



OFFICE OF THE COMMISSION AUDITOR

Countywide Evictions and Foreclosures Quarterly Report

Through September 2023

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Commission Auditor

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OFFICE OF THE COMMISSION AUDITOR

The Office of the Commission Auditor (OCA) assessed data provided by the Clerk of the Courts (COC) and the Miami-Dade Police Department (MDPD), collaborated with the respective parties, and obtained information for the use of this report and disclaimers noted within this report which includes but is not limited to the following.

(1) CASES FILED WITH THE CLERK OF THE COURTS (COC)

a. Evictions and Foreclosures Reporting Process

- i. Per Resolutions R-58-21¹ (Section 2) and R-468-21² (Section 2), the Board of County Commissioners (BCC) requested the COC to provide responses to each question outlined in (Section 4) and (Section 3) of the Resolutions, respectively. Some information to inquiries related to the Sections above and definitions for all fields in Odyssey Case Manager (Odyssey) were pending at the time of this report.
- ii. A verification of the previous assumption used, which noted that October 1, 2020, was the date Odyssey was updated to distinguish between “Residential” and “Commercial” property types, is pending. Per the COC, there is no requirement to select the property type when filling out case details in form 1.997 “Civil Cover Sheet.” However, section “III. TYPE OF CASE” on the filing form includes the property type distinction options.³

b. Odyssey System Limitations

- i. OCA analyzed the number of eviction and foreclosure cases filed rather than the number of properties subject to eviction and foreclosure since a single case can have one or more associated properties. These limitations may not allow OCA to report on the number of properties subject to eviction and foreclosure.
- ii. OCA noted that no capability is currently available in Odyssey to identify evictions and foreclosures resulting from non-payment of rent, mortgage, or other reasons.

¹ Miami-Dade County Resolution R-58-21 (2021). File Number: 210163. [Legislative Matter \(miamidade.gov\)](https://www.miamidade.gov/legis/legis_matter.asp?ID=210163)

² Miami-Dade County Resolution R-468-21 (2021). File Number: 211325. [Legislative Matter \(miamidade.gov\)](https://www.miamidade.gov/legis/legis_matter.asp?ID=211325)

³ Florida Rules of Civil Procedure. Page 290-291. October 19, 2023. [Florida Rules of Civil Procedure \(floridabar.org\)](https://www.floridabar.org/floridabar.org)

c. Eviction Data

- i. OCA identified several “Writs Issued” and “Declarations” that could not be located in the Odyssey Eviction Cases report. The explanation for the missing details was pending at the time of this report and will be included in the next report.
- ii. OCA noted that there are currently no criteria for distinguishing duplicated from non-duplicated “Writs Issued” and “Declarations,” including instances where multiple properties are filed under the same case.
- iii. OCA noted that there is currently no address verification system, which may lead to undetected address inaccuracies (i.e., zip codes outside Miami-Dade County, states outside of Florida, etc.) within this report.
- iv. OCA noted that differences may exist between the property types specified in the “Civil Cover Sheet” form from the Civil Online Court System (the COC System)⁴ and the corresponding Odyssey Eviction Cases report provided to OCA.
- v. OCA identified instances where the latest “*Case Status*,” whether pending or closed, may not be the latest action or status in the Odyssey Eviction Cases report provided to OCA.

d. Foreclosure Data

- i. OCA noted that differences may exist between the data published on the COC’s website⁵ and the Foreclosure Cases report provided to OCA.
- ii. OCA observed that the most updated “*Case Status*,” “*Disposition Description*,” “*Judgment Amount*,” and “*Bid Amount*” may be limited in the Foreclosure Cases report provided to OCA. This may impact the determination of the latest case status, the number of final judgments, judgment amounts, the number of foreclosure sales, and foreclosure purchase prices.
- iii. Odyssey began capturing judgment amounts on October 1, 2020, according to the COC. However, OCA noted that several cases post-October 1, 2020, do not have judgment amounts captured within Odyssey, although a judgment amount may exist in the Court documents at the time of this report.

⁴ Clerk of the Courts and Comptroller. Miami-Dade County. Civil, Family and Probate Courts Online System. <https://www2.miamidadeclerk.gov/ocs/search.aspx>

⁵ Clerk of the Courts and Comptroller. Miami-Dade County. Accessed November 8, 2023. Mortgage Foreclosures. Statistics for Mortgage Foreclosures. Accessed November 8, 2023. [Mortgage Foreclosures \(miamidadeclerk.gov\)](https://www2.miamidadeclerk.gov/mortgage-foreclosures)

- iv. OCA noted that all County Court cases from October 1, 2020, to September 30, 2023, are classified as “Unknown” and therefore could not be reported as “Residential” or “Commercial.” OCA separated and summarized these cases individually.
- v. OCA noted that retroactive data changes in Odyssey may impact information reported for prior periods. For example, changes to the “*Case Type*” for all cases filed in County Court may change from the original “*Case Type*” designation of “Mortgage/Real Property Foreclosure (County Civil)” to “Mortgage/Real Property Foreclosure (County \$8,001 - \$15K).”

