Biscayne Building 19 West Flagler Street, Suite 220 Miami, FL 33130 Phone (305) 375-1946 Fax (305) 579-2656 www.miamidadeig.org

Office of the Inspector General Miami-Dade County

Final Report

To:	Mr. George Burgess, County Manager	<i>b.</i>	
		Received by	Date

cc: Mr. Alex Munoz, Assistant County Manager

Mr. Joel Robbins, Property Appraiser

From: Christopher Mazzella Inspector General

Date: 2/24/04

Re:

Incorrect Property Tax Valuation of 7670 SW 82 Avenue, Miami, Florida, as a

Vacant Lot from Tax Year 1999 to Tax Year 2003

A draft copy of this report was presented to the Miami-Dade County Property Appraiser on January 28, 2004. Attached and incorporated herein is the Property Appraiser's response. It is noted that no changes have been made from the draft to final version of this report. However, please see our request on page five that we be given an update in 60 days.

I. SYNOPSIS

On October 23, 2003, the Office of the Inspector General (OIG) received information that a residential lot located at 7670 SW 82 Avenue, Miami, Florida (unincorporated Miami-Dade County), was being incorrectly assessed property taxes as a vacant lot when, in fact, there had been a residential structure on the property for the past several years.

In the course of this investigation, the OIG found that the new house was completed in April 1998. The Property Appraiser's Office performed a preliminary inspection of the house in December 1997, but noted that a follow-up inspection should be conducted in six months to fully assess the new house after completion. The Property Appraiser's Office, however, never followed up to assess the completed house and apparently lost the building jacket containing the records on the property. The Property Appraiser's Office failed to re-assess the property tax valuation on the property to include the new house for over five (5) years.

Because state law only allows the Property Appraiser's Office to back assess a property for the past three years, the County will be unable to collect for tax years 2000 and 1999. This amounts to an approximate loss of \$16,735 in back taxes. Moreover, had the Property Appraiser's Office acted quickly when it first became aware of the incorrect tax assessment on September 4, 2003, it could have corrected the property valuation in time to include the adjustment in the 2003 tax roll. Had the adjustment been made to the 2003 tax roll, the County would have been able to back assess for tax year 2000.

II. BACKGROUND

According to the Assistant Property Appraiser, the Property Appraiser's Office normally visits a property to re-assess the taxable value under a variety of situations, such as: a sale of the property when the sale price is out of line with neighborhood values, the issuance of a building permit for new construction, modification of an existing structure or improvements to vacant land, changes in homestead exemptions and re-surveys of land.

According to the Property Appraiser's Office, when a building permit is received by the Property Appraiser's Office showing new construction on vacant land, a new building jacket is created for that property. An inspection would be scheduled to determine whether the building is substantially complete. If the building is substantially complete at the time of the initial inspection, then a more detailed inspection is scheduled for proper tax re-assessment. If the building is not substantially complete, a "go back" date is scheduled and the building jacket should be placed in the Real Estate Section's holding area until the "go back" date.

III. INVESTIGATIVE FINDINGS

A. Failure of the Property Appraiser's Office to re-inspect the new house and re-assess the property valuation has resulted in a loss of approximately \$16,500.

In May 1993, the Property Appraiser's Office conducted an inspection of the subject property as a result of a sale of the property the year before. At that time, the property included two structures (a house and a small detached storage type building). The entire property (land and structures) was valued at \$145,091 for property tax purposes for the tax year 1992. (Exhibit A)

In February 1997, the Property Appraiser's Office inspected the subject property for tax purposes after receiving notice that a demolition permit had been issued for the property. The February 1997 inspection noted that all of the buildings had been demolished and the property was re-classified as vacant. The new assessed value (for land only) was \$165,310. (Exhibit B) According to the Assistant Property Appraiser, the building jacket for the property was then sent to archives.

On May 7, 1997, Master Building Permit number 1997080101 was issued for construction of a new house on the subject property and the Property Appraiser's Office was notified about this permit. Over the next eleven (11) months, additional permits were issued by the Miami-Dade County Building Department for a swimming pool, septic tank, windows, fence, burglar alarm, air conditioning, roofing, electrical, etc.

Based on the new building permit notification, the Property Appraiser's Office conducted a field inspection of the subject property in December 1997, where apparently it was noted that the building was not substantially complete and a "go back" inspection was scheduled for six months later, in June 1998. (Exhibit C)

At this point, the building jacket should have been placed in the Property Appraiser's Office - Real Estate Section's "holding area" along with other properties to be inspected. This apparently did not happen because the building jacket had been misplaced or presumably disappeared. During this time, 1997-1998, the Real Estate Section of the Property Appraiser's Office did not have any backup mechanism in place, such as a "tickler" system, to remind staff that a "go-back inspection" of the completed house was needed. A final Certificate of Completion of the new house was issued by Miami-Dade County on April 23, 1998.

