



**Miami-Dade Commission on Ethics & Public Trust**

**Preliminary Inquiry Report**

**Investigator:** Breno Penichet

<b>Case No.:</b> PI 14-029	<b>Case Name:</b> Call in complaint concerning County Commissioner	<b>Date Open:</b>	<b>CASE CLOSED</b>
<b>Complainant(s):</b> Anonymous	<b>Subject(s):</b> Juan C. Zapata	July 3, 2014	Date: <u>7/22/14</u>

**Allegation(s):**

The COE received a information from a member of the “International Park Homeowners’ Association, Inc.” (HOA) claiming that he is being harassed. The caller advised that he is having an ongoing disagreement with the management company, “Pazos, Robaina & Zapata Management Group.” The caller alleged that one of the partners of the management company is Miami-Dade County Commissioner Juan Zapata. The caller feels that because the commissioner is part of this company, it may cause a conflict because it prohibits the caller from filing any type of complaint with the Commissioner’s office.

**Relevant Ordinances:**

*Prohibition on conflicting employment*, Sec. 2-11.1(j) and  
*Prohibited Investments*, Sec. 2-11.1(l), Miami-Dade Conflict of Interest and Code of Ethics Ordinance.

“(j) *Conflicting employment prohibited*. No person included in the terms defined in Subsections (b)(1) through (b)(6) and (b)(13) shall accept other employment which would impair his or her independence of judgment in the performance of his or her public duties.”

“(l) *Prohibited investments*. No person included in the terms defined in Subsections (b)(1) through (6) and (b)(13) shall have personal investments in any enterprise, either himself, herself, or through a member of his or her immediate family, which will create a substantial conflict between his or her private interests and the public interest.”



## **Investigation:**

### ***Interviews***

On 7/3/2014, COE investigators received a phone call from an anonymous complainant, who stated he is a member of his building's HOA. The caller alleged the principal partner of the property management company, Pazos Property Management Group, d/b/a "Pazos, Robaina & Zapata Management Group," Jose Pazos (Pazos) was harassing him and threatening him.

The caller also advised that recently an election for officers for his HOA was manipulated in order to get him (the caller) removed from office. The caller also stated that because Zapata is a principal in this corporation, he feels like he cannot file a complaint with the commissioner.

The caller was advised that his complaints against the property management company are under the jurisdiction of the State of Florida, Department of Business and Professional Regulations (DBPR), not Miami-Dade County.

The caller provided several e-mails for review that he claims will "back up" his story. A review of the above mentioned did not reveal any unusual threat or coercion by Pazos. The mentioned e-mails merely warned the caller that if he continued to make false claims against Pazos he would file a law suit against him.

### ***Documents Reviewed***

1. Division of Corporations registration for fictitious corporate name: Pazos, Robaina & Zapata Management Group.
2. Florida Corporation registration for: Pazos Property Management Group, Inc.
3. Florida Corporation registration for: International Park Homeowner's Association, Inc.
4. E-mails dated 2/6/2013, 2/7/2013, 9/21/2012, 9/20/2012 involving the complainant and the management company.

## **Conclusion(s):**

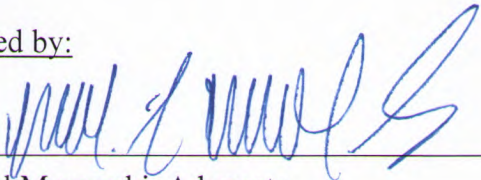
As a result of the review of the documents provided, it does not appear that Zapata is engaged any in conflicting employment (Sec. 2-11.1(j)) or engaged in a prohibited investment (Sec. 2-11.1(l)). The caller can file any complaints he wants to against the management company with the DBPR. COE Advocate advised that no further action would be taken. Accordingly, the instant case is closed.



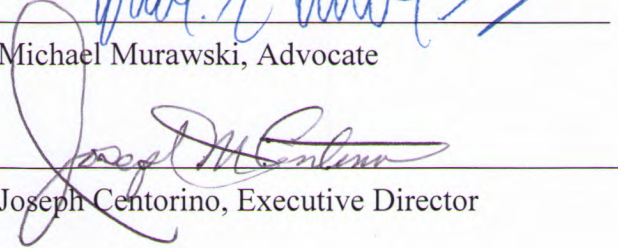
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Breno Penichet, COE Investigator

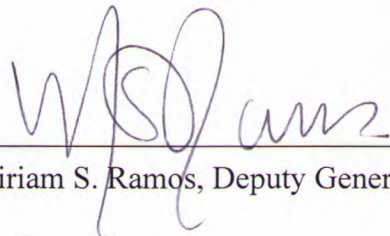
Approved by:



Michael Murawski, Advocate



Joseph Centorino, Executive Director



Miriam S. Ramos, Deputy General Counsel

7/22/14

Date Closed: