

OFFICE OF THE INDEPENDENT ADVOCATE  
MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST  
REPORT OF INVESTIGATION

K #: 09-162 Genady Beylin

Date Opened: December 1, 2009

Date Closed: December 2, 2009

Name of investigator: Arthur D. Skinner, Breno Penichet  
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**Allegation:**

This Investigation was predicated upon information from Ms. Sarah Kagan that a City of Miami Capital Improvements Inspector Grenady Beylin was taking kickbacks from APAC Group.

Law:

Section 2-11.1 of the Code of Miami-Dade County, the County's Conflict of Interest and Code of Ethics Ordinance. (g) *Exploitation of official position prohibited.* No person included in the terms defined in Subsections (b)(1) through (6) shall use or attempt to use his official position to secure special privileges or exemptions for himself or others except as may be specifically permitted by other ordinances and resolutions previously ordained or adopted or hereafter to be ordained or adopted by the Board of County Commissioners.

**Investigation:**

On December 1, 2009, Investigators Breno Penichet and Arthur Skinner interviewed Ms. Sarah Kagan at 2805 SW. 35th St., Miami, FL 33133 telephone number 305-443-7518. Ms. Kagan gave the following information: Ms. Kagan stated that the president of APAC Construction of Opa Locka, Florida was arrested last week for

corruption in Opa Locka. Ms. Kagan wanted to know why Capital Improvements Inspector Genady Beylin was not arrested for a similar corruption scheme in the city of Miami. Ms. Kagan explained that she had previously complained to the Commission on Ethics about Inspector Genady Beylin taking kickbacks from APAC Construction for a construction job on the street that ran in front of her house(SW. 35<sup>th</sup> Avenue). Ms. Kagan said that the APAC construction crew damaged the front of her house and her hedge. The construction crew refused to correct the damage and Ms. Kagan complained to the City of Miami. Ms. Kagan stated that she complained to the City who sent out Inspector Genady Beylin to look at the damage. Ms. Kagan stated that the project was inspected and approved by Inspector Genady Beylin. Ms. Kagan said APAC was paid for the construction job despite the fact that they job was not completed the street was damaged and the company had left potholes in the middle of the street.

Ms. Kagan was told by the Investigators that the COE did not have jurisdiction over this matter, because the Ethics Ordinance has a three-year statute of limitations. Ms. Kagan was also advised that it appeared that her allegations where of a criminal nature and should be first investigated by a Police agency and then reviewed by the SAO for possible charges. Ms.Kagan was advised that her allegations would be forwarded to the Miami Police Department Internal Affairs Division.

### **CONCLUSION:**

This matter was previously investigated by the COE in 2006, it was part of investigation that culminated in the arrest of Faustin Denis of APAC Construction on November 26, 2009 on racketeering charges in the city of Opa Locka. This matter is being referred to the City of Miami Police Department for additional investigation.