



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

**Investigative Report**

**Investigator: Nilda Olmo**

<b>Case:</b> PI17-31	<b>Case Name:</b> Morris-Vocational Rehab	<b><u>Date Opened:</u></b> 08/22/17	<b>CASE CLOSED</b>
<b>Complainant(s):</b> Rafael Villason	<b>Subject(s):</b> Carmen Morris, Commissioners Aide, BCC	<b>Date:</b> _____	7/6/18

**Allegation(s):**

On 08/11/17 Rafael Villason (Villason), owner of Miami Auto Help (MAH) contacted the Commission on Ethics (COE) requesting to meet with an investigator regarding a complaint filed against him by Carmen Morris (Morris) with the Miami-Dade Department of Regulatory and Economic Resources, Business Affairs Division, Office of Consumer Protection (BADOCP). Villason alleged that Morris used her position as Aide to County Commissioner Xavier Suarez to exert influence over BADOCP in order to assist her in stopping the sale of a vehicle belonging to her and her son, Daniel Garvey Washington (Washington).

**Relevant Law:**

Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, Sec. 2-11.1 (g) *Exploitation of official position prohibited*. No person included in the terms defined in Subsection (b)(1) through (6) and (b)(13) shall use or attempt to use his or her official position to secure privileges or exemptions for himself or herself 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:**

### ***Interviews***

On 07/25/17, Morris filed a Consumer Complaint Affidavit with BADOCP against MAH and Professional Lien & Title Search Corp (Prolien). (BADOCP Mediation Center offers consumers an opportunity to file complaints and mediates disputes between consumers and businesses.)

Upon receipt of the Consumer Complaint Affidavit<sup>1</sup>, the Mediation Center processes and investigates the complaint. During this process, they can attempt to initiate mediation between the Complainant and the business and/or upon reviewing and identifying violations by businesses, take enforcement action and issue civil citations. In addition, the Center educates consumers on protection-related issues by providing information and outreach to the public. The service is free of charge.

On 08/01/17, Morris and Washington filed a Demand For Hearing prior to the sale of a 2011 Mercedes Benz (registered in both names), to Satisfy Possessory Lien. The vehicle was scheduled for public sale on 08/04/17. Morris alleged the Lien was wrongly placed and wanted to stop the auction so she initiated the legal process. The hearing was scheduled for 08/03/17.

The vehicle was originally taken to Mercedes-Benz, Coral Gables, for repairs but ultimately towed to MAH because Mercedes-Benz was not an authorized dealer for Division of Vocational Rehabilitation, Florida Department of Education (DVR).

DVR is a Federal-State program which assists individuals with physical or mental disabilities in obtaining or keeping jobs. Morris contacted DVR for assistance with her son who has a disability. In her Complaint, Morris indicated DVR was helping him obtain work. She stated DVR had agreed to help him build an Uber business as well as to repair his car, in order for him to start the business. Morris mentioned a DVR Counselor had informed her that obtaining approval for the repairs would take approximately 3-4 weeks. The Counselor as well as a Coach assigned to Washington's case, Monica Doyle (Doyle), CBTAC<sup>2</sup>, assisted MAH in the process of becoming a DVR vendor.

Following is a brief excerpt of the key events in the case of Carmen Morris & Daniel Garvey Washington vs Miami Auto Help Inc. & ProLien, Case # 2017-018340-CA-01.

08/01/17. Complaint Filed by Morris.

08/03/17. Plaintiff's Demand For Hearing before Judge Barbara Areces. Motion was Granted in part, cancelling the sale of the vehicle. Hearing rescheduled.

<sup>1</sup> Miami-Dade County Consumer Complaint Affidavit (online form). Complainants must sign and date acknowledging each of the mandatory disclaimers.

<sup>2</sup> CBTAC-Certified Business & Technical Assistant Coach.

11/28/17, the case was set before Judge John Schlesinger on the 5 Minute Motion Calendar. Judge heard arguments from both sides and the Court determined the matter was taking longer than the allotted time and therefore scheduled an Evidentiary Hearing for 12/06/17. Present in court was Clara Parra (Parra) from ProLien and Roberto Pedraza (Pedraza), Consumer Protection Investigative Analyst/Mediation Center Lead Worker. At one point, Parra addressed the Court objecting to Pedraza's interfering by advocating on behalf of Morris. RER-CP had closed the file on 08/17/17.

