

RESOLUTION NO. 26-

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING AND ADOPTING THE CONDOMINIUM OWNER ASSOCIATION AND HOMEOWNER ASSOCIATION FRAUD DETECTION PILOT PROGRAM; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Doral, Florida (the “City”), is a Florida municipality with governmental, corporate, and proprietary powers to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes except as otherwise provided by law; and

WHEREAS, the City has over three hundred homeowner associations (“HOAs”) and condominium owner associations (“COAs”) operating within its municipal limits, impacting a significant portion of the City’s residents; and

WHEREAS, pursuant to Florida law, the City has no legal authority or jurisdiction to regulate, enforce, audit, or otherwise oversee the governance, operations, elections, or management of HOAs or COAs, and such matters are governed by state statutes and, where applicable, regulatory agencies; and

WHEREAS, condominium associations are subject to oversight by the Florida Department of Business and Professional Regulation (“DBPR”), including election-related matters, while homeowner associations are largely self-governed with limited state oversight; and

WHEREAS, the City recognizes that while it does not govern HOAs or COAs, instances of alleged financial misconduct, fraud, or criminal activity within such associations may directly impact the financial wellbeing and quality of life of City residents; and

WHEREAS, the City further recognizes that municipal law enforcement has a responsibility to investigate alleged criminal activity within its jurisdiction, including fraud, when sufficient evidence exists to support such claims; and

WHEREAS, proving the existence of fraud within HOAs and COAs is often complex and requires specialized financial analysis, documentation review, and investigative expertise, which may present barriers to residents seeking justice; and

WHEREAS, the Mayor and City Council desire to support and protect residents who may be victims of potential fraud, while also ensuring that individuals or entities found guilty of proven fraudulent activity are held accountable under the law; and

WHEREAS, the City Council acknowledges that many resident complaints related to HOAs and COAs involve governance disputes, rule enforcement, management dissatisfaction, or election concerns, which do not constitute criminal conduct and are outside the authority of the City to enforce or adjudicate; and

WHEREAS, the City seeks to provide clarity to residents that this initiative is not intended to resolve or intervene in non-criminal HOA or COA disputes, including but not limited to complaints regarding association rules, board decisions, elections, or general management practices; and

WHEREAS, the City Council desires to establish a structured process through its Police Department to receive and evaluate complaints related to potential HOA and COA fraud, and to determine whether such complaints rise to the level of actionable criminal conduct; and

WHEREAS, complaints received that involve life safety concerns, structural hazards, or code-related violations will be referred to the City's Code Compliance Division, and complaints related to association elections or governance matters will be referred to the DBPR or other appropriate regulatory bodies; and

WHEREAS, during the May 2026 Regular Council Meeting, the City Council deliberated and determined that in order to provide meaningful assistance to residents in identifying potential fraud, the City would benefit from engaging trained professionals to assist with financial review, fraud detection, and investigative support; and

WHEREAS, through due diligence conducted by the Mayor's Office, the services of South Florida Property Owners Consulting, LLC ("SFPOC") were identified as a qualified provider with experience in training law enforcement agencies in the detection and investigation of HOA and COA fraud; and

WHEREAS, SFPOC has previously provided training and forensic financial investigative support to police departments in the City of Miami and the City of Homestead; and

WHEREAS, the Mayor has met with representatives of the United States Attorney's Office for the Southern District of Florida and the Office of the State Attorney

for the Eleventh Judicial Circuit, and both offices have expressed a willingness to collaborate, as appropriate, in the review and prosecution of cases involving alleged fraud that result in demonstrable harm to victims, including but not limited to financial exploitation, organized schemes to defraud, or violations of applicable state and federal statutes; and

WHEREAS, the City recognizes that successful prosecution of such offenses requires the establishment of probable cause, the development of admissible evidence, and the satisfaction of all legal elements necessary to prove criminal intent and unlawful conduct beyond a reasonable doubt, and therefore seeks to support efforts that may lead to the identification, investigation, and referral of viable cases for prosecution, particularly in instances involving vulnerable populations, including elderly residents; and

WHEREAS, the proposed program is intended to serve as a **pilot program** to assist residents in determining whether suspected misconduct may constitute fraud and whether such findings could lead to a viable criminal investigation by the City's Police Department; and

WHEREAS, the pilot nature of the program is necessary due to the anticipated need for specialized training and on-demand financial analysis services, which carry associated costs that must be evaluated over time; and

WHEREAS, the City Council finds it appropriate to reassess the effectiveness, demand, and financial impact of the program after a period of one (1) year to determine whether continuation, expansion, or modification is warranted; and

WHEREAS, the City further encourages participation of the program and any associated task force in community outreach efforts, including but not limited to Constituent Services Days, in order to provide residents with accessible opportunities to file complaints, receive guidance, and engage directly with law enforcement and relevant agencies; and

WHEREAS, the City also encourages coordination with DBPR and participation in public-facing educational initiatives to inform residents about their rights, available resources, and the distinctions between civil disputes and criminal conduct; and

WHEREAS, the Mayor and City Council find that establishing an HOA/COA Fraud Detection Pilot Program through the City's Police Department is in the best interest of the City to help reduce the risk of victimization, support residents in navigating complex situations, and facilitate the investigation of legitimate fraud cases.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are confirmed, adopted, and incorporated herein, and made part hereof by this reference.

Section 2. Approval. The City Council hereby approves the creation of the City of Doral Homeowner Association and Condominium Owner Association Fraud Detection Pilot Program (the "Program") in coordination with the City of Doral Police Department.

