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MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST

In re: FRIEDEBERG v. LEE

C 11-35

PUBLIC REPORT AND FINAL DISMISSAL ORDER

David Friedeberg, a private citizen, filed the above-referenced complaint against Dale Lee, a building official for the town of Bay Harbor Islands.

The complaint alleged that in and around November 2011, Respondent Lee exploited his official position by tolerating impermissible permitting procedures involving an unlicensed contractor. If true, the allegations would violate the County Ethics Code at Sec. 2-11.1 (g), which prohibits a town employee from using his official position to secure special privileges for himself or others.

Pursuant to the County Code at Secs. 2-1068 and 2-11.1(a), the jurisdiction of the Ethics Commission extends to Respondent Lee, a municipal employee.

On January 24, 2012, the Advocate for the Ethics Commission reported that, based on an investigation into this matter and the commonly accepted interpretation of the Florida Building Code and Florida Statutes, Respondent Lee's issuance of an owner's building permit was reasonable. Furthermore, the

investigation found that Respondent Lee did not engage in any *quid pro quo* arrangement in allowing the permit to be issued and acted upon.

On January 24, 2012, based on the Advocate's recommendation, the Ethics Commission found no probable cause to support the allegations proffered in this complaint.

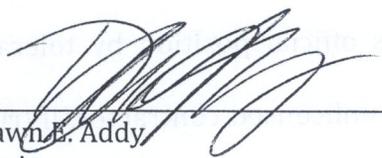
Therefore it is:

ORDERED AND ADJUDGED THAT the complaint against Respondent Dale Lee is hereby dismissed for lack of probable cause.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on January 24, 2012.

MIAMI-DADE COUNTY COMMISSION ON ETHICS &
PUBLIC TRUST

By:


Dawn E. Addy
Chair

Signed on this date: 2/10/12