



Agenda Item No. 1(I)(2)
December 1, 2021

**BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**

M E M O R A N D U M

TO: Honorable Chairman Jose “Pepe” Diaz
and Members, Board of County Commissioners

FROM: Adeyinka Majekodunmi, CPA
Commission Auditor

DATE: November 16, 2021

SUBJECT: Monthly Report on Countywide Evictions and Foreclosures Data – November 2021

Resolution No. R-58-21, adopted at the January 21, 2021 meeting of the Board of County Commissioners (BCC), directs the Office of the Commission Auditor (OCA) to provide monthly reports to the BCC and the Miami-Dade County Homeless Trust detailing countywide residential and commercial evictions statistics based on data received from the Clerk of the Courts (COC) and the Miami-Dade Police Department (MDPD). Resolution No. R-468-21, adopted at the BCC’s May 4, 2021 meeting, directs OCA to include residential and commercial foreclosures data in its monthly evictions report. Accordingly, OCA has collaborated with both the COC and MDPD to retrieve, review, analyze and report on both evictions and foreclosures data.

In Section I of the report, OCA presents countywide residential and commercial evictions data from March 1, 2020 to September 30, 2021, depicting trends on the quantity of cases filed and their case status, as well as the number of writs of possession issued and executed during the COVID-19 pandemic. The data also reviews the quantity of COVID-related eviction declarations filed with the Eleventh Judicial Circuit of Florida in accordance with the court’s administrative orders as well as the CARES Act. As stated in OCA’s initial report on evictions, the Odyssey Case Manager, the COC’s case management system, did not distinguish between commercial and residential evictions prior to October 1, 2020. Therefore, OCA reports on evictions data by property type only from October 1, 2020 and onward.

In Section II of the report, OCA presents countywide residential and commercial foreclosures data during the same timeframe—March 1, 2020 to September 30, 2021—providing information on cases filed by case status and property type, as well as final judgments issued and foreclosure sales imposed during the COVID-19 pandemic. As stated in OCA’s initial report on foreclosures, the

Odyssey Case Manager does not capture the address of the property subject to foreclosure; therefore this report does not include data on the location by zip code of each residential and commercial property that is or was subject to a foreclosure action.

This report is being placed on the agenda of the BCC's November 16, 2021 meeting per Ordinance No. 14-65, as the report was prepared at the BCC's request. Should you have any questions or need additional information, please contact me at (305) 375-4354.

cc: Honorable Mayor Daniella Levine Cava
Geri Bonzon-Keenan, County Attorney
Gerald K. Sanchez, First Assistant County Attorney
Jess McCarty, Executive Assistant County Attorney
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Victoria Mallette, Executive Director, Homeless Trust
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**OFFICE OF THE COMMISSION AUDITOR
MIAMI-DADE BOARD OF COUNTY COMMISSIONERS**

**Countywide Evictions and Foreclosures Data
Monthly Report**

November 2021

Yinka Majekodunmi, CPA
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I. EVICTIONS

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

- (a) There are 5,001 pending residential and commercial evictions that were filed on or after March 1, 2020 through September 30, 2021. 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 4,878 pending residential and commercial evictions that were filed after April 2, 2020 through September 30, 2021. The number of pending residential evictions that were filed on or after October 1, 2020 through September 30, 2021 is 3,814;
- (c) There were 16,537 residential and commercial evictions filed after April 2, 2020 through September 30, 2021. From October 1, 2020 through September 30, 2021, there were 1,127 commercial evictions filed;
- (d) There are 462 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, 2021. Of that number, 307 were VACA declarations filed by the Plaintiff-Landlord and 133 were CDC Tenant Declarations filed by the Defendant-Tenant. There were 22 cases in which both types of declarations were filed;
- (e) There were 3,409 pending residential evictions in which declarations were not filed with the court from October 1, 2020 through September 30, 2021; and
- (f) There were 6,183 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, 2021. Of that number, 344 were for commercial properties and 4,495 were for residential properties. A total of 1,344 were not classified by property type.