12/06/17. Notice of Appearance, Lori Weems (Weems) representing Morris and Washington.

01/08/18. Consent Motion For Leave To Withdraw As Counsel Of Record for Morris and Washington was filed by Weems.

01/11/18. Order Granting Counsel's Motion to Withdraw by Judge Miguel M. De La O and 20 days for Plaintiffs to retain a new attorney and attorney file a written appearance or file a written notification with Clerk advising they would represent themselves.

02/15/18. Notice of Appearance, Carolina A. Lombardi, Legal Services of Greater Miami appeared as counsel for Washington.

02/21/18. Notice of Appearance and Defendant's Motion to Enforce Court Order on 01/11/18 by Frank E. Gil on behalf of MAH & ProLien.

02/22/18 Hearing before Judge Miguel M De La O- Defendant's Motion to Enforce Court Order.

02/23/18 Order On Defendants Motion To Enforce Oder was Denied by Judge De La O. Notice of Special Set Hearing on 03/05/18- Filed by Frank E. Gil.

03/05/18 Special Set Hearing. No representatives from RER-CP present in court. Final Order was entered and Judge De La O ruled that under Florida Statue § 713.585(7)(a), MAH and ProLien had no valid lien on the vehicle, due to the 08/04/17 was less than 60 days after completing of the repair work and thus, a violation of Florida Statue § 713.585 (1)(F).

**Holly Beth Billington (Billington)**

**Consumer Advocate**

**Department of Regulatory and Economic Resources Business Affairs Division**

**Office of Consumer Protection**

**601 NW 1<sup>st</sup> Court # 18<sup>th</sup> Floor**

**Miami, Florida 33136**

Upon contacting Pedraza and inquiring about the case, he advised me to contact his supervisor, Billington.

Prior to meeting with Billington a public record request was made to RER-CP requesting documents pertaining to the Consumer Complaint Affidavit filed by Morris on 07/25/17, Complaint # 2017-7260.

This investigator received an email advising the file was larger than anticipated and upon review, the documents, including attachments and other items added to 255 pages.

Billington was interviewed at the RER-CP conference room located at 601 NW 1<sup>st</sup> Court 18<sup>th</sup> Floor, Miami Florida. Present during the interview was Martha Perez, COE Staff Attorney. Billington indicated she was the Consumer Advocate also acting as the Supervisor of the Mediation Staff within the RER-CP. She oversees the unit handling consumer complaints and assists the staff with compliance questions pertaining to provisions of the Code and relevant Florida Statutes.

On this particular case, part of her responsibilities was enforcing Chapter 8A, Article VIIA of the Code-County's Motor Vehicle Repair Ordinance (MVR). In Section 8A-161.10 of the MVR Ordinance adopts and references Sections 559.905 -559.919, also known as Florida Repair of Motor Vehicles Act.

(Florida Statute §559.917, delineates/explains the procedures a vehicle owner and/or lienholder must follow in order to post a bond on a liened motor vehicle. Section 559.919 enforces mechanics liens and states mechanics liens is restricted when the lienor hasn't substantially complied with the statutes.)

Billington stated that part of her review process was to determine if there had been substantial compliance with the Florida Statutes as well as the County's Motor Vehicle Repair Ordinance under Section 713.585, the statute that governs enforcement of lien by sale of motor vehicles incorporates by reference Section 559.917. Billington indicated that after two separate searches of the County's official records, she was unable to find a notice of compliance filed regarding the proposed sale.

The next step was to assign inspector Carvajal to respond to MAH in order to review and obtain documents relating to the lien and the upcoming sale of the vehicle on 08/04/17. Carvajal responded to MAH on 07/31/17. Under the MVR Ordinance, repair shops are required to maintain records and have them available for inspection by RER-CP.

Billington stated MAH was not able to provide them with the copies of the lien, the notice of compliance or with the certified mail receipts sent to Morris.

Billington indicated Morris filed a Demand for Hearing in Small Claims Court (SCC) and the case was set before Judge Areces on 08/03/17. Individuals noticed to appear were MAH, ProLien and Mercedes-Benz Financial Services (primary lienholder that financed the vehicle).