(2) MIAMI-DADE POLICE DEPARTMENT (MDPD) ENFORCEMENT RECORDS

a. Eviction reporting process

- i. OCA observed that the monthly CountySuite-generated Served Evictions report, provided by MDPD, may not contain all eviction and foreclosure actions that occurred during any given month due to a reporting lag that is present between the event date and the staff entering the event in the CountySuite system.

b. Data modifications

- i. OCA noted that retroactive data changes in CountySuite may impact information reported for prior periods (i.e., change a designation from “Served – Placed in Possession” to “Served – Posted”), thus the quantification of writs executed with or without MDPD enforcement may be impacted.

c. Eviction classifications

- i. OCA noted that some variations exist within some of the fields as follows:
 - The “Service Event Name” definitions provided by MDPD can cause executed writs to be counted more than once for a single case. The definitions provided also have more than one interpretation (i.e., where “Served – Placed in Possession” can mean that MDPD executed a writ, or that a writ notice was posted on the Defendant’s door)
 - The “Reference Number” field includes multiple interpretations where a single writ can contain multiple unique reference numbers, all associated with a single individual, or a single writ can have multiple unique reference numbers, each associated with different individuals.
 - There is no designated field that currently segregates evictions served due to “non-rent-payment” from other circumstances, for example, a family divorce case.
- ii. The Served Evictions report contains executed writs with identical or similar fields, such as “*Case Number*,” “*Reference Number*,” “*Service Event Name*,” etc. This can result in under-reporting or over-reporting of records that seem duplicated but are associated with different eviction actions or retaining records that appear distinct but are related to the same eviction action.

d. CountySuite system limitations

- i. OCA noted that when an update to the “Property Type” classification for a case is completed by MDPD personnel, CountySuite may create a “duplicate” transaction, which may impact the quantification of the writs.

I. EVICTIONS

The following is being reported pursuant to Section 4 of Resolution No. R-58-21:

- (a) There are 5,393 pending residential and commercial evictions that were filed on or after March 1, 2020, through September 30, 2023. Pending eviction cases include open eviction cases (i.e., eviction cases without a disposition) and reopened cases (i.e., cases with outstanding post-judgment court action)
- (b) There are 5,382 pending residential and commercial evictions that were filed after April 2, 2020, through September 30, 2023. The number of pending residential evictions that were filed on or after October 1, 2020, through September 30, 2023, is 4,809;
- (c) There were 55,575 residential and commercial evictions filed after April 2, 2020, through September 30, 2023. From October 1, 2020, through September 30, 2023, there were 3,606 commercial evictions filed. From October 1, 2020, through March 10, 2021, there were 35 cases that did not have a classification of “residential” or “commercial” and were considered as “Type not classified.”
- (d) There are 20 pending evictions in which declarations were filed with the court in accordance with the court’s administrative orders and the CARES Act through September 30, 2023. Of that number, 14 were VACA declarations filed by the Plaintiff-Landlord and 6 were CDC Tenant Declarations filed by the Defendant-Tenant;
- (e) There were 4,790 pending residential evictions in which declarations were not filed with the court from October 1, 2020, through September 30, 2023; and
- (f) There were 24,911 writs of possession issued from the expiration of the Governor’s Executive Order No. 20-180 at 12:01 am on October 1, 2020, through September 30, 2023. Of that number, 1,433 were for commercial properties, 22,002 were for residential properties, 1,449 were not classified by property type and 27 were for cases not found.

ATTACHMENTS

Figure 1 below illustrates the year-over-year trend of total monthly filed eviction cases (pending and closed) from 2018 through 2023.

