

MEMORANDUM

Agenda Item No. 11(A) (25)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

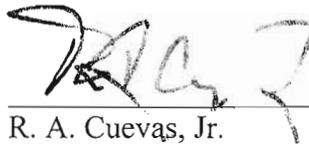
DATE: February 5, 2008

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution urging Florida
Legislature to strengthen
mortgage fraud laws

Resolution R-137-08

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Katy Sorenson, Commissioner Jose "Pepe" Diaz, Commissioner Carlos A. Gimenez, Commissioner Joe A. Martinez, and Commissioner Rebeca Sosa.



R. A. Cuevas, Jr.
County Attorney

RAC/bw

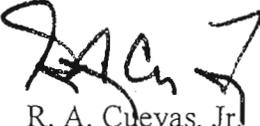


MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: February 5, 2008

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(25)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor

Agenda Item No. 11(A)(25)

Veto _____

2-5-08

Override _____

RESOLUTION NO. R-137-08

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
STRENGTHEN MORTGAGE FRAUD LAWS

WHEREAS, mortgage fraud is a material misstatement, misrepresentation or omission relied upon by an underwriter or lender to fund, purchase or insure a loan; and

WHEREAS, mortgage fraud is an increasingly prevalent form of crime in today's society; and

WHEREAS, according to the 2006 Mortgage Fraud Report by the Federal Bureau of Investigations (FBI), the State of Florida leads the nation in incidents of mortgage fraud, and Miami-Dade County leads the state in fraudulent loans; and

WHEREAS, victims of mortgage fraud may include borrowers, lenders, mortgage insurers, other firms in the mortgage industry business, and other homeowners living in the neighborhoods where mortgage fraud has occurred; and

WHEREAS, Miami-Dade County Mayor Carlos Alvarez has formed a Mortgage Fraud Task Force that has the mission of reducing mortgage fraud and preventing individuals and businesses from being victims of mortgage fraud; and

WHEREAS, legislation was passed during the 2007 regular state legislative session, SB 1824 (Chapter 2007-182, Laws of Florida), which expressly made mortgage fraud a crime; and

WHEREAS, additional legislation is being considered for the 2008 regular legislative session that would strengthen laws against mortgage fraud,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to strengthen laws against mortgage fraud by increasing the penalties for committing multiple mortgage fraud offenses, allowing Property Appraisers to consider incidents of mortgage fraud when determining just valuation of property, and creating a statewide mortgage fraud task force.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, and the Chair and Members of the Miami-Dade County State Legislative Delegation.

Section 3. Directs the County's state lobbyists to advocate for the passage of the legislation set forth in Section 1 above or similar legislation, and directs the Office of Intergovernmental Affairs to include this item in the 2008 State Legislative Package.

The foregoing resolution was sponsored by Commissioner Katy Sorenson, Commissioner Jose "Pepe" Diaz, Commissioner Carlos A. Gimenez, Commissioner Joe A. Martinez, and Commissioner Rebeca Sosa and offered by Commissioner **Joe A. Martinez**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

	Bruno A. Barreiro, Chairman	aye
	Barbara J. Jordan, Vice-Chairwoman	absent
Jose "Pepe" Diaz		aye
Carlos A. Gimenez		aye
Joe A. Martinez		aye
Dorrin D. Rolle		aye
Katy Sorenson		aye
Sen. Javier D. Souto		aye
	Audrey M. Edmonson	aye
	Sally A. Heyman	aye
	Dennis C. Moss	absent
	Natacha Seijas	absent
	Rebeca Sosa	aye

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The Chairman thereupon declared the resolution duly passed and adopted this 5th day of February, 2008. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK



By: **Kay Sullivan**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Jess M. McCarty