Part of the documents provided by Billington, was an email response from Billington to Morris advising she had received the Subpoena Duces Tecum for the upcoming hearing on 08/03/17. Billington indicated that due to a scheduling conflict she was unable to attend. Pedraza had been handling the case but was out on a scheduled absence and subsequently, Rafael Galvez (Galvez), RER-CP Division Manager attended the hearing.

Circuit Judge Barbara Areces granted the Plaintiff's motion in part entering an Interim Order cancelling the sale and rescheduling the hearing. Billington stated that they closed the file on 08/18/17 due to the Complainant filing in Small Claims Court.

During the interview Billington stated that she met Morris at a church community meeting in Coconut Grove several months prior to Morris filing the BADOCP complaint. She recalled Morris introduced herself and gave her a business card telling her she worked for the Miami-Dade Board of County Commissioners as Xavier Suarez' Aide. She also learned from Morris that Federica Wilson was Washington's Godmother.

After that meeting, they continued communicating and worked on coordinating outreach presentation/events for constituents in Suarez's District. Billington indicated Morris also communicated with others in the Department. Furthermore, the staff collaborated with the District 7 Chronicle newsletter in which Morris is Editor. Billington indicated she also had phone contact with Morris as well as with her Attorney after the case was closed.

Billington stated that she took Morris's County card and placed it next to her computer, along with several other business cards. At the conclusion of the interview Billington suggested that Olmo and Perez accompany her to her office in order to provide a copy of the CAVU computer printout, the computer program they utilize for case data entries as well as to show us where the card had been placed.

Billington indicated that sometime after the BADOCP complaint was filed by Morris, the business card disappeared and subsequently ended up scanned and a copy of the card appeared as part of the physical file. When questioned about the scanning process and who is responsible for scanning the documents, she indicated that her Assistant and RER-CP Legal Secretary, Alina McDonald (McDonald), scans the documents into their computer file program. Billington stated she does not know why the card was taken and/or for what purpose.

Billington indicated that at one point, she had to meet with De La Cruz, the Analyst assigned to the case, regarding her handling of the case and Morris's dissatisfaction. She provided a copy of a Consumer Mediation Center Customer Satisfactory Survey on Investigative Analyst De La Cruz by Morris. The unsatisfactory survey was not signed but noted it related to case 2017-7260 (Morris's case).

During the meeting we discussed the inaccuracies noted in CAVU, i.e. dates, resolution, user names, etc. Billington stated several people have access to the entries, therefore she was unable to respond to the entries and accuracy of the report. We also inquired as to the involvement/communication between the complainant and/or other involved party and the Department (RER-CPS) once the case is closed. She responded that once the case is closed whether by mediation or by the consumer filling in court, the case file is closed and usually no communication exists. In this case the file was closed on 08/18/17.

At 3:01 PM on 10/23/17, following our interview, Billington sent an email to Olmo and Perez advising that while we were meeting, Weems contacted her via email, regarding a Writ of Replevin she was drafting and wanted to reach out to her (Exhibit # 1)

**Elsa De La Cruz (De La Cruz)**  
**Investigative Analyst**  
**Department of Regulatory and Economic Resources**  
**Business Affairs Division**  
**Office of Consumer Protection**  
**601 NW 1<sup>st</sup> Court # 18<sup>th</sup> Floor**  
**Miami, Florida 33136**

De La Cruz voluntarily agreed to meet with Investigator Olmo and Staff Attorney Martha Perez regarding the complaint filed with RER-CP by Morris, on her son's behalf.

De La Cruz stated she has been working for MDC for approximately 26 years, 11 years with RER-CP. She indicated RER-CP Section mediates disputes between consumers and businesses. Consumer can file a formal complaint by completing a Consumer Complaint Affidavit and submitting the affidavit by email, fax or mail.

Due to the lapse of time and to refresh her recollection, De La Cruz was provided with a copy of CAVU's Issue View Screen. The print-out itemizes and tracks the case from its inception to the final resolution. As per the document, the case was initiated by a call on 07/24/17, followed by an e-mailed Complaint Affidavit on 07/25/17, Complaint # 2017-7260. De La Cruz stated that Pedraza is the department's lead agent in charge of assigning/distributing cases. In this case, he was handling the case from the beginning. Furthermore, she indicated that although the computer print-out notes 07/26/17 as the change of ownership from Pedraza to her (as per his directives) she did not find out about the case until the following day, 07/27/17, when Pedraza told her about the altercation with Morris because she was not satisfied with the case and how it was being handled.