Based on the computer records showing the field inspection and the entry of a "go back" date, OIG Special Agents asked for the name of the inspector who performed the initial inspection and/or noted the "go back" date. The Property Appraiser's Office was unable to find any records of which inspector had been assigned the property in question or who had input the information about the permits, inspections and "go back" dates in the computer system. According to the Property Appraiser's Office, such assignment logs are only stored for several years and the records had apparently been lost or destroyed.

According to the Property Appraiser's Office, it received an email on September 30, 2003 concerning tax assessment problems of the subject property. An inspection was conducted two days later on October 2, 2003, where the Office performed a new tax valuation of the property. The new structure is a five bedroom, four-bathroom home with an adjusted square footage of 4,672 square feet. (Exhibit D) The assessed value of the new house alone (not including the land value) is \$482,950. The land originally valued at \$196,888¹ combined with the value of the house brings the total property value to \$679,838. (Exhibit F)

¹ See Exhibit E, which shows the 2003 property land value as \$196,888 and the building value as zero.

Florida Statute Section 193.092(1) does not allow the assessment of property for back taxes for more than three years prior to the current tax year. The cut-off date for any final changes to the 2003 tax roll was September 30, 2003; any changes made after September 30th will be applied to the 2004 tax year. Since the re-inspection and re-assessment took place on October 2, 2003, the new valuation of the property is effectively applied to the 2004 tax year. Therefore, the Property Appraiser's Office can only assess the property for back taxes for the years of 2003, 2002 and 2001, but can not collect back taxes for the years 2000 and 1999.

According to the Property Appraiser's Office, the property owner will receive notice of the new property tax assessment in his/her 2004 tax notice. As part of the 2004 notice, the owner will be assessed approximately \$29,000 for back taxes owed for the years 2003, 2002 and 2001. Back taxes totaling an approximate \$16,735 are lost for years 2000 and 1999.

B. <u>State requirement that each property will be physically inspected every</u> three years was not met.

Florida Statute Chapter 193 governs the "Duties of the property appraiser in making assessments." Chapter 193.023(2) states: "In making his or her assessment of the value of real property, the **property appraiser is required to inspect physically the property every 3 years** to ensure that the tax roll meets all the requirements of law. However, the property appraiser shall physically inspect any parcel of taxable real property upon the request of the taxpayer or owner." (Emphasis added.)

The OIG questioned the Assistant Property Appraiser about this state requirement and why <u>five years</u> had passed without the property being physically inspected as required by law. He replied that, due to staffing and budget constraints, they are not able to routinely meet this three-year physical inspection requirement. In fact, he noted that in the absence of any of the situations discussed above generating an inspection, it would most likely be once every five (5) to ten (10) years before any one particular property is actually physically inspected as required by state law. He stated that they do resurvey specific areas of the County each year on a rotating basis, but that they generally cannot get to every property within the three-year state required timeframe.

C. The Property Appraiser's Office had been notified of the problem in time correct the valuation for the 2003 tax year.

In the course of this investigation, the OIG discovered that the incorrect property tax assessment for this particular property was initially made known to the Property Appraiser's Office on September 4, 2003 (not on September 30, 2003 as was originally represented to the OIG). Six emails were sent through the County website and retrieved by the Property Appraiser's Office at the South Dade Government Center. Normally such emails are forwarded to the Property Appraiser's main office located at County Hall, 111 NW 1st Street, Miami, Florida, for review and the assignment of corrective action.

OIG Special Agents were not able to find any records of forwarded emails or other such correspondence related to the September 4, 2003 complaints, although we were verbally told that such emails had been sent. It was only after another email complaint about the property was sent to the Property Appraiser's Office through the County website on September 30, 2003 that the Property Appraiser's Office took appropriate action.

The corrective action, inspection and re-assessment, was completed in two days. If the Property Appraiser's Office had taken action quickly, based on the September 4, 2003 complaints, they could have inspected the new house and re-assessed the total property value in time to include it in the 2003 tax notice.

This would then have allowed the Property Appraiser's Office to back assess property taxes for the three years prior to 2003 (2002, 2001 and 2000). The additional back tax assessment for the year 2000 would have been \$8,326, which has now been lost due to the failure of the Property Appraiser's Office to act in a timely manner on the September 4, 2003 email complaints.