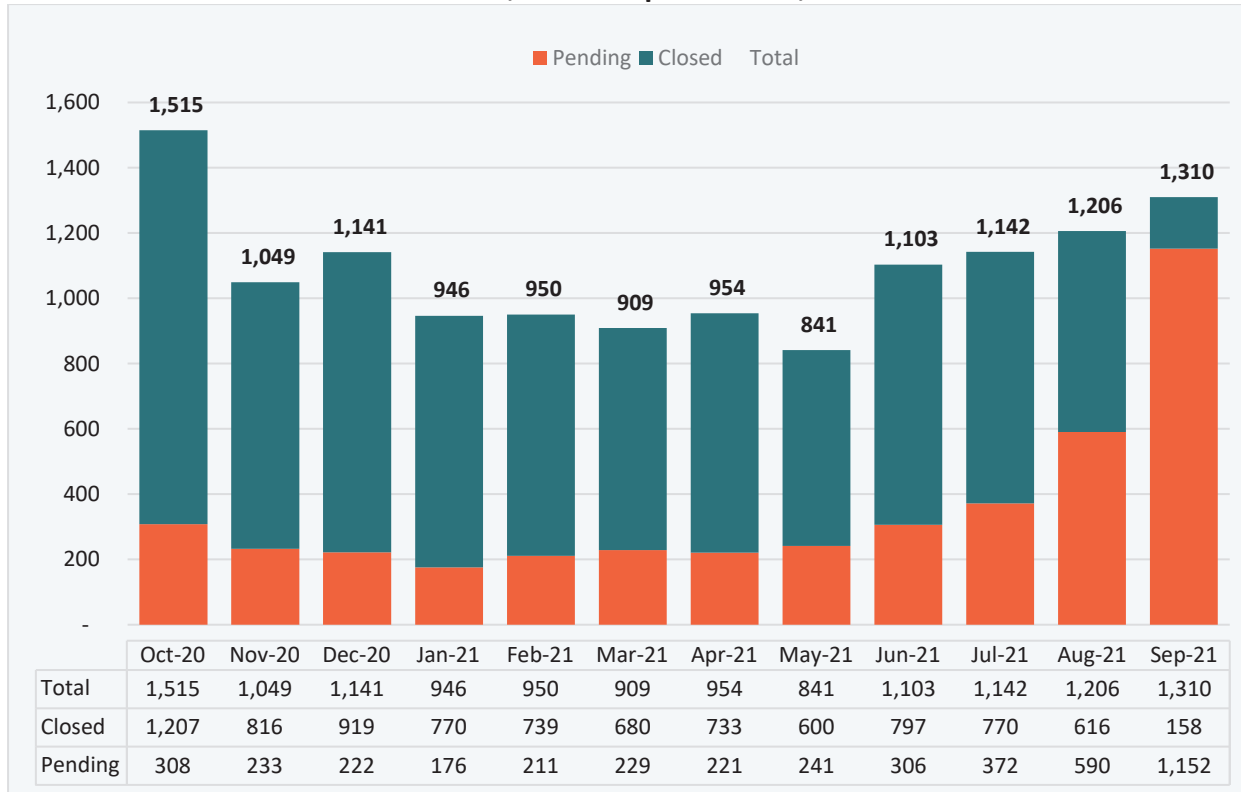
Additionally, since March 1, 2020 through September 30, 2021, there have been 5,010 writs of possession executed. This total of writs executed includes instances where the tenant vacated the property pursuant to an issued writ of possession as well as those where MDPD enforcement was required to return possession to the landlord. Of the 5,010 writs executed during this time period, 3,539 required enforcement by MDPD, and 1,471 were instances where possession was returned to the landlord without MDPD enforcement being necessary. The total number of writs executed includes those executed for foreclosure cases.