De La Cruz stated that at that point, Pedraza handed her Morris's business card telling her she was "from the Commissioner" and she needed to start working on the case immediately. He also asked her to contact Morris because she was very upset about the case "not moving speedy enough." De La Cruz stated she took the card, made a copy and proceeded to review the file. Shortly thereafter, Pedraza returned and asked for the card back.

De La Cruz explained that once the documents are received, the physical file is scanned into the computer file by Alina MacDonald, Legal Secretary for CPS. The physical file is then placed in the Office Box.

De La Cruz described the workplace in the department as having separate cubicles with the staff in close proximity, and, therefore, privacy is an issue. She stated that although she had not been assigned the case, her cubicle is next to Pedraza and it is difficult not to overhear conversations. She recalled Pedraza discussing the complaint with Morris on a daily basis, assuring her he would fix the problem. According to De La Cruz, when he was unable to come through for Morris she (Morris) became impatient and angry at that point.

De La Cruz also assured Pedraza knew from day one Morris worked for a Commissioner. De La Cruz stated she did not know who Morris was until Pedraza gave her the business card and told her who she was and who she worked for.

De La Cruz stated that after her conversation with Pedraza on 07/27/17, she proceeded to review the case in order to familiarize herself with the details, prior to contacting the Complainant. She stated she worked with the computer file and even though the case was assigned to her, she never had the physical file. The file was in Pedraza's possession and then turned over to Billington. De La Cruz stated that, before she had the opportunity to contact Morris, she received a call from Morris, who said she felt her case was not being handled effectively. Morris demanded an explanation and stated she could lose her car. De La Cruz stated she explained she had just received the information and had not worked on her case. She stated Morris was imposing and annoyed. She indicated it was obvious to her that Morris's last conversation with Pedraza was not favorable. Morris, clearly upset, abruptly hung up.

De La Cruz proceeded to work the case, sending Acknowledgement letters to the Respondent, MAH, and to Morris.

De La Cruz indicated that although Pedraza assigned the Morris case to her, he was still very much involved and continued to work on the case. Emphasis was put on prioritizing the case by the department. De La Cruz stated she recalled one particular conversation with Billington when she was told Morris was going to file a complaint and go to the Mayor's Office due to her mishandling her file. Gregory Baker (Baker), RER Division Chief, made a comment about the Commissioner's Aide car was going to be sold, and they needed to stop the sale, so the case could be worked. A directive came from Baker, telling Billington to send Ralph Galvez, RER-CP Division Manager, to attend the hearing. De La Cruz stated there was pressure to have someone from the department in court on Morris's behalf in an attempt to stop the lien process/sale of the car.

On 07/31/17, Carvajal responded to MAH for the Field MVR inspection. CAVU entry shows Inspection results-Approved-No issues found. Furthermore, the merchant claimed the consumer had been made aware of their intention to lien if payment was not received. Carvajal also noted that the merchant would write a response to the complaint the following day via email and that both the complainant and the merchant had retained counsel.

**On 08/18/17, CAVU notes Billington suggested closing the case due to Morris's filing in Small Claims Court**

De La Cruz was questioned regarding the accuracy of the computer file and the user entry. Several entries were questioned.

- The printout shows the initial call assigned to and entered by Pedraza as well as the Affidavit sent to Complainant on 07/24/17. On 7/26/17 the case status changed, as per Pedraza's directive, showing changed ownership to De La Cruz. De La Cruz indicated she was not notified about the case although reflected on the computer file. She assured her first involvement with the case was when Pedraza spoke to her on 07/27/17 after his discussion with Morris. At which point, he handed Morris' business card, telling her to contact Morris and to prioritize the case because she was from the Commissioner. De La Cruz stated Pedraza had tried to strongarm the shop owner into trying to come to an agreement with Morris and resolve the case. When he did not get his way and unable "to deliver" by assisting as promised, he put the blame on her and accused her of unprofessionalism not doing her job.

- Under "Action Items, Assigned To", dated 08/18/17, the Issue View Screen documents shows Mediation; Diane Kaminsky (Kaminsky). When questioned regarding the entry, De La Cruz stated she did not make that entry and could not explain as to why Kaminsky's name appeared under the assignment since she is the Licensing Manager and had no involvement in the case.
- Under "Alleged Issues", the entry shows Failure to repair. The car had been repaired at the time BADOCP responded to MAH. As of the close out date, 08/18/17 the report had not been revised.