Figure 1
Year-Over-Year Trend of Total Monthly Filed Cases
2018 – 2023

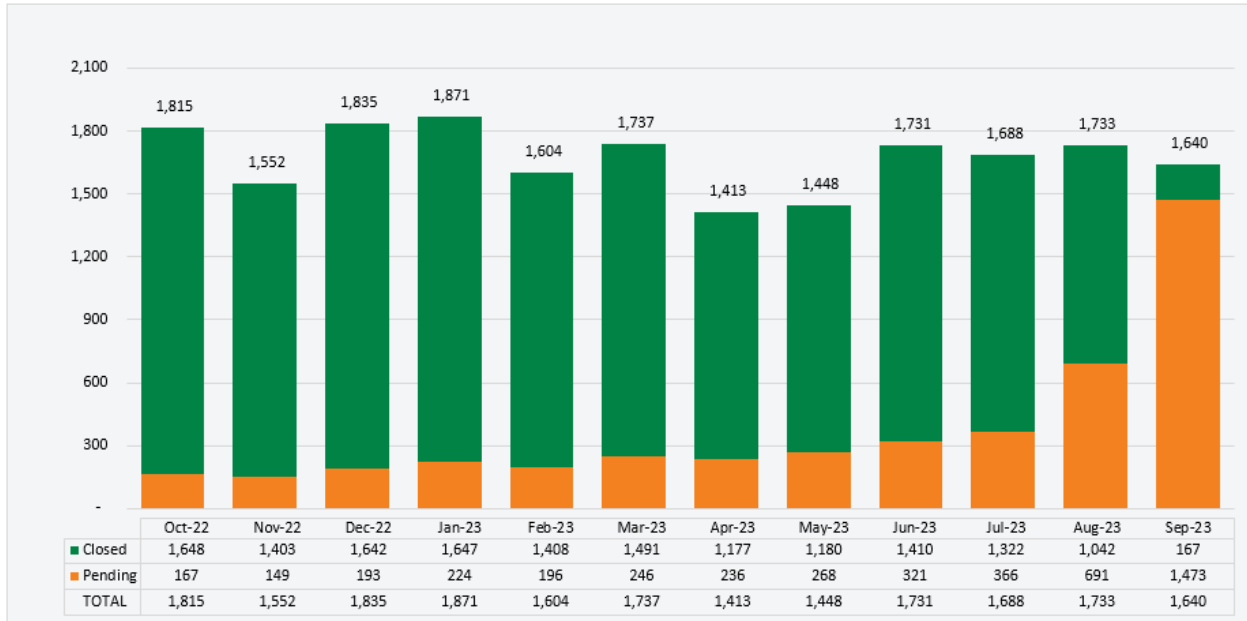
Month	2018	2019	2020	2021	2022	2023
January	1,652	1,681 ↑ 2%	1,591 ↓ -5%	946 ↓ -41%	1,522 ↑ 61%	1,871 ↑ 23%
February	1,406	1,362 ↓ -3%	1,356 ↓ 0%	950 ↓ -30%	1,444 ↑ 52%	1,604 ↑ 11%
March	1,310	1,300 ↓ -1%	785 ↓ -40%	909 ↑ 16%	1,657 ↑ 82%	1,737 ↑ 5%
April	1,271	1,252 ↓ -1%	163 ↓ -87%	954 ↑ 485%	1,450 ↑ 52%	1,413 ↓ -3%
May	1,475	1,399 ↓ -5%	270 ↓ -81%	841 ↑ 211%	1,548 ↑ 84%	1,448 ↓ -6%
June	1,522	1,435 ↓ -6%	320 ↓ -78%	1,103 ↑ 245%	1,617 ↑ 47%	1,731 ↑ 7%
July	1,543	1,646 ↑ 7%	279 ↓ -83%	1,143 ↑ 310%	1,706 ↑ 49%	1,688 ↓ -1%
August	1,679	1,691 ↑ 1%	1,198 ↓ -29%	1,206 ↑ 1%	1,988 ↑ 65%	1,733 ↓ -13%
September	1,448	1,497 ↑ 3%	1,278 ↓ -15%	1,313 ↑ 3%	1,799 ↑ 37%	1,640 ↓ -9%
October	1,562	1,651 ↑ 6%	1,515 ↓ -8%	1,369 ↓ -10%	1,815 ↑ 33%	
November	1,399	1,355 ↓ -3%	1,049 ↓ -23%	1,376 ↑ 31%	1,552 ↑ 13%	
December	1,263	1,424 ↑ 13%	1,141 ↓ -20%	1,491 ↑ 31%	1,835 ↑ 23%	

Source: Odyssey Case Manager System (Clerk of Courts)

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Figure 2 captures on a monthly basis, from October 1, 2022, through September 30, 2023, the total number of eviction cases filed by case status (pending or closed).

Figure 2
Cases Filed Monthly by Status
October 1, 2022 – September 30, 2023

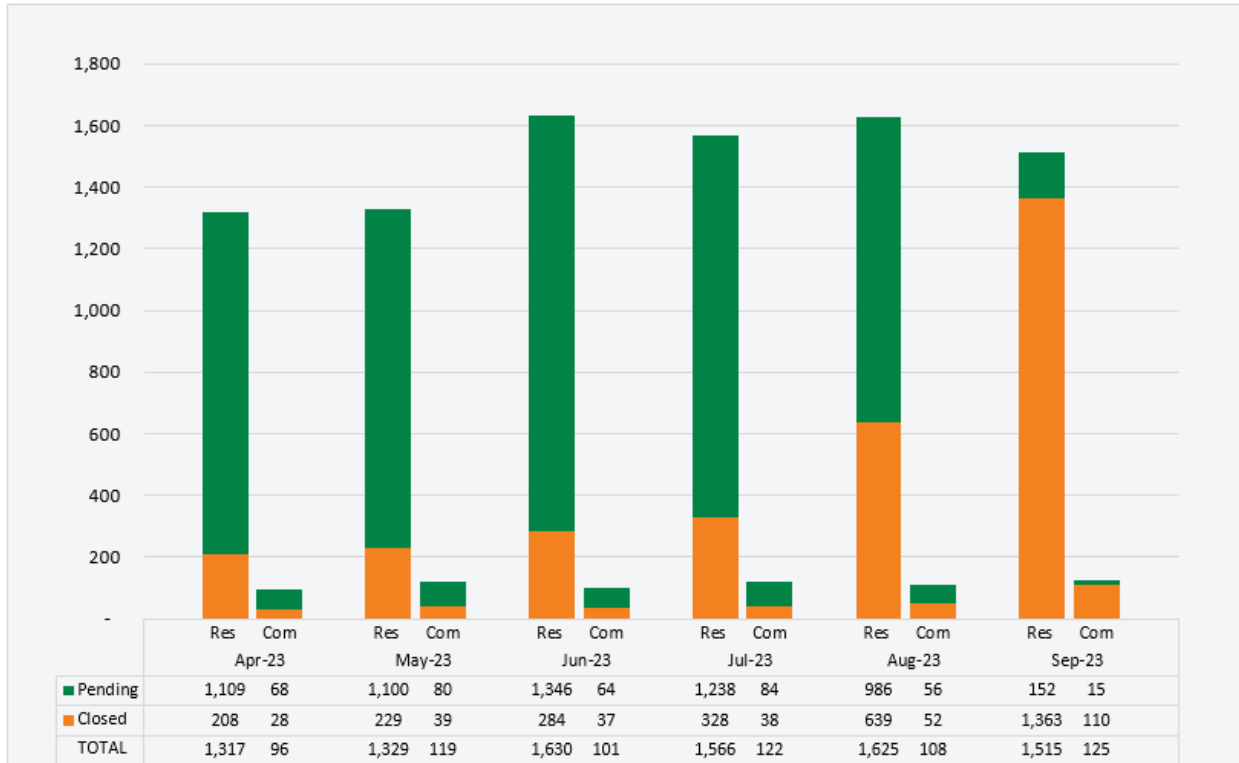


Source: Odyssey Case Manager System (Clerk of Courts)

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Figure 3 captures the total number of evictions filed in each month, from April 1, 2023, to September 30, 2023, classified by property type (residential or commercial) and case status (pending or closed) as of September 30, 2023.

