

# MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST



## REPORT OF INVESTIGATION

K 12-088

Date Opened: June 14, 2012

Date Closed: February 7, 2013

Name of Investigator: B. Penichet

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### **Allegation:**

It was alleged that a City of North Miami Councilwoman's friend received special treatment when she was allowed to live in a city-owned home rent free for several months.

### **Applicable Legislation:**

The allegation relates to a violation of Section 2-11.1 (g), Exploitation of Official Position, Miami-Dade County Conflict of Interest and Code of Ethics Ordinance.

### **Investigation:**

Information was received via newspaper article claiming that City of North Miami (the City) Commissioner Marie Steril (Steril), and Marie Saint-Aime (Saint-Aime) met with Tom Calderon (Calderon) in the commissioner's office and discussed having Saint-Aime become involved in the Neighborhood Stabilization Program (NSP).

According to the article, Calderon was the housing manager for the City and was in charge of overseeing the NSP. In the article, Steril advised that she often assists constituents with their problems and housing is one of them.

The property in question, according to the property appraiser's office, is classified as a single family residence, with a multi-family use (Duplex) two units. The value of the property is \$99,158, and was last sold in 1997 for \$70,000.

COE Investigators conducted a records check, and found no association between Saint-Aime and Steril.

COE Investigators contacted Calderon in order to interview him.. According to Calderon he was requested by Steril to allow Saint-Aime to move into a city-owned property located at 1261 NE 141 Street, North Miami, Florida, for a few weeks, while she tried to secure a mortgage to purchase the property. Calderon further stated that he never met with Steril and Saint-Aime as stated in the article. Calderon arranged for Saint-Aime to occupy the property only because at the time she was pre-qualified for the mortgage amount, and because the property had been vandalized several times and was causing the city to waste time and money. Calderon further stated that he was never pressured by anyone to allow Saint-Aime to occupy the property. In fact, Calderon advised the arrangement was approved by the city's administration and City Council.

COE Investigators made a public records request for the NSP property file for 1261 NE 141 Street, North Miami, Florida. COE Investigators reviewed the file when it became available and noted that a hold harmless agreement was executed between the city and Saint-Aime on February 26, 2010. In the agreement, the City allowed Saint-Aime to occupy the rear portion of the property to prevent any further acts of vandalism. The stipulation was that Saint-Aime was to secure a mortgage within a month. It appears that someone at the City did not follow up and allowed Saint-Aime to stay longer. Other correspondence shows the property was vacated and Saint-Aime signed a lease for another City owned property.

COE Investigators interviewed Maxine A. Calloway (Calloway), Director Community Planning & Development Department. Calloway was Calderon's supervisor and directed him via e-mail to have Saint-Aime vacate the property after she was made aware of the complaint made by a city resident. Calloway advised that she was not present at the initial meeting between Calderon, Steril and Saint-Aime. Calloway advised that Calderon never expressed to her any problems with the arrangements or the fact that he felt any pressure from Steril or any other member of the Council. Calloway further advised the reason Saint-Aime was allowed to occupy the property was to prevent vandalism from continuing. Calloway also admitted that since the NSP program was so new there were no regulations in place to cover this set of circumstances that has now been resolved with stricter regulations.

## **CONCLUSION:**

Advocate Michael Murawski advised that no further action would be taken since there does not appear to be a sufficient amount of evidence to sustain any ethics related violations. Accordingly, this case is closed without further action.