De La Cruz indicated she did not have an explanation as to the errors and misinformation on CAVU. Furthermore, she mentioned she has limited access to the program.

**Roberto Pedraza**  
**Investigative Analyst**  
**Department of Regulatory and Economic Resources**  
**Business Affairs Division**  
**Office of Consumer Protection**  
**601 NW 1<sup>st</sup> Court # 18<sup>th</sup> Floor**  
**Miami, Florida 33136**

Pedraza was interviewed at the COE Conference Room and present during the interview was Investigator Olmo and COE Advocate Michael Murawski.

Pedraza stated that he started with Miami-Dade County in 1993 with Building and Zoning, transferring to Consumer Services Protection in 1995 as a License Clerk, subsequently becoming a Consumer Protection Inspector/Enforcement Officer in 1998 and Investigative Analyst in 2007.

When questioned regarding the Morris complaint and her initial contact with the Department, he stated he didn't recall, but stated the Complaint Affidavit was received via email. Pedraza volunteered that his Supervisor, Billington, had previously met Morris, during a public speaking event and later contacted Billington for assistance.

Pedraza indicated cases are assigned on a rotating basis and Morris's case was assigned to Investigative Analyst De La Cruz. He indicated the case was assigned on 07/26/17 and he was not informed about the case nor handled the case until issues arose regarding De La Cruz not properly investigating the complaint/case. He stated he was not aware about Morris's position because the correspondence was from her private email. He indicated the department has a written policy prohibiting the use of government computers (email) for personal use, precisely to avoid an appearance of impropriety.

Pedraza stated that he learned about Morris's position as a Commissioner's Aide thru Billington when they met to discuss De La Cruz's altercation with Morris and mishandling of the case. At that point, he was asked to take over the case because Morris, "did not want to deal with that person" (De La Cruz).



He stated Billington as Consumer Advocate and Supervisor, assists the staff during the complaint process and investigation. When Pedraza was questioned regarding De La Cruz's allegation regarding the altercation with Morris on 07/27/17, he denied having any disagreements or problems with Morris.

When questioned as to how Morris's business card ended up in the physical file and scanned, he responded that Alina McDonald is the department's secretary who scans original documents upon receipt and input them into the computer file, CAVU.

When questioned about the Department's policy and procedures regarding attending court proceedings and whether attendance in court is part of the mediation process, he stated that when a subpoena is issued, the Department sends a representative to testify on behalf of the Department. They provide information on the complaint/case and assist with any clarification of the Ordinances.

On this particular case, he as well as Billington had been subpoenaed by Morris to attend the 08/03/17 Demand For Hearing. When both were not able to attend, Rafael Galvez, Licensing Manager, attended the hearing. When questioned if anyone else attended after the case was closed, he responded no. He later stated he had attended a hearing. Pedraza was asked if he recalled when and why the case closed and he said on 08/18 because "she felt like it" (De La Cruz).

As to the business card disappearing from Billington's desk he stated he believed De La Cruz had taken the card from the desk and scanned it.

At the conclusion of the interview Pedraza was asked if he had any contact with Morris or her attorney after the case closed and he replied he briefly spoke to Morris at the last hearing. He said he believed the parties would "settle", adding Morris was "on top of the case."

### **Carmen Morris**

#### **Aide to Commissioner Xavier Suarez**

Morris was interviewed on 03/28/18 by COE Investigator Olmo. Present was Staff Attorney Martha Perez (Perez), for the first part and Michael Murawski, Advocate, for the latter part.

Morris stated she has been employed by the Miami-Dade County Board of Commissioners (BCC) as an aide to Commissioner Xavier L Suarez for approximately 2 years. Morris indicated she owned a Public Relations Marketing Firm (Carmen Morris and Associates, Inc) but it is not functional and a Non-Profit (Sanctuary of Moses), also inactive/not functional since 2014.

As to the ethics complaint, Morris stated she did not recall the date but she first learned about the complaint from DVR Counselor Doyle who told her the COE had contacted her to inquire about her (Morris) and whether she had used her county position in any way.