Figure 3
Cases Filed by Type and Status
April 1, 2023 – September 30, 2023

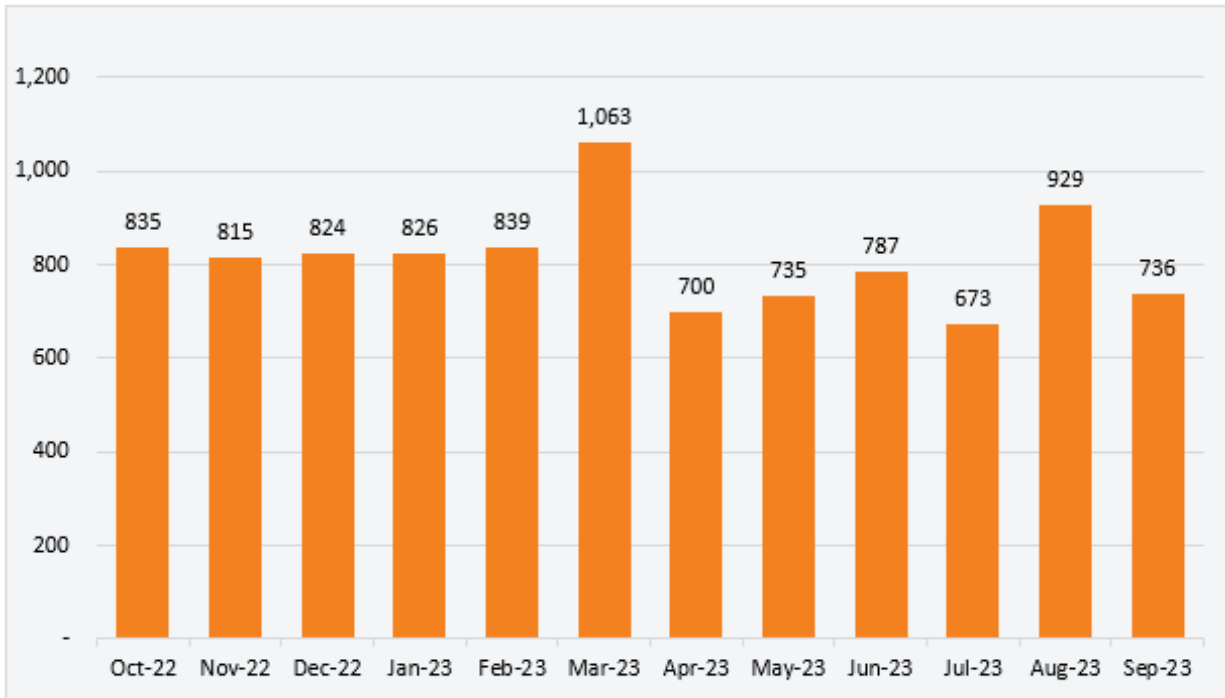


Source: Odyssey Case Manager System (Clerk of Courts)

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Figure 4 depicts eviction case activity by month from October 1, 2022, to September 30, 2023. The total writs issued each month are shown.

Figure 4
Monthly Writs Issued
October 1, 2022 – September 30, 2023



Source: Odyssey Case Manager System (Clerk of Courts) *Office of the Commission Auditor*

Figure 5 details the number of writs issued by property type from October 1, 2022, through September 30, 2023, irrespective of file date. The “Type Not Listed” category represents cases that have not been classified by property type. Additionally, OCA identified some instances of “Writs Issued” for cases filed from January 1, 2018, to September 30, 2023, that did not have a corresponding filed case number in the Odyssey Eviction Cases report provided by COC. These cases are identified as “Case Not Found.”