IV. CONCLUSION

The carelessness of the Property Appraiser's Office in losing the building jacket for the subject property resulted in the grossly inaccurate tax valuation of this property for five years. While a new house had been built on the property and its final Certificate of Completion was issued in April 1998, the property was assessed as vacant land only. When finally corrected on October 2, 2003, the difference in taxable value rose by 245%.

Due to state law, which limits the assessment of back taxes to only three years prior to the current tax year, the County can only collect back taxes for this property for years 2003, 2002 and 2001. Lost are the back taxes for 2000 and 1999, approximating \$16,735. Had the Property Appraiser's Office acted quickly on information initially provided to it on September 4, 2003, the Office could have potentially cut its losses in half by being able to include the back taxes for 2000.

No recommendations are being made as it appears from the Property Appraiser's response that controls have been put into place. The OIG also is encouraged by the department's upcoming acquisition of a new Computed Aided Mass Appraisal (CAMA) System. The OIG would appreciate an update in 60 days as to the status of the new system.

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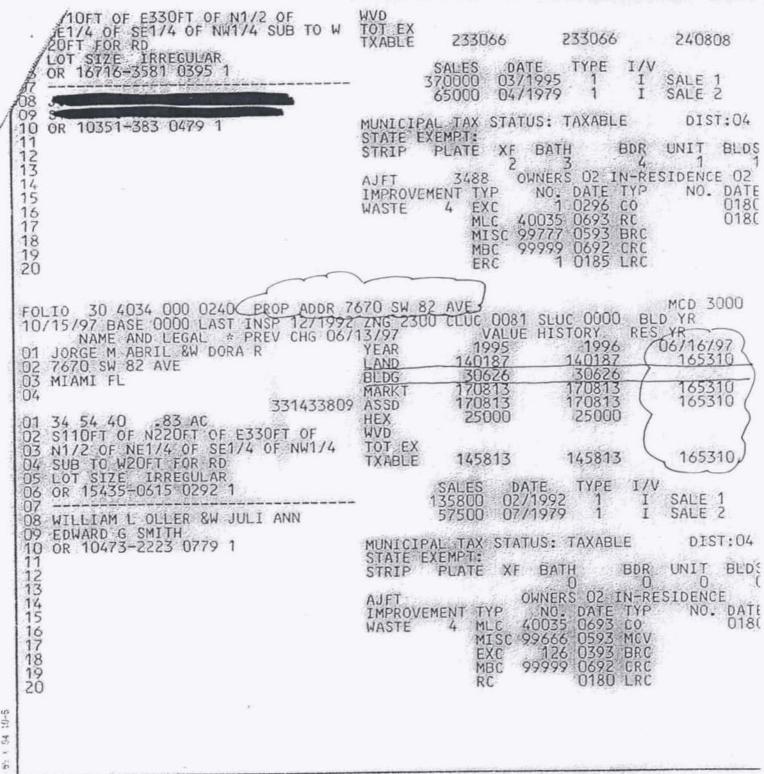
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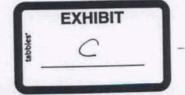




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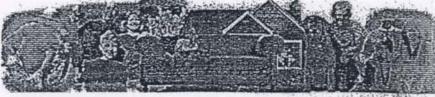






My Home

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ACTIVE TOOL: SELECT

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Show Me:

Property Information

Search By:

Select Item

Text only version

Summary Details:

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	Property:	7670 SW 82 AVE
1	Mailing Address:	7670 SW 82 AVE MIAMI FL 33143-3809

Property Information:

Primary Zene:	2300 ESTATE RESIDENTIAL
CLUC:	0081 VACANT LAND
Beds/Baths	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	o
Lot Size:	29,555 SQ FT
Year Built:	0
Legal Description:	34 54 40 .68 AC S110FT OF N220FT OF E330FT OF N1/2 OF NE1/4 OF SE1/4 OF NW1/4 LESS E35FT & LESS W25FT FOR R/W OR 15435- 0615 0292 1

Sale Information:

Sale O/R:	15435-0615
Sale Date:	2/1992
Sale Amount:	\$135,800

Assessment Information:

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Year:	2003 2003		
Land Value:	\$198,888	\$196,888	
Building Value:	\$0	\$0	
Market Value:	\$195,888	\$196,888	
Assessed Value:	\$196,888	\$196,888	
Total Exemptions:	\$0	\$0	
Taxable Value:	\$196,888	\$196,888	



Digital Orthophotography - March 2001

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We appreciate your feedback, please take a minute to complete our survey.