Morris reaffirmed several times during the interview that she does not use her position "to influence anything." She indicated the Commissioner did not know about her case; she tries not to mix personal with work. She stated it wasn't until January or February that she sent the Commissioner a memo because she did not want the Commissioner to be blindsided. A copy of the memo was requested and

Morris stated a copy would be provided at a later date. Subsequently, Morris indicated that the email was not available (Exhibit #2).

Her initial contact with BADOCP was with Robert Pedraza, and recalled that "she had a good conversation with him." Thereafter, she received "communication" (did not recall by email or voicemail) from a BADOCP staff member, indicating she did not understand the case and left a contact number.

Morris mentioned that upon returning the call, the female staff member was very rude, interrupting her. At that point, she asked to be transferred to Pedraza, since he had previously assisted her when she first filed the case, and verbally complained about the staff member to him, but never filed a written complaint.

When questioned if she had any knowledge about how her County business card ended up in the work file, she stated she did not know, but "Ralph" from MAH told her at the courthouse, he found out she worked for a Commissioner after a Hispanic woman from BADOCP went to him, telling him how to file a "Complaint". According to Morris, Ralph stated the reason he was going after her was because she was going after him.

Morris indicated she first learned about DVR thru her son's godmother who suggested contacting them. On a previous occasion, DVR had assisted her son, who has a disability, gain employment through a training program called "Hands on Miami", with his godmother's assistance. Due to that positive experience, they decided to contact DVR again.

Morris stated that after her son passed the driver's exam and as a birthday present, she bought him a car (Mercedes Benz). Consequently, the DVR Counselor decided to concentrate on an Uber business since her son was already driving for them, but at that point, the car was not operable and had to be repaired before he continued driving for Uber.

Morris explained she received a call from her son one day telling her "the brakes fell out." Subsequently, the car was taken to Mercedes Benz and later towed to MAH.

Before obtaining approval for the car's repair, Morris indicated Doyle was assigned to her son as a Coach and assisted in finding "Ralph" (MAH) and completing the necessary paperwork to become a DVR vendor. Although they were told the process would take 3-4 weeks, "Ralph" told her the car had been repaired even though DVR had not completed the paperwork and the check had not been issued.

Morris expressed her dissatisfaction with DVR and the lengthy process. As a result of terminations and resignations in DVR, her son was one of those individuals feeling the problems of the office. Morris stated she was trying to make sure DVR fulfilled their responsibilities to her son, by going through a complaint process and contacting/involving the Disability Office in Tallahassee. As per Morris, The Disability Office assisted in trying to get DVR to do what they were responsible to do.

Morris indicated she was led to Consumer Services after Mercedes Benz Finance company contacted her at the end of July regarding the lien and the upcoming sale of the car, scheduled for 08/03/17. She indicated she never received notification and was not aware of the lien until the

finance company contacted her.

At that point, she stated she tried to look for a way to prevent the auction and reached out to BADOCP and believes she spoke to Robert Pedraza, but did not recall the date, although it was before the sale of the car.

Perez questioned Morris as to having met or knowing anyone in BADOCP prior to making the complaint and mentioned Greg Baker or Holly Billington. As to Baker, she stated the name was familiar but did not know he was the Director for BADOCP and she never reached out to him. Regarding Billington, she indicated she believed she received the complaint form from "Holly", but did not recall her last name.

Morris indicated meeting "Holly" at a Ministerial Alliance Meeting, sometime in 2016 or 2017, where "Holly" spoke about the services offered by BADOCP. Morris again stated she never used her county position with the Commissioner.

The only time she would use her position would be if a constituent calls and they have a complaint. At that time, she will find out who to forward it to in order for them to assist the constituents.

A copy of the Consumer Complaint Affidavit was provided to Morris for purpose of identification. The Affidavit completed by Morris, was missing the page containing the three mandatory disclaimers that must be signed/dated, as noted on the website<sup>3</sup>.

Morris indicated that throughout the process, she dealt with Pedraza and Holly and subpoenaed them to attend court proceedings twice. She stated they were subpoenaed in order to provide their findings regarding the "illegal lien."

Morris stated that she needed legal assistance so she was referred to an attorney by a Church member. The attorney was unable to assist her due to a scheduling conflict and asked another attorney from the same firm, Laurie Weems(Weems), to meet with her. Weems ultimately represented her pro-bono. Morris indicated that the pro-bono representation was not because Weems knew who she was or where she worked. Morris stated that during the initial meeting, Weems prepared a document she (Morris) filed with the courts in order to stop the illegal sale of the vehicle.