Figure 5
Writs Issued by Property Type
October 1, 2022 – September 30, 2023

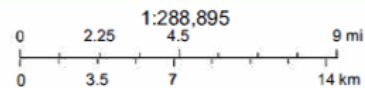
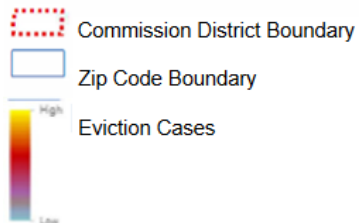
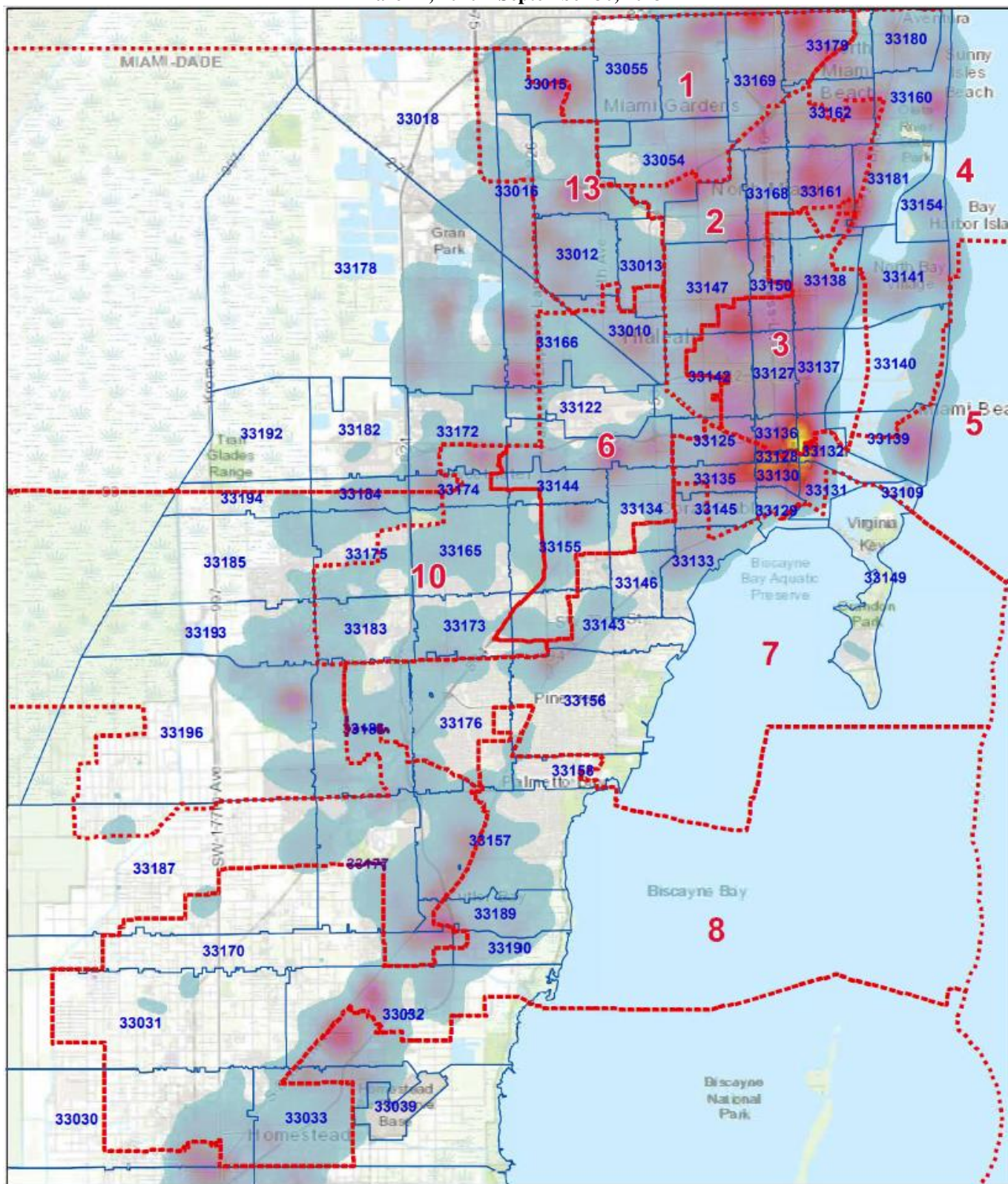
Property Type	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Total
Residential	796	761	779	788	789	1,000	652	691	727	639	873	683	9,178
Commercial	38	54	41	37	50	62	46	43	59	34	54	52	570
Case Not Found	1	0	3	1	0	1	2	1	1	0	2	0	12
Type Not Listed	0	0	1	0	0	0	0	0	0	0	0	1	2
Total	835	815	824	826	839	1,063	700	735	787	673	929	736	9,762

Source: Odyssey Case Manager System (Clerk of Courts) *Office of the Commission Auditor*

Disclaimer: OCA noted that due to the data limitations described in the Disclaimer Summary of this report and the County GIS system application tool, Figures 6 – 8 may have data address differences and thus may affect the totals for each District.

Figure 6 is a heatmap highlighting by zip code and Commission District pending countywide evictions filed between March 1, 2020, and September 30, 2023.

Figure 6
 Number of Pending Eviction Cases
 March 1, 2020 – September 30, 2023



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Figure 7 is a table denoting the total number of pending eviction cases filed in each County zip code from March 1, 2020, through September 30, 2023.

Figure 7
Number of Pending Eviction Cases by Zip Code
Filed March 1, 2020 – September 30, 2023

Zip Code	Pending Eviction Cases	Zip Code	Pending Eviction Cases
33010	77	33147	199
33012	78	33149	2
33013	35	33150	100
33014	78	33154	19
33015	99	33155	43
33016	39	33156	29
33018	29	33157	112
33030	63	33158	1
33031	7	33160	91
33032	169	33161	241
33033	93	33162	178
33034	65	33165	25
33035	47	33166	105
33054	172	33167	72
33055	57	33168	77
33056	138	33169	222
33109	1	33170	59
33122	12	33172	60
33125	110	33173	15
33126	95	33174	39
33127	110	33175	19
33128	41	33176	31
33129	8	33177	47
33130	120	33178	117
33131	47	33179	180
33132	125	33180	52
33133	46	33181	89
33134	26	33182	2
33135	104	33183	20
33136	99	33184	17
33137	107	33185	10
33138	133	33186	52
33139	76	33187	17
33140	19	33189	41
33141	100	33190	21
33142	174	33193	26
33143	22	33194	2
33144	25	33196	73
33145	36	*Other	1
33146	5		

TOTAL PENDING EVICTION CASES – 5,393

Source: Odyssey Case Manager System (Clerk of Courts) Office of the Commission Auditor

*Other: The Other category represents a case that could not be Geocoded since it is related to a Broward County address.

