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CLERK, CIRCUIT & COUNTY COURTS
DADE COUNTY, FLA.
#1MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST

In re: Herminio Gonzalez

Complaint No. 09-10

PUBLIC REPORT AND ORDER DISMISSING COMPLAINT

Keith Wilson filed the above-captioned complaint against Herminio Gonzalez, Director of the Office of Building Code Compliance ("Respondent"), for violation of Section (A) (2) (truth in government) of the Citizens' Bill of Rights. The complaint alleged the Respondent falsified information on the department database.

According to the allegations in the complaint, the Respondent directed members of his staff to create false registration and certifications in the departmental database for Keithie Industrial Roofing. The firm was not certified by the state and was improperly given county permits. The complaint alleged the false certification was a violation of Section 838.022, F.S. (2008) which provides that only the state may certify contractors.

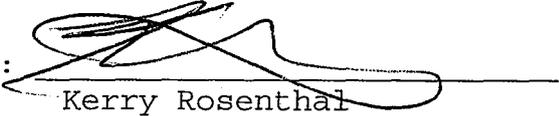
Section (A) (2) of the Citizens' Bill of Rights provides that "no County or municipal official or employee

shall knowingly furnish false information on any public matter nor knowingly omit significant facts when giving requested information to members of the public." The Ethics Commission may not impose penalties for violation of the Citizens' Bill of Rights. Therefore, upon review of the complaint and being otherwise advised in the premises, pursuant to Section 2-1074(s), the Ethics Commission dismissed the complaint because the matter concerned a violation of the Citizens' Bill of Rights. Therefore it is:

ORDERED AND ADJUDGED that the complaint is hereby **DISMISSED** pursuant to Section 2-1074(s).

DONE AND ORDERED by the Commission on Ethics and Public Trust in public session on June 23, 2009.

**MIAMI-DADE COUNTY COMMISSION
ON ETHICS AND PUBLIC TRUST**

By: 

Kerry Rosenthal
Chairperson

cc: Herminio Gonzalez
Keith Wilson