

# MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST



## REPORT OF INVESTIGATION

#K12-056

Date Opened: 03/29/12

Date Closed: 5/18/12

Investigator: Sylvia Batista

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This matter was referred to the COE by the Office of the Inspector General (OIG). The matter relates to the alleged unauthorized outside employment of Eddy Machado (“Machado”), a Structural Maintenance Supervisor with the Miami-Dade County Water & Sewer Department (WASD). Pursuant to the OIG report, Machado admitted to being the legal owner of five (5) pieces of real estate properties, four (4) of which are rental properties. The OIG investigator determined that Machado failed to file requests for outside employment or outside employment statements for the years 2004-2007 and 2009-2011.<sup>1</sup>

The COE’s issue relates to a possible violation of the Conflict of Interest and Code of Ethics Ordinance Section 2-11.1(k)(2) *Prohibition on outside employment by County personnel and disclosure requirements.*

### **Investigation:**

A property search revealed that Machado has purchased six (6) properties, three (3) of which he owns to date. The research further revealed that two (2) of the properties still owned by Machado contain more than one unit. Accordingly, Machado has owned and managed three (3) or more real estate properties since 2005 when, in addition to owning a duplex located at 3131 SW 26<sup>th</sup> Street, Miami. He purchased a property containing four (4) units located at 2552 SW 18<sup>th</sup> Street, Miami. According to COE RQO 06-48 issued October 2006, owning and managing three (3) or more rental properties constitutes

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<sup>1</sup> COE investigator verified the accuracy of this information.

outside employment. For this reason, it is apparent that Machado has engaged in unauthorized outside employment since 2005.

The following is a chart which shows the properties that Machado continues to own and their homestead exemption status:

ADDRESS	OWNER (S)	DATE PURCHASED	YEARS OWNED	HX
3131 SW 26 St., Miami (two units)	Machado & Aida Madeido	10/18/04	2004 - present	yes
2552 SW 18 St., Miami (four units)	Machado	08/08/05	2005 - present	no
1900 N Bayshore Dr #3210, Miami (one unit)	Machado	01/10/08	2008 - present	no

Records reflect that Machado claims a homestead exemption at 3131 S.W. 26<sup>th</sup> Street, Miami, Florida, but lives at 1627 SW 20<sup>th</sup> Street, Miami. The property listed by Machado as his home has been owned by Aida E. Madeido a/k/a Aida E. Machado since 1984.

Machado and Aida Madeido jointly own the property at 3131 SW 26<sup>th</sup> Street where they claim homestead exemption. An inspection of the property revealed that the property contains four (4) units all of which appear to be rented. The front unit (3131) is rented to Carolina Briones, and the unit on the side (3129) is rented to Alejandro Del Sol (Del Sol). This investigator spoke with Del Sol, who confirmed that the property contains four (4) units, all of which are rented, and that Machado (the owner), lives on Southwest 18<sup>th</sup> Street and 26<sup>th</sup> Avenue. This investigator went to Machado's property at 2552 SW 18<sup>th</sup> Street. An inspection of the property disclosed Machado's name on one of the four (4) mailboxes.

**04/24/12 – Ignacio De Armas, Assistant Maintenance Supervisor WASD –**

De Armas was advised as to the subject of this investigation. De Armas said that he thinks Machado has requested outside employment authorization, but is not aware of the number of times that he has obtained permission. De Armas advised that he would like to receive information on the definition(s) of outside employment, including information as to how many rental units constitute outside employment. De Armas said that he will share the information with his staff.

The information requested by Mr. De Armas was obtained from Robert Thompson of the COE and provided by e-mail on 4/24/12.

**04/24/12 – Eddy Machado –**

Machado was contacted and asked to make certain corrections and re-submit outside employment statements for the tax years ending in 2009, 2010, and 2011. Machado was also reminded that outside employment statements shall be filed with the Supervisor of Elections no later than 12:00 noon on July 1<sup>st</sup> of each year, including the July 1<sup>st</sup> following the last year that person held such employment.

**05/02/12** – Machado submitted amended outside employment statements for the years 2007, 2008, 2009, 2010, and 2011 to the COE.

**Conclusion:**

In view of the fact that Machado amended his outside employment statements for the years 2007 through 2011 and filed them with the Miami-Dade Elections Department, this matter can be closed.

The information with regard to the possible homestead exemption violation was forwarded to the Miami-Dade County Office of the Property Appraiser for handling.