Figure 8 is a table denoting the total number of pending eviction cases filed in each Commission District from March 1, 2020, through September 30, 2023.

Figure 8
Number of Pending Eviction Cases by District
Filed March 1, 2020 – September 30, 2023

District Number	Commissioner Name	Pending Eviction Cases: Count	Pending Eviction Cases: Percent to Total
1	Oliver Gilbert	657	12%
2	Marleine Bastien	836	16%
3	Keon Hardemon	885	16%
4	Micky Steinberg	399	7%
5	Eileen Higgins	511	9%
6	Kevin Marino Cabrera	314	6%
7	Raquel Regalado	165	3%
8	Danielle Cohen Higgins	247	5%
9	Kionne McGhee	520	10%
10	Anthony Rodriguez	123	2%
11	Roberto J. Gonzalez	159	3%
12	Juan Carlos Bermudez	311	6%
13	Rene Garcia	265	5%
*Other	N/A	1	0%

TOTAL PENDING EVICTION CASES – 5,393

Source: Odyssey Case Manager System (Clerk of Courts) *Office of the Commission Auditor*

*Other: The Other category represents a case that could not be Geocoded since it is related to a Broward County address.

II. FORECLOSURES

The following is being reported pursuant to Section 3 of Resolution No. R-468-21:

- (a) There were 8,975 residential and commercial foreclosures filed on or after March 1, 2020, through September 30, 2023. Of these, 2,883 are pending (open and reopened, including inactive) cases;
- (b) There were 7,373 residential foreclosures filed after April 2, 2020, through September 30, 2023. Of these, 2,496 are pending cases;
- (c) The number of commercial foreclosures filed after April 2, 2020, through September 30, 2023, is 477, of which 143 are pending cases;
- (d) There were 2,019 final judgments issued in residential and commercial foreclosure cases from the expiration of the Governor's Executive Order No. 20-180 at 12:01 am on October 1, 2020, through September 30, 2023;
- (e) There were 1,996 foreclosure sales of residential and commercial properties pursuant to final judgments issued by the court from March 1, 2020, through September 30, 2023. Note that Odyssey reflects a foreclosure sale on a case when there is an effective sale date and does not account for instances when the sale was prevented after the sale date was set due to actions on the case, e.g., settlement or bankruptcy filing;
- (f) There were 4,837 residential foreclosure cases filed from March 1, 2020, to September 30, 2023, where the subject property was homestead exempt;
- (g) There were 2,882 residential foreclosure cases filed from March 1, 2020, to September 30, 2023, where the subject property was not homestead exempt;
- (h) There were 770 foreclosure cases filed in county court, and 8,205 foreclosure cases filed in circuit court from March 1, 2020, to September 30, 2023;
- (i) OCA is unable to report on the location by zip code of each residential and commercial property that is or was subject to a foreclosure action due to the limitations of Odyssey. Specifically, the system does not capture the address of the property subject to foreclosure;
- (j) There were 9,401 foreclosure actions or judgments between \$0.00 to \$50,000, 739 between \$50,000 and \$250,000, and 1,222 over \$250,000 from March 1, 2020, through September 30, 2023. Note that entry of the judgment amount was not a requirement until October 1, 2020; provision of this information was optional prior to this date, according to the Clerk of the Courts. Therefore, Odyssey reflects an entry of \$0.00 in numerous instances where this information was not provided. Of the 9,401 foreclosure cases where the judgment amount was in the \$0.00 to \$50,000 range, 9,237 were foreclosure cases where the judgment amount was reported as \$0.00, due to nonreporting, due to the case having been dismissed, etc;

(k) For foreclosure cases where a final judgment was entered on or after March 1, 2020, through September 30, 2023, there were 1,691 foreclosure sales where the bid amount was \$0.00. There were 479 foreclosure sales where the bid amount was in the \$0.01 to \$175,000 range, and 1,306 where the bid amount was above \$175,000. Note that Odyssey reflects a foreclosure sale on a case when there is an effective sale date and does not account for instances when the sale was prevented after the sale date was set due to actions on the case, e.g., settlement or bankruptcy filing.

ATTACHMENTS

Figure 1 below illustrates the year-over-year trend of total monthly filed foreclosure cases (pending and closed) from 2018 through 2023.