Morris indicated they went before Judge Areces, at which time, Areces entered an order to stop the sale. Weems was present at the hearing. Pedraza and Billington were subpoenaed but were unable to attend. Instead, Morris indicated a young man from BADOCP attended the hearing. Another time, Morris went before Judge John Schlesinger and subpoenaed Pedraza and Billington.

At that point, Weems requested an extension of time due to the difficult situation she was facing by the unexpected death of her husband. Morris stated Weems requested additional time to work things out between DVR and her client as well as to contact Tallahassee in an attempt to encourage DVR to do what they had promised to do in service to her son. Due to Weems' situation and her inability to continue representing her, Morris contacted Legal Service or the Bar Association.

<sup>3</sup> Consumer Protection Complaint Affidavit.

Morris indicated she contacted Legal Services of Greater Miami<sup>4</sup> and applied over the phone. Subsequently, the case was assigned to Carolina Lombardi.

When questioned as to when the BADOCP case closed, she stated did not know and did not recall if she was notified. When questioned if anyone from BADOCP went to court after the case closed, she did not know. Morris suggested calling BADOCP regarding the close-out.

When asked if any representatives from BADOCP approached or addressed the Judge, she responded she had subpoenaed them to present their findings.

When asked about BADOCP staff attending court proceedings, she stated they were not in court the last time and the time before either since Weems, on that day, had requested the extension.

Morris then stated BADOCP went to court when Weems requested the extension. She stated she believed the subpoenas were sent to Holly and Pedraza and one to the DVR Counselor. She indicated she did not know anyone else in BADOCP nor did she know who the Director was.

When questioned if she or her attorneys had contacted BADOCP after the case was closed, she replied she did not know the case was closed and Weems and Lombardi felt they did not need BADOCP's participation in the case.

When questioned as to why they were subpoenaed if their participation was not needed, she replied she had subpoenaed them before she had formal representation and indicated Weems was first coaching her on what to do to save the car. Lombardi then represented her before a third Judge who ruled on her behalf. Morris stated BADOCP was not in court during the final hearing.

Morris indicated that when DVR (Tallahassee) finally issued a check, approximately one year later, they went to MAH in order to retrieve the car. Upon arriving at MAH, she said they were told by a staff member that unless the check was deposited and cleared, the car would not be released. She added that when they attempted to start the car, it would not start and the key was stuck in the ignition. The car was not taken at that time but subsequently the difference between the parties was resolved and as per Morris, the car was scheduled to be towed to a different mechanic the day following this interview.

Morris stated the process with DVR was less than stellar and she and "Ralph" had suffered but she indicated it was wrong of Ralph to try to take her son's car and then to report her because she was trying to defend her son and the property of a vehicle she had given to him as a gift in order for him to earn a living.

At the end of the interview, Morris added she never spoke to anyone in her office about the incident and stated she "would never compromise anything and I've always done the right thing" and "to be accused of doing something wrong when I haven't done it and to have to come down here, take time off work to meet with you on this, it's just not fair.."

<sup>4</sup> Legal Services of Greater Miami, Inc. provide a broad-based civil legal services by providing advice and representation in individual cases...

**Ralph Villason**  
**Miami Auto Help, Inc.**  
**11951 SW 144<sup>th</sup> Court Bay #4 & 5**  
**Miami, FL 33186**

Villason responded to the COE and was interviewed by this Investigator. He stated that he first met Morris when her inoperable vehicle, was towed from the Mercedes Benz dealership to his facility on 03/10/17. The vehicle was inspected and he provided Morris with an estimate for the repairs (Exhibit # 3). He noticed an Uber sticker (Exhibit # 4) adhered to the window.

Morris explained she had contacted DVR and that the agency was in the process of assisting her with her son "who had a disability", with the repairs of the vehicle so that he would start an Uber business. She indicated DVR would pay for the repairs.

In order to work with DVR, Villason had to become a vendor. Doyle and DVR staff assisted him in the process and he submitted the necessary paperwork in order to become a vendor. He was told the process would take approximately 3-4 weeks. Villason stated that the process was taking longer than expected, but in good faith, and in order to help her son, he decided to go ahead with the repairs without having received payment authorization. Villason stated he was in contact with DVR staff and Morris throughout the entire process.