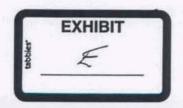
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E-mail your comments, questions and suggestions to Webmaster

Web Site
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REASON FOR BACK ASSESSMENT

BUILDING

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EXHIBIT F



OFFICE OF THE INSPECTOR GENERAL MIAMI-DADE COUNTY

CHRISTOPHER R. MAZZELLA INSPECTOR GENERAL

ALAN SOLOWITZ
DEPUTY INSPECTOR GENERAL

PATRA LIU ASSISTANT INSPECTOR GENERAL LEGAL COUNSEL January 28, 2004

Ms. Rachel Baum, Director, Finance Dept. 111 NW 1 Street, 25th Floor Miami, Florida

Mr. Joel Robbins, Property Appraiser 111 NW 1 Street, 7th Floor Miami, Florida FILE COFY

Dear Mr. Robbins:

Attached please find a copy of the Office of the Inspector General's (OIG) Draft Report regarding the incorrect property tax valuation for the property located at 7670 SW 82 Avenue, Miami, Florida. The property had been assessed as a vacant lot for the past several years even though a new house was built and completed in 1998. We are providing this draft in accordance with the Board of County Commissioners' mandate of advance notification. A copy of this draft is also being provided to the Director of the Finance Department.

The OIG requests your response to this Draft Report. If you would like your response to be included in the final report, you must submit it to the OIG by close of business on February 11, 2004. If you wish, you may provide your response by fax to (305) 579-2656.

Please do not hesitate to call should you have any questions.

Yours truly

Christopher Mazzella

Inspector General

Acknowledgment of Receipt or Proof of Service

RECEIVED

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METRI AATE COUNT

1/29/04 Date

19 WEST FLAGLER STREET SUITE 220 • MIAMI, FLORIDA 33130 REPORT FRAUD! HOTLINE (305) 579-2593 • WWW.MIAMIDADEIG.ORG

TEL. (305) 375-1946 FAX. (305) 579-2656

February 23, 2004

Dated January 28, 2004 Response to OIG Report

DATE

SUBJECT:

Inspector General Christopher Mazzella

:OT

Miami-Dade County

Property Appraise Joel W. Robbins

FROM:

missed the assessment of a residential building located at 7670 S.W. 82nd Avenue. The Property Appraisal Department concurs with the findings of the OIG report which found that we

statistical testing. properties as of a given date using standard methodology, employing common data, and allowing for of Professional Appraisal Practices (USPAP) - 2003 edition" as the process of valuing a universe of fee appraisals as practiced in the private sector. Mass appraisal is defined in the "Uniform Standards for which we are statutorily mandated. We are in the business of "mass appraisal," not individual We would also respectfully point out that this should be viewed in the context of the responsibilities

telephone calls we handle over 42,000 public service requests per year. inspections every year. Between correspondence, public service counter information requests, and We process over 100,000 property transactions per year as well as conduct 24,000 real property field Our universe is the 860,000 real and personal property parcels which we have to assess every year.

FICE OF other statutory exemptions. 400,000), to senior citizen exemptions (over 32,000), to veterans/civilian disability exemptions and agricultural classified properties and a myriad of exemptions from homestead exemption agricultural a portion of the massive volume of work this department processes on an annual basis, ine聞din客三 inspections and processing over 61,000 returns and 258,000 leases on an annual basis. This is only Our Personal Property Division assesses over 110,000 accounts yearly, going on over 87,000 field

tax roll within the statutory timeframe, validation of completed new building permits was limiged to 2000 assessment roll, due to budgetary constraints and the time element necessary to complete the That being said, the controls in place prior to missing this property have been revised. Prior to the

- assessment). Review of sales with ratio less than 45% assessment to sale ratio (improved sale with vacant
- Review of homestead exemption applications on vacant parcels.
- permits. New residential plats: tracking new construction via vacant parcels instead of solely by

Christopher Mazzella Inspector General Miami-Dade County February 23, 2004 Page – 2 –

Subsequent to the 2000 assessment roll, validation of completed new building permits now includes cross-referencing permit finals with Property Appraiser permit files and Property Appraiser parcel assessments. Implementation of permit cross-referencing began in 2002, using permits dated 2000 to present. The Real Estate Division is also currently working with the Information Services Division in developing a field-tracking database. This database will track all field-related activities within the division.

The department is also currently acquiring a new CAMA (Computer Aided Mass Appraisal) system which will also allow for development and maintenance of enhanced control systems for permits and field inspections.

Thank you for the opportunity to respond to your audit.

Cc: Rachel Baum, Finance Director