Section 3. Implementation. The City Manager and City Attorney are authorized to take any additional actions necessary to implement this Resolution, including making any modifications, executing any documents and addendums as necessary to effectuate this Resolution, provided that such actions remain consistent with the Council's intent. The Mayor and City Council hereby authorize the creation and implementation of the Program as follows:

1. **Purpose and Scope.**

The purpose of the Program is to aid in the **detection, preliminary evaluation, investigation, and referral for prosecution of legitimate and actionable fraud cases** involving Homeowner Associations ("HOAs") and Condominium Owner Associations ("COAs") affecting City residents.

The Program shall operate through the establishment of a **Fraud Detection Pilot Task Force** within the City's Police Department (the "Task Force"), and shall be limited strictly to matters that may constitute criminal conduct under applicable state or federal law.

The Program **shall not** serve as a mechanism to enforce, regulate, or intervene in HOA or COA governance, including but not limited to disputes related to rules, elections, management decisions, or general association operations.

2. **Administrative Authority.**

The City Manager is hereby authorized and directed, in coordination with the Police Department and the City Attorney, to take such administrative, operational, and contractual actions as are reasonably necessary to implement the Program and establish the Task Force, consistent with applicable laws, policies, and budgetary constraints.

3. **Operational Standards and Requirements.**

In exercising the authority granted herein, the City Manager shall ensure the following objective standards are implemented:

a. Organizational Structure.

The Task Force shall be established within the City's Police Department and shall operate under the Department's established command structure, policies, and procedures, ensuring all investigative activities comply with applicable law enforcement standards.

b. Limitation to Criminal Matters.

All Program activities shall be strictly limited to the **review and investigation of allegations that may constitute fraud or other criminal offenses**. Complaints that do not rise to the level of potential criminal conduct shall not be pursued by the Task Force.

c. Intake and Complaint Process.

The Task Force, in coordination with South Florida Property Owners Consulting, LLC ("SFPOC"), shall develop a standardized intake process, including a formal complaint form requiring:

- i. Identification of the complainant (no anonymous complaints shall be accepted);
- ii. A sworn statement or affidavit attesting to the accuracy of the information provided; and
- iii. Submission of all available supporting documentation necessary to evaluate the allegation.

The purpose of this process is to ensure that only credible, substantiated complaints are reviewed for potential investigative action.

d. Case Evaluation and Referral.

Upon receipt of a complaint, the Task Force shall conduct a **preliminary assessment** to determine whether sufficient indicia of fraud or criminal activity exists to warrant further investigation.

- i. If probable cause or sufficient evidence is developed, the matter may proceed to a formal investigation and, where appropriate, be referred to

the Office of the State Attorney, the United States Attorney's Office, or other appropriate prosecutorial or regulatory agencies.

- ii. If the complaint pertains to non-criminal matters:
 - Life safety, structural, or code-related concerns shall be referred to the City's Code Compliance Division;
 - Election or governance-related matters shall be referred to the Florida Department of Business and Professional Regulation ("DBPR") or other appropriate authority.

e. External Professional Support.

The City Manager is authorized to negotiate and execute agreements, subject to applicable procurement requirements, for the engagement of SFPOC or similar qualified professionals to provide:

- i. Specialized training to law enforcement personnel; and/or
- ii. Forensic financial analysis and investigative support services

Such services shall be utilized on an as-needed basis and shall not exceed budgeted funds.

f. Community Access and Outreach.

The Task Force is encouraged to participate in **Constituent Services Days** and other public-facing initiatives to:

- i. Provide residents with accessible opportunities to submit complaints;
- ii. Offer general guidance on distinguishing between civil disputes and potential fraud; and
- iii. Coordinate, when feasible, with DBPR and other agencies to enhance public awareness and education.

g. Program Limitations and Disclaimer.

The Program shall not guarantee investigation, enforcement action, or prosecution of any complaint. Determinations shall be made based on available evidence, legal thresholds, and prosecutorial discretion.

The Program is intended solely to **assist in identifying and advancing legitimate fraud cases** and to reduce the risk of victimization, and shall not create any new legal rights, remedies, or causes of action against the City.

4. Pilot Program; Reporting and Evaluation.

The Program is hereby established as a **one (1) year pilot program** due to the anticipated need for specialized resources and associated costs.

The City Manager shall provide a report to the Mayor and City Council within one (1) year evaluating:

- a. Program utilization and demand;
- b. Effectiveness in identifying and advancing actionable fraud cases;
- c. Associated costs, including training and professional services; and
- d. Recommendations regarding continuation, modification, or establishment of a long-term funding structure, including the potential need for fees or cost-recovery mechanisms.

Section 4. Effective Date. This Resolution shall become effective immediately upon adoption.

The Prime Sponsor of the foregoing resolution is Mayor Christi Fraga

The foregoing Resolution was offered by _____ who moved its adoption. The motion was seconded by _____ and upon being put to a vote, the vote was as follows:

Mayor Christi Fraga	_____
Vice Mayor Digna Cabral	_____
Councilman Rafael Pineyro	_____
Councilwoman Maureen Porras	_____
Councilwoman Nicole Reinoso	_____

PASSED AND ADOPTED this 10 day of June, 2026.

CHRISTI FRAGA, MAYOR

ATTEST:

CONNIE DIAZ, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:

LORENZO COBIELLA
GASTESI, LOPEZ, MESTRE & COBIELLA, PLLC
CITY ATTORNEY