On 05/02/17, Villason sent Doyle an email advising the car had been there over a month and he wanted to inquire on the status (Exhibit # 5). Nothing was resolved. On 06/30/17, 3 ½ months after the car had been towed to his facility, Villason sent an email to DVR and Morris advising the vehicle had been repaired and no payment had been received. He also noted that, as posted, they charge \$75.00 a day storage. He indicated that if payment was not authorized by the following Monday, he would place a lien on the vehicle. He stated that Morris knew about the lien (Exhibit #6).

Another month went by without the payment authorization. Villason stated that Morris did not want to pay for the repairs and insisted on waiting for DVR to pay. He indicated he did not understand since Morris's urgency was to have her son start the Uber business, yet she would not opt to pay for the repairs and seek reimbursement from DVR.

Villason stated that on 08/02/17 at 9:03PM, he received an email from Morris advising a hearing had been set before Judge Areces for the following day, 05/03/17, in order to stop the sale (Exhibit #7). He was unable to attend due to such short notice. Subsequently, he hired an Attorney to represent him during the proceedings.

Villason indicated that BADOCP accompanied Morris on several hearings, on behalf of Morris. During one hearing, he recalls a BADOCP representative addressing the Judge and Prolien inquiring as to BADOCP's participation on Morris behalf.

Villason indicated that he had gone above and beyond his responsibilities and provided an email dated 08/1/17 from Weems (Exhibit #8) indicating he was willing to resolve the situation in an amicable manner. He stated the vehicle had been at his facility, repaired, for a year, before DVR finally authorized the repairs.

**Documents Review:**

- Documents provided by Villason.
  - Documents provided by Billington.
  - Email from Morris dated 03/26/18 with attachment:  
Letter from Carolina Lombardi, dated 03/26/18 (received 2 days prior to Morris's interview)
  - Letter/fax from Laurie Weems, dated 03/27/18 (received 1 day prior to Morris's interview).
  - Documents provided by Morris.
  - Documents provided by RER.
  - Miami-Dade County Consumer Complaint Affidavit Form obtained from RER-Consumer Protection website.
  - Miami-Dade County Consumer Complaint Affidavit completed and signed by Morris on 07/25/17.
  - Carmen Morris & Daniel Garvey Washington vs Miami Auto Help Inc. & ProLien, Case # 2017-018340-CA-01.
  - CAVU-Complaint #2017-7260.
  - Literature-Legal Services of Greater Miami
  - Literature-Miami-Dade County RER-Consumer Mediation Center

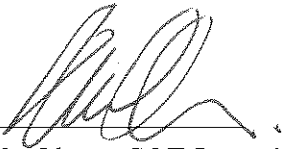
**Conclusion:**

After discussion with the Ethics Advocate, it was determined that the evidence is insufficient to support an ethics complaint against Morris. Morris utilized County services available to anyone through BADOCP. While BADOCP staff may have felt that they could not afford to mishandle Morris' case because she worked for a County Commissioner, there is insufficient evidence that Morris exerted any pressure or demanded special services from BADOCP. Indeed, BADOCP closed their case once Morris filed a small claims action in Court.

Ms. Morris will be notified however that to the extent she received any "pro bono" legal representation from

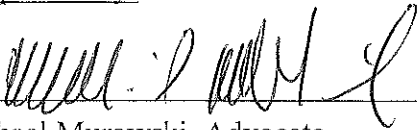
attorney Weems, Morris must disclose as a gift the reasonable value of those services.

Accordingly, this matter should be closed with no further action

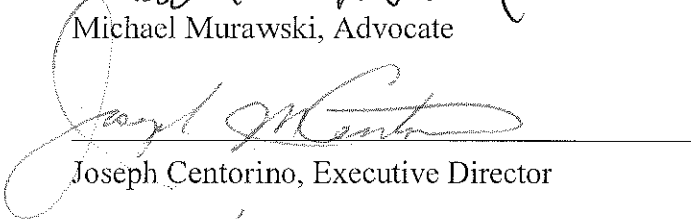


Nilda Olmo, COE Investigator

Approved by:



Michael Murawski, Advocate



Joseph Centorino, Executive Director

Date:

7/6/18