Figure 1
Year-Over-Year Trend of Total Monthly Filed Cases
2018 – 2023

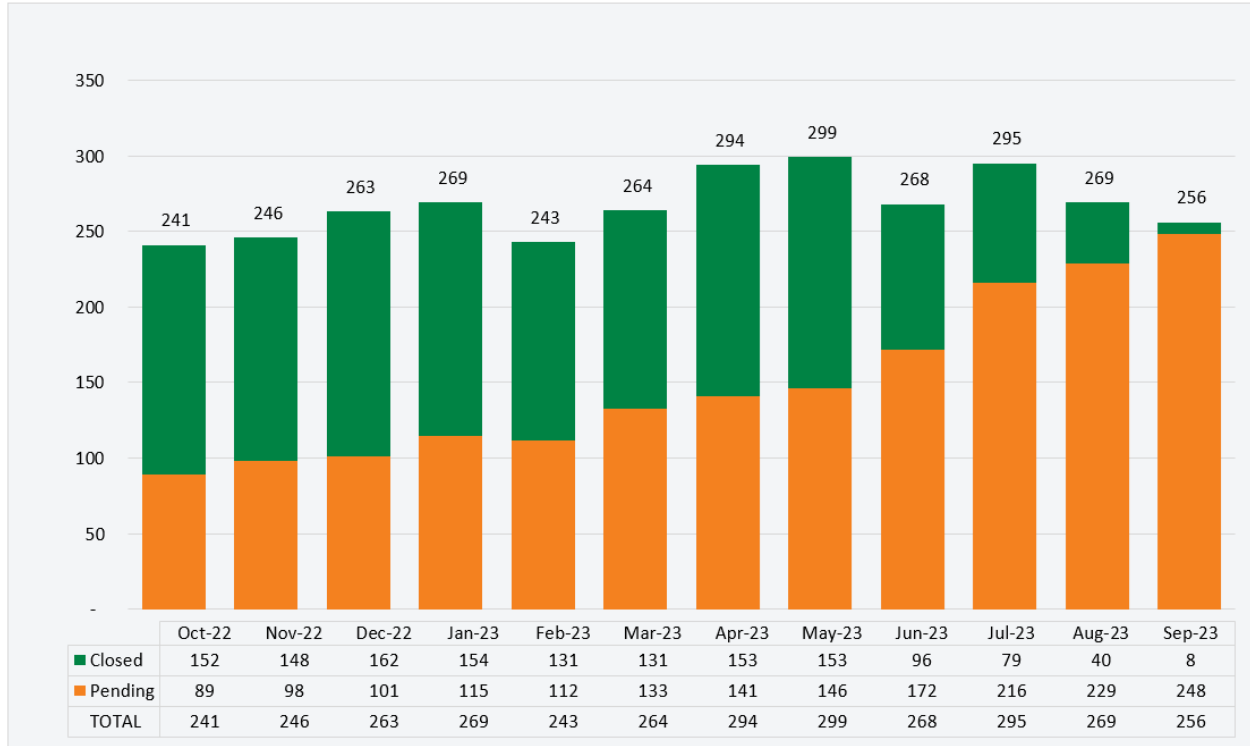
Month	2018	2019	2020	2021	2022	2023
January	260	476 ↑ 83%	393 ↓ -17%	142 ↓ -64%	225 ↑ 58%	269 ↑ 20%
February	308	545 ↑ 77%	359 ↓ -34%	143 ↓ -60%	168 ↑ 17%	243 ↑ 45%
March	450	479 ↑ 6%	342 ↓ -29%	188 ↓ -45%	298 ↑ 59%	264 ↓ -11%
April	479	483 ↑ 1%	53 ↓ -89%	137 ↑ 158%	244 ↑ 78%	294 ↑ 20%
May	624	497 ↓ -20%	38 ↓ -92%	118 ↑ 211%	245 ↑ 108%	299 ↑ 22%
June	668	384 ↓ -43%	50 ↓ -87%	150 ↑ 200%	327 ↑ 118%	268 ↓ -18%
July	411	402 ↓ -2%	63 ↓ -84%	127 ↑ 102%	244 ↑ 92%	295 ↑ 21%
August	540	425 ↓ -21%	221 ↓ -48%	271 ↑ 23%	313 ↑ 15%	269 ↓ -14%
September	457	338 ↓ -26%	140 ↓ -59%	279 ↑ 99%	263 ↓ -6%	256 ↓ -3%
October	485	424 ↓ -13%	144 ↓ -66%	216 ↑ 50%	241 ↑ 12%	
November	444	407 ↓ -8%	126 ↓ -69%	189 ↑ 50%	246 ↑ 30%	
December	439	364 ↓ -17%	154 ↓ -58%	150 ↓ -3%	263 ↑ 75%	

Source: Odyssey Case Manager System (Clerk of Courts)

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Figure 2 depicts totals of foreclosure cases by case status (pending or closed) for each month from October 1, 2022, through September 30, 2023.

Figure 2
Total Monthly Foreclosures by Case Status
October 1, 2022 – September 30, 2023

