



Miami-Dade Commission on Ethics & Public Trust
Report of Inquiry

Investigator: Sylvia Batista

Case: PI15-043	Case Name:	Date Opened:	CASE CLOSED
Complainant(s): N/A	Subject(s): City of Miami Beach Commissioner Jonah Wolfson.	10/07/15 Date: <u>11/12/15</u>	

Allegation(s):

On or about 09/11/15, the COE received information regarding a possible violation by City of Miami Beach Commissioner Jonah Wolfson (Wolfson) due to a discrepancy in the value placed on his primary residence as reported on his Statement of Financial Interest (Form 1). The information noted that the discrepancy is between the values of Wolfson's home as reported on his Form 1, and the value of the home as declared on his and his spouse's application for a decrease in the assessed value of the property as filed with the Miami-Dade County Property Appraiser's office. The information also includes an allegation that an unusual amount of cash was put down by Wolfson when he and his wife purchased their current home which they did not report on their disclosure forms.

The COE initiated an inquiry to determine whether Wolfson misreported the value of his homestead property on his Form 1.

Relevant Law:

Conflict of Interest and Code of Ethics Ordinance, Sec. 2-11.1(i) (1), *Financial Disclosure*.

Investigation:

Records Request and Review:

10/09/15 – Form 1 filed by Wolfson for the years ending in 2010, 2011, 2012, 2013 and 2014.

Although Wolfson listed his home under Part C of his Form 1 forms filed for the tax years ending in 2010, 2011, 2012, 2013 and 2014, he did not report, nor is he required to report the value of the assets listed on the form.

10/13/15 – E-mail to Lazaro Solis of the Miami-Dade County Property Appraiser's Office requesting copies of any and all applications filed by Wolfson for a reduction in the assessed value of his home.

10/23/15 – Full and Public Disclosure of Financial Interests (Form 6) filed by Judge Andrea Ricker Wolfson (Judge Wolfson) for the tax years ending in 2012, 2013 and 2014 was provided by the State Ethics Commission.

Judge Wolfson's Form 6 lists her and Wolfson's single family home on her Form 6 and reports a value of the asset for each year. Judge Wolfson reports the value of the home as:

- \$500,000 in 2012
- \$550,000 in 2013; and
- \$600,000 in 2014.

10/23/15 – A review of Wolfson's and Judge Wolfson's (the Wolfsons) information provided to the Miami-Dade County Property Appraiser's Office in their application to decrease the assessed value of the home does not include estimate of the value of the property.

Pursuant to Lazaro Solis, CFE, Deputy Property Appraiser, the application form changed a number of years ago and the information is no longer required.

The following is the tax assessment information in reference to the Wolfson's' home address:

Tax Year	P.A.'s Preliminary taxable assessed value	Special Magistrate's Recommended Value
2010	\$180,050	\$147,345
2011	\$150,305	\$150,305
2012	\$122,314	\$122,314
2013	\$125,243	\$125,243
2014	No application filed for 2014	
2015		No recommendation to date

10/26/15 – 10/27/15 - Research of county recorded documents related to property transfers and mortgages under Wolfson's name for the time period of 10/01/04 to the present:

1. Special Warranty Deed dated **08/31/07** on the homestead property purchased by the Wolfsons.
2. Mortgage dated **09/07/07** in the sum of \$376,000 collateralized by the Wolfson's' homestead property; Lender is AME Financial Corp. This mortgage was satisfied by a Release of Mortgage recorded on 02/22/13.
3. Mortgage dated **01/25/13** in the sum of \$352,179 collateralized by the homestead property. Lender is Wells Fargo Bank, N.A. – The date of this mortgage indicates that the funds from it were used to satisfy the first mortgage.
4. Mortgage dated 01/29/14 in the sum of \$478,330 collateralized by the Wolfson's' property located at 836 W. 40th Street, Miami Beach; Lender is Citibank, N.A.; Recorded at Bk 29019, Page 4098. This mortgage was satisfied by a Release of Mortgage recorded on 07/27/15.
5. Warranty Deed dated 06/29/15 - deed reflects a transfer of ownership of the property located at 836 W. 40th Street, Miami Beach from the Wolfsons to Irwin Benjamin and Barbara Benjamin, husband and wife as to a life estate and the remainder to Joseph and Yvette Benjamin (the "Benjamins").

Analysis:

The Wolfsons purchased their home in Miami Beach on or about 08/31/07 as reflected by the warranty deed listed under #1 above. A mortgage in the sum of \$376,000 was obtained from AME Financial Corporation and recorded on 09/07/07 upon the purchase of the property. The mortgage was satisfied on 02/22/13 from the proceeds of a mortgage in the sum of \$352,179 from Wells Fargo Bank, N.A. dated 01/25/13, which appears to be a refinancing.

The Wolfsons reported ownership of a triplex located at 836 W. 40th Street, Miami Beach. There was a mortgage in the sum of \$478,330 collateralized by the triplex. The mortgage was

satisfied on 07/27/15 likely upon the sale of the triplex by the Wolfsons to the Benjamins as reflected by the warranty deed listed under #5 above.

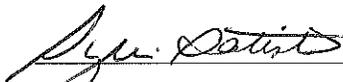
Conclusion:

By reason of the fact that Commissioner Wolfson is not required to and did not state a value of the reported asset, in this case his home, on his Form 1 forms, nor did he state the value of his home in his applications to receive a reduction on the assessed value of the property from the property appraiser, it is impossible to note a discrepancy between the two.

Additionally, review of recorded mortgages and other property transfers does not support the idea that an unusually large down payment was made by the Wolfsons when they purchased their home on or about 8/31/07, as there was a mortgage in the sum of \$376,000 collateralized by the home which was later satisfied by the proceeds from another mortgage obtained in 2013.

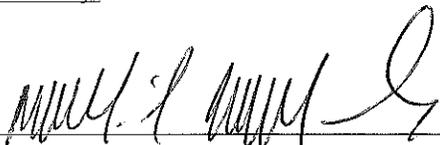
The Wolfsons appear to have sold their triplex located 836 W. 40th Street to the Benjamins and satisfied the mortgage on that property on or about 07/27/15, which is less than one month after they granted ownership of the property to the Benjamins.

Being that no unusual activity related to Wolfson's properties can be noted, no further action will be taken in connection with this inquiry.



Sylvia Batista, COE Investigator

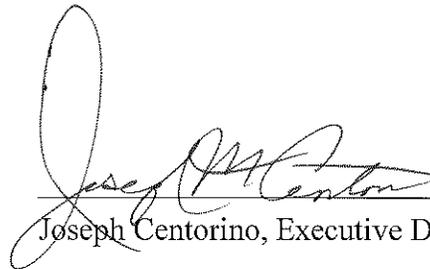
Approved by:



Michael Murawski, Advocate

Date:

11/13/15



Joseph Centorino, Executive Director

Date:

11/12/15