



Miami-Dade Commission on Ethics & Public Trust

Investigative Report

Investigator: Breno Penichet

Case No. K13-132	Case Name: Election Violations Dunn Campaign	Date Open: October 25, 2013	CASE CLOSED Date: <u>4/15/15</u>
Complainant(s): Citizens for a Better District 5	Subject(s): Richard P. Dunn II		

Allegation(s):

A Miami Herald article reported that City of Miami Commission Candidate for District 5, Richard P. Dunn's campaign finance reports showed several discrepancies, such as an unusually high number of visits to restaurants, cash payments for services, and campaign expense reports submitted several weeks late.

The article went on to report that Dunn also reported that the campaign spent \$224.00 dollars on a Florida Power & Light (FP&L) bill on September 11th, 2013, for campaign headquarters, though it does not list an address for the headquarters. The article also mentioned that Dunn's campaign paid Charles Kabbaby \$1500.00 dollars on August 20th, 2013 for rent, but again no address was listed.

Lastly, the article reported that Dunn's Financial Reports show the campaign paid late fees of \$ 43.00 dollars, between July and September 2013 for checks that did not clear because of insufficient funds.

Relevant Ordinances:

FLORIDA STATUTES AND CODES: 106.11 *Expenses of and expenditures by candidates and political committees.*

Investigation:

COE Investigators conducted a records check and found the address of the Dunn campaign headquarters, located at 6702 Biscayne Blvd. Miami, Florida. Investigators checked the location and found it to be open and in fact Dunn's Campaign headquarters.

Investigators also reviewed the Campaign Treasurers Reports (CTR's) for the Dunn campaign from 7/1/2013 to 9/27/2013 and found the payments made for the campaign headquarters and FP&L.

The records clerk for the Florida Elections Commission was contacted to inquire if there was a complaint filed against Dunn. The clerk advised she could neither confirm nor deny the existence of a complaint.

Interviews:

Richard P. Dunn II
1895 NW 97 Street
Miami, Florida 33142

Mr. Richard Dunn II (Dunn) voluntarily agreed to be interviewed and provide information concerning this investigation. Dunn advised that his campaign did have some problems with checks not clearing, but advised the fees were paid. Dunn provided the address of his main campaign headquarters, 6702 Biscayne Blvd. Miami, Florida. Dunn also provided a copy of the lease between the Dunn campaign and the owners of the property "6700 Biscayne Blvd. LLC."

Dunn also advised that he had another smaller campaign office located at 626 NW 62 Street Miami, Florida. Dunn advised there was no lease only a verbal agreement with the owner Mr. Charles Kabbaby.

Dunn advised that is why the campaign paid FP&L the sum of \$224.00 dollars as deposit for the electricity; Dunn provided a copy of the check and paperwork from FP&L.

Dunn advised that he paid the rent to Kabbaby with a check and did note it on the CTR's

Charles Kabbaby
G & K Enterprises
6099 SW 10 street
Plantation, FL 33317

On February 3, 2014 Mr. Charles Kabbaby (Kabbaby) voluntarily agreed to be interviewed telephonically, and provide information concerning the investigation of the Dunn campaign expenditures. Kabbaby advised that he is the owner of the property located at 626 NW 62 Street Miami. Kabbaby advised that he leased the property to the Dunn campaign from August 1, 2013 to November 31, 2013 for the sum of \$1, 500.00 dollars per month. Kabbaby advised the deal was a verbal agreement between the parties because it was a very short term lease. Kabbaby advised the Dunn campaign made two payments of \$1,500 dollars for a total of \$ 3,000 dollars.

Document/Audio/Video Review:

1. Miami Herald article dated 10/24/2013 local section "Dunn's campaign-finance report shows many visits to restaurants"
2. Appointment of campaign treasurer, along with two (2) deputy treasurers
3. Lease contract for 6702 Biscayne Blvd. Miami, Florida. Showing owner of property as "6700 Biscayne Blvd. LLC." Showing terms of lease from 9/6/2013 to 11/30/2013 with a monthly rent of \$1500.00 dollars per month.
4. Florida Power & Light Audit of Financial Activity, dated 1/2/2014 showing payment of \$224.00 dollars, and copy of check.

5. Dunn's campaign treasurer's reports (CTR's) showing payments made.
6. Request from Citizens for a Better District 5 for an Investigation into the Dunn campaign practices.
7. Affidavit of Candidate, City of Miami.

Conclusion(s):

Advocate Michael Murawski advised that no further action would be taken on this case. There is no evidence to conclude that the Dunn's campaign violated any section of the Conflict of Interest and Code of Ethics Ordinance.
Case Closed.

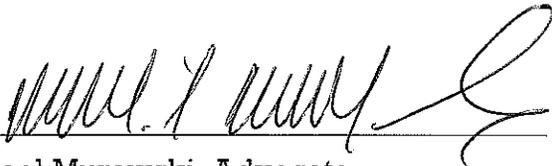
This investigation was referred to the State Attorney's office for review, no action was taken.

A copy of this report will be furnished to the complainants who can file a complaint with the Florida Elections Commission at 107 West Gaines Street, Collins Building, Suite 224 Tallahassee, FL 32399-1050 or on their web site at www.fec.state.fl.us

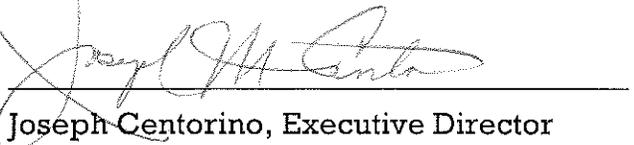
(Signature)

Breno Penichet, COE Investigator

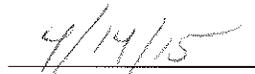
Approved by:



Michael Murawski, Advocate



Joseph Centorino, Executive Director



Date Closed