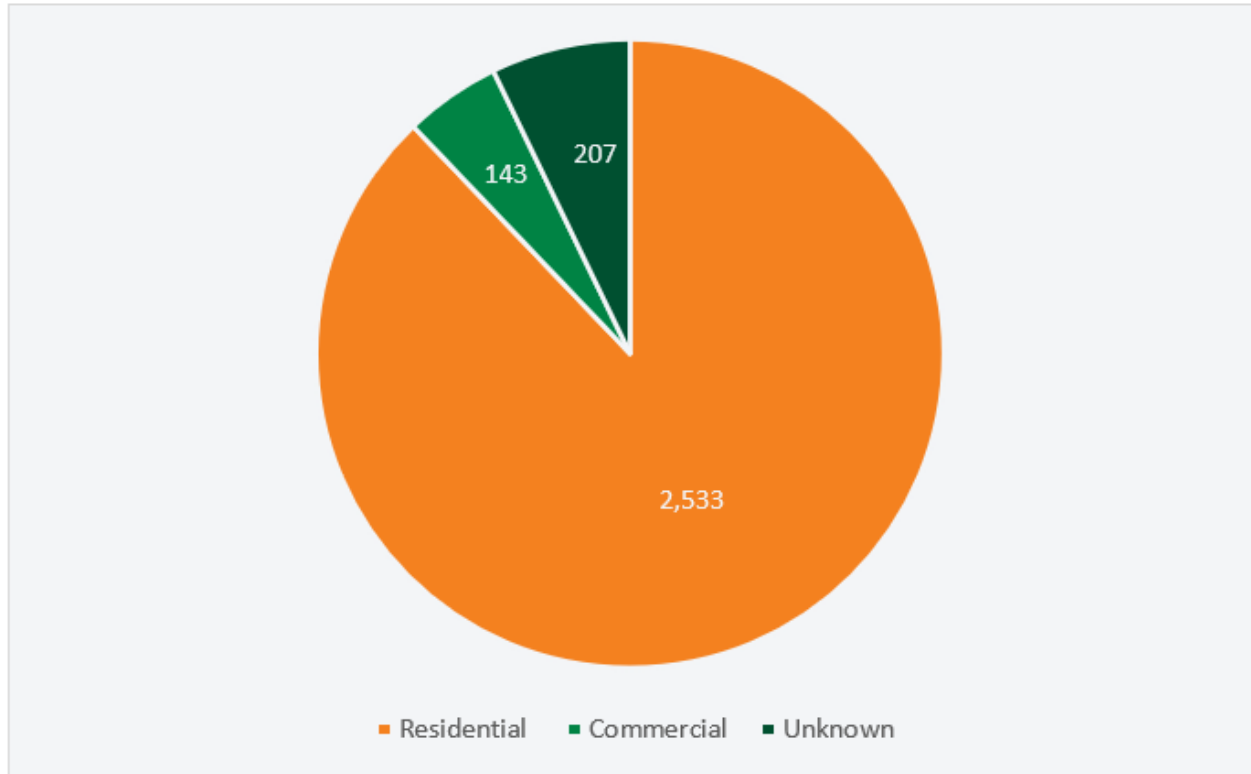


Source: Odyssey Case Manager System (Clerk of Courts)

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Figure 3 illustrates the total of pending foreclosure cases (filed on or after March 1, 2020, through September 30, 2023) by property type.

Figure 3
Pending Foreclosures by Property Type
March 1, 2020 – September 30, 2023



Source: Odyssey Case Manager System (Clerk of Courts)

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Figure 4 depicts the number of foreclosure cases (filed from October 1, 2020, to September 30, 2023) resulting in a final judgment, and the number of cases during this period where Odyssey reports a foreclosure sale, by month and property type.

Figure 4
Foreclosure Sales After Final Judgment
October 1, 2020 – September 30, 2023

Category	Prior			Apr-23			May-23			Jun-23			Jul-23			Aug-23			Sep-23			Total		
	RES	COM	UNK	RES	COM	UNK	RES	COM	UNK	RES	COM	UNK	RES	COM	UNK	RES	COM	UNK	RES	COM	UNK	RES	COM	UNK
Judgement	1,436	96	50	60	5	1	64	0	2	66	4	1	57	3	0	86	4	3	77	2	2	1,846	114	59
Sales	1,400	87	38	58	4	1	60	0	1	63	4	1	43	3	0	44	3	1	25	0	0	1,693	101	42

Source: Odyssey Case Manager System (Clerk of Courts)

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Figure 5 details totals of foreclosure cases by foreclosure judgment amount (i.e., \$0.00 to \$50,000, \$50,000 to \$250,000, and over \$250,000) for cases where a disposition was entered on or after March 1, 2020, through September 30, 2023, irrespective of pending or closed case status.

Figure 5

**Foreclosure Cases by Foreclosure Judgment Amount
March 1, 2020 – September 30, 2023**

Judgment Range	Total
\$0 - \$50,000	9,401
\$50,001 - \$250,000	739
> \$250,000	1,222
Total	11,362

Source: Odyssey Case Manager (COC) *Office of the Commission Auditor*

Figure 6 provides information on the bid amounts for foreclosed properties based on foreclosure cases where a final judgment was issued on or after March 1, 2020, through September 30, 2023, irrespective of pending or closed case status.

Figure 6

**Foreclosure Cases by Bid Amount Range
March 1, 2020 – September 30, 2023**

Bid Range	Total
\$0.00	1,691
\$0.01 - \$25,000	77
\$25,001 - \$75,000	60
\$75,001 - \$175,000	342
\$175,001 - \$375,000	848
\$375,001 - \$750,000	370
> \$750,000	88
Total	3,476

Source: Odyssey Case Manager (COC) *Office of the Commission Auditor*

Report produced by the Office of the Commission Auditor

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The Office of the Commission Auditor

The Office of the Commission Auditor (OCA) was established in September 2002 by Ordinance 03-2 to provide support and professional analysis of the policy, service, budgetary and operational issues before the Miami-Dade Board of County Commissioners. The Commission Auditor's duties include reporting to the Board of County Commissioners on the fiscal operations of County departments, as well as whether the fiscal and legislative policy directions of the Commission are being efficiently and effectively implemented

This report, prepared in collaboration with the Miami-Dade County departments as subject matter experts, is substantially less detailed in scope than an audit in accordance with the Generally Accepted Auditing Standards (GAAS). The OCA plans and performs the review to obtain sufficient, appropriate evidence to provide a reasonable basis for its findings and conclusions based on its objectives; accordingly, the OCA does not express an opinion on the data gathered by the subject matter expert(s).