



Memorandum



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To: The Honorable Carlos A. Gimenez, Mayor, Miami-Dade County
The Honorable Rebeca Sosa, Chairwoman
and Members, Board of County Commissioners, Miami-Dade County

From: Patra Liu, Interim Inspector General

Date: November 20, 2013

Subject: Former Miami-Dade Fire Rescue Code Enforcement Officer Charged with
Unlawful Compensation, Official Misconduct, and Grand Theft, Ref. IG13-36

Attached is a press release detailing today's arrest of Jeffrey Warren Lowman (Lowman), a former Miami-Dade Fire Rescue Department (MDFR) Code Enforcement Officer. Lowman, who recently resigned his thirteen (13) year employment with the County, was arrested following a joint investigation by the Miami-Dade Office of the Inspector General (OIG), the Miami-Dade Police Department's Public Corruption Unit, and the Miami-Dade State Attorney's Office.

Lowman was charged with twenty-one (21) felony counts for defrauding the tax-payers of Miami-Dade County of \$40,000 in fire code violation penalty fees owed to the County while enriching himself through his private business. The investigation, which began in August of this year, uncovered that Lowman, submitted 10 fraudulent affidavits in January causing penalty fees owed to the County to be waived. His actions were undertaken as he was also profiting through his private fire consulting business assisting the property owners in resolving the outstanding penalties.

The OIG appreciates the cooperation of Miami-Dade County's Finance and Fire Rescue Departments during the course of this investigation.

Attachment

cc: Genaro "Chip" Iglesias, Deputy Mayor
Edward Marquez, Deputy Mayor/Finance Director
J.D. Patterson, Jr., Director, Miami-Dade Police Department
David Downey, Fire Chief, Miami-Dade Fire Rescue Department
Cathy Jackson, Director, Audit & Management Services
Charles Anderson, Commission Auditor

November 20, 2013

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**FORMER MIAMI-DADE FIRE RESCUE CODE ENFORCEMENT OFFICER
CHARGED WITH UNLAWFUL COMPENSATION, OFFICIAL MISCONDUCT,
AND GRAND THEFT**

(Miami, Florida) –

Jeffrey Warren Lowman (Lowman), a former Miami-Dade County Fire Rescue Department Code Enforcement Officer, and thirteen year (13) employee of the County, was arrested today as a result of a joint investigation by the Miami-Dade County Office of the Inspector General (OIG), the Miami-Dade Police Department (MDPD), and the Miami-Dade State Attorney's Office (SAO). Lowman was charged with one (1) count of Unlawful Compensation, a second degree felony, in violation of Florida Statute § 838.016(1); ten (10) counts of Official Misconduct, third degree felonies, in violation of Florida Statute § 838.022; and ten (10) counts of Grand Theft, third degree felonies, in violation of Florida Statute § 812.014. The joint investigation revealed a scheme by Lowman to defraud the tax payers of Miami-Dade County of \$40,000 in fire code violation penalty fees owed to the Miami-Dade Fire Rescue Department, while enriching himself through his private company.

In August 2013, the OIG and MDPD's Public Corruption Unit initiated an investigation upon notice from the Miami-Dade County's Finance Department of questionable affidavits of compliance filed by Lowman, a Code Enforcement Officer - Fire Safety Specialist 2, with the Miami-Dade Fire Rescue Department's (MDFR's) Fire Prevention Division. As an MDFR Code Enforcement Officer, Lowman conducted inspections of businesses and multi-family dwellings within Miami-Dade County, and certain municipalities, to ensure compliance with the life-safety regulations in the State of Florida Fire Prevention Codes and Miami-Dade County Ordinances. Upon the finding of a life-safety violation, Code Enforcement Officers can issue a Civil Notice of Violation, which are filed with the Clerk of the Court. Property owners must correct the violations within 30 days or file an appeal within 20 days. Absent an appeal, penalties accrue if the violations are not corrected within 30 days and/or if the inspection fees have not been paid. Code Enforcement Officers are required to file an affidavit of compliance or non-compliance upon re-inspection of the properties with the Clerk of Courts, who assesses the penalties. The Finance Department's Credit and Collections Services, collects outstanding fire inspection-related penalties and fees for the MDFR.

The joint investigation found that Lowman, in addition to his MDFR employment, was running a fire inspection consulting business registered to his home address. Lowman's company, Florida Fire Inspection Consultants, was hired by Americas Property Management Corp. (a property management company) to help with resolving violations and inspections on a warehouse complex located in Medley that was to be sold. The violations varied from "failure to provide approved handrails" to "failure to maintain fire hoses." Lowman's company was paid by Americas Property Management Corp. approximately \$3,000 to help resolve the violations.

OIG and MDPD investigators learned that Lowman—while hiding his true identity—represented himself to Finance Department collections specialist as a consultant hired by Americas Property Management Corp. Over the phone, he told the Finance Department employee that he was working with Fire Inspector Lowman on resolving the outstanding violations. The Finance Department employee then corresponded via email with Lowman, both at his MDFR email and Lowman's private business email, unaware that it was the same individual.

The joint investigation uncovered that, this past January, Lowman in his capacity as an MDFR Code Enforcement Specialist, submitted ten fraudulent affidavits of compliance to the Clerk of the Courts. The fraudulent affidavits falsely stated that the cited properties had been brought up to compliance within the 30-day period. The investigation revealed that while the violations were corrected, they were not addressed within the 30-day period. Therefore, Lowman's fraudulent affidavits removed a combined \$40,000 in accrued penalties owed the County. Lowman resigned in October, 2013.

"I'm proud of the work done in this case by this corruption-fighting team of prosecutors, Miami-Dade Police and the Office of the Inspector General," said Miami-Dade State Attorney Katherine Fernandez Rundle. "Every new corruption case should throw additional ripples of fear and concern through those public employees who think they can get away with this type of crime. Nothing angers the public and law enforcement more than dishonest public servants who should keep looking over their shoulders because the law is on the way."

"We have a continued commitment to work with our local partners in investigating and prosecuting those whose behavior erodes the public trust in Miami-Dade County. Our agencies have been working very hard together and I am pleased that their hard work continues to result in positive outcomes for our community," said Director J.D. Patterson of the Miami-Dade Police Department.

"The OIG is grateful to the honest and hardworking county employees who refuse to tolerate the fraudulent, self-dealing activities of a few," said Interim Inspector General Patra Liu. "We appreciate that they report suspicious activities to the OIG, and we reaffirm our commitment to investigating these cases with our partners."

The OIG would like to thank the employees of the Miami-Dade Fire Rescue Department and the Miami-Dade Finance Department for their assistance and cooperation during the course of this investigation.

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