

OFFICE OF THE INDEPENDENT ADVOCATE  
REPORT OF INVESTIGATION

K #:07-023

Date Opened:

Date Closed: August 10, 2007

Name of investigator: Kennedy Rosario

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**Allegation:**

Based on information received by the COE from a person who wishes to remain anonymous, Miami-Dade County Firefighter Captain Tony Tola allegedly violated Miami-Dade County Code of Ethics ordinance to wit: Exploitation of Official Position and / or Conflict of Interest.

The MDFR under Florida State Statute Chapter 633 is deemed to enforce the Florida Fire Prevention Code and Life Safety Code.

According to the source of the information (SOI) Capt. Tola is the Officer In Charge of Fire Engineering and Water Supply Division of the Miami-Dade Fire Rescue Department (MDFR).

Captain Tola's command, among other duties, is tasked with the review of non-residential building construction site plans, submitted to Miami-Dade County by engineers / developers, for adherence to the Life Safety Code.

The SOI alleges that Captain Tola, through his official position, has given preferential treatment to contractors / developers that remodeled two condominiums owned by Capt. Tola. Said condominiums were all located within the Keystone Towers located at 2000-2020 NE 135 Street North Miami, Florida, specifically units 901 and 902.

The SOI further intimated that the contractors for the unit renovations were Carlos and David Medina as well as Lazaro and Jose Milton dba International General Contractors.

**Investigation:**

COE Investigators enlisted the cooperation of Ms. Maxine Calloway, Director of North Miami's Community Planning and Development.

Ms. Calloway in response to the COE inquiry supplied this investigation with all the documentations pertinent to any / all the renovations on record for the two condominiums, this included the Residential Building Permit, Plumbing Permit, Permit Applications, Owner-Builder Affidavit, Inspection data, Building Site Review, Material Specifications (kitchen faucets, solid core doors, etc.).

A review of these documents listed the applicant to be Keystone Tower Partners LLC. The various contractors hired **by** Keystone were KW Services, LLC, Marbar Plumbing, Inc.

During the course of the investigation it was learned that unit # 411 was also a Tola owned property. The applicable North Miami permit documents for unit #411 were also scrutinized listing the same contractors and permit applicant noted above.

COE investigators interviewed Keystone Towers property management staff inclusive Ms. Candela Blanco, Assistant Property Manager and learned that the condominium complex had undergone conversion from rental units to privately owned condominiums necessitating numerous remodeling and renovations of numerous units by Keystone inclusive the subject properties.

According to Ms. Blanco it was Keystone that initiated the renovations, the hiring of contractors, and not the individual prospective owners.

COE Investigators interviewed MDFR Captain Tola, explaining the circumstances surrounding our inquiry and advising the investigation was initiated from an anonymous source. Captain Tola incorrectly surmised that the inquiry emanated from a fellow MDFR Firefighter and was completely forth coming in response to questions posed.

Captain Tola related that he and his spouse had purchased the two condominiums through a realtor friend that was aware of the Keystone Towers conversion. Unit 902 was the most recent purchase for approximately \$166,000.00 on or about August 23, 2005. Both properties were purchased from Keystone.

While some renovation was done on the units post purchase, he did the work himself and did not hire any contractor nor pulled any permits.

Captain Tola acknowledged knowing Jose Milton dating back to his time as an MDRF Fire Inspector but stated that he had no outside interests with any Milton related business.

It was determined that unit # 901 was not owned by Tola.

Tola was advised that ownership of three or more income / investment generating residential properties would require him, through his chain of command, request approval for outside employment.

**CONCLUSION:**

Based on the inaccuracy as to the specifics related to the renovations of the subject properties, there being no direct linkage of the Keystone hired contractors to the Medina and Milton companies, it is concluded that no violation of the Miami-Dade County Conflict of Interest and Code of Ethics ordinance has been proven.