave of absence will be granted. Sick Leave should be exhausted prior to leave without pay only if the absence from work is caused by an event approved for the use of Sick Leave. Leaves of absence may be granted for up to seven (7) full pay periods by the appointing authority or up to one (1) year with approval of the County Administrator.

3. Approved Leaves of Absence as applied to:...

- b. Running for Public Office - After annual leave has been exhausted, a leave of absence for the purpose of running for elected office would begin on the date of filing qualification papers and paying the filing fee or on the date of qualifying by the alternative method. It may begin earlier if necessary to prevent campaign activity from interfering with County employment. The leave of absence would continue until the election for the office is held, except that it shall end if the employee withdraws as a candidate before the election or upon completion of the qualifying period if unopposed. The employee must use accrued Annual leave and job Basis Leave, if eligible, before going on leave without pay status. Prior to the leave, the employee may not engage in any activity related to seeking office during working hours as a County employee. See the Chapter on Ethics and Conflicts of Interest, in this Handbook.

Chapter 9 – ETHICS AND CONFLICTS OF INTERESTS

- I. Standards of Conduct County employees are personally and professionally obligated to serve the public with honesty and integrity. It is essential that County employees maintain the trust of the public, the County Commission, and co-workers as the many thousands of decisions which go into the operations of County programs are made. Specific policies to guide decisions and conduct when a potential conflict of interest is present are presented below. . . .

G. Elected Public Office

1. Employees seeking elected public office are not permitted to engage in any activity related to seeking the office during working hours or in other ways which might constitute an inappropriate use of County time and

resources or lead to the impression that the County government endorses their candidacy.

2. The prohibition against the use of County time and resources in a campaign for elective office includes a ban against using County equipment, including vehicles, telephones, copy machines, inter-office mail, or other equipment owned by the County. The employee/candidate is prohibited from participation in campaign activities off duty wearing; a County uniform or driving a County vehicle.
3. The ban also prohibits the solicitation of campaign contributions or in kind gifts to support the campaign such as soliciting campaign workers or contributions from among County employees where such solicitation takes place on duty or when such solicitation could be reasonably construed as having a connection to a real or expected employment decision. Such potential conflict of interest could arise, for example, when a subordinate is asked to support the candidacy for elected office of a supervisor when the subordinate depends on the supervisor's decision making in matters such as assignments, evaluations, etc. The employee/candidate for public office is responsible to avoid the appearance or the reality of a conflict of interest between their employment with the County and the outside candidacy.
4. The employee choosing to run for elected public office shall disclose his or her candidacy to the employee's immediate supervisor and the Department, Division or Office Director in which the person works within 24 working hours of the time the employee becomes an official candidate by submitting the necessary candidate papers. Thereafter, the Director shall meet with the employee to ensure that the rules regarding the avoidance of a conflict of interest are clearly understood and that any questions the employee has are addressed. However, campaign-related activities occurring before official candidacy are also subject to these restrictions.
5. The employee/candidate may take reasonable steps, with approval by the supervisor, to minimize the prospect [sic] of a conflict of interest. These steps may include the use of annual leave, job basis leave if applicable, personal days, work schedule adjustment or unpaid leave of absence following approval in advance by the supervisor pursuant to County policies.

6. These limitations and prohibitions are designed to eliminate the possibility of a real or perceived conflict of interest in the best interest of the employee/candidate and the County. If the employee has any questions concerning the applicability of this section, the person is encouraged to contact their supervisor or Division of Human Resources in advance in keeping with the positive, conflict prevention intent of this section.

COUNT ONE

On or about March 29, 2024, ABIODUN AJAYI, as a Broward County employee seeking elected public office, engaged in activity related to seeking that office during her working hours as a Broward County employee, to wit:

ABIODUN AJAYI appeared on the “Time Out 360” podcast from her County office and promoted her candidacy for Broward County Tax Collector between 8:30 a.m. and 5:00 p.m. on Friday, March 29, 2024, in violation of Section 26-16(a) of the Broward County Code of Ordinances.

COUNT TWO

Between on or about June 16, 2023, and on or about July 11, 2024, ABIODUN AJAYI, as a Broward County employee seeking elected public office, engaged in activity related to seeking that office during her working hours as a Broward County employee, to wit: ABIODUN AJAYI sent and/or received campaign-related emails through her Broward County email address between 8:30 a.m. and 5:00 p.m., in violation of Section 26-16(a) of the Broward County Code of Ordinances.

DEMAND FOR JUDGMENT FOR RELIEF

WHEREFORE, Plaintiff demands judgment against Defendant ABIODUN AJAYI for two violations of Section 26-16(a) of the Broward County Code of Ordinances, and requests that the Hearing Officer impose monetary fines of \$5,000.00 per violation as well as public reprimand or censure.

Respectfully submitted this 27th day of January 2026.

CAROL J. BREECE
INSPECTOR GENERAL

/s/ Katherine Yzquierdo McIntire
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