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Figure 1 captures on a monthly basis, from October 1, 2020 through September 30, 2021, the total number of eviction cases filed by case status (pending or closed).

Figure 1

**Cases Filed Monthly by Status
October 1, 2020 - September 30, 2021**



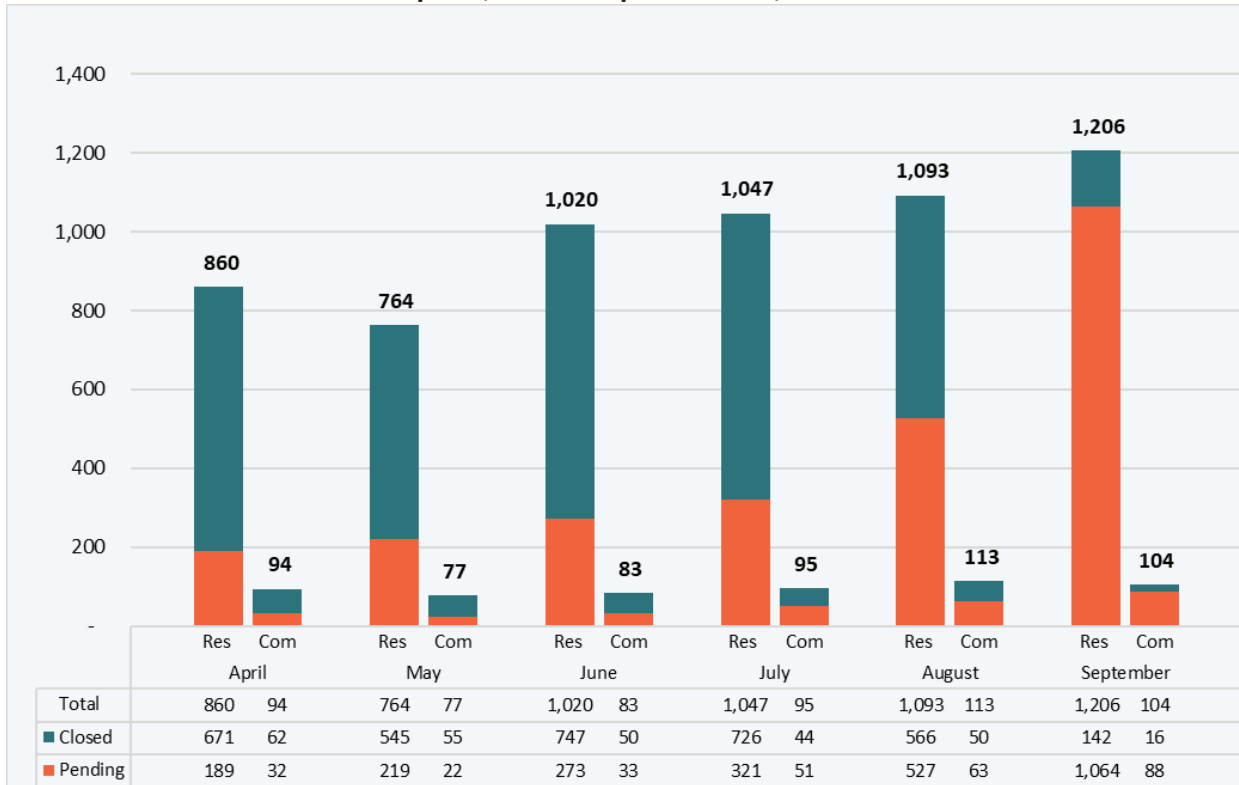
Source: Odyssey Case Manager System (Clerk of Courts)

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Figure 2 captures the total number of evictions filed in each month, from April 1, 2021 to September 30, 2021, classified by property type (residential or commercial) and case status (pending or closed) as of September 30, 2021.

Figure 2

**Cases Filed by Type and Status
April 1, 2021 - September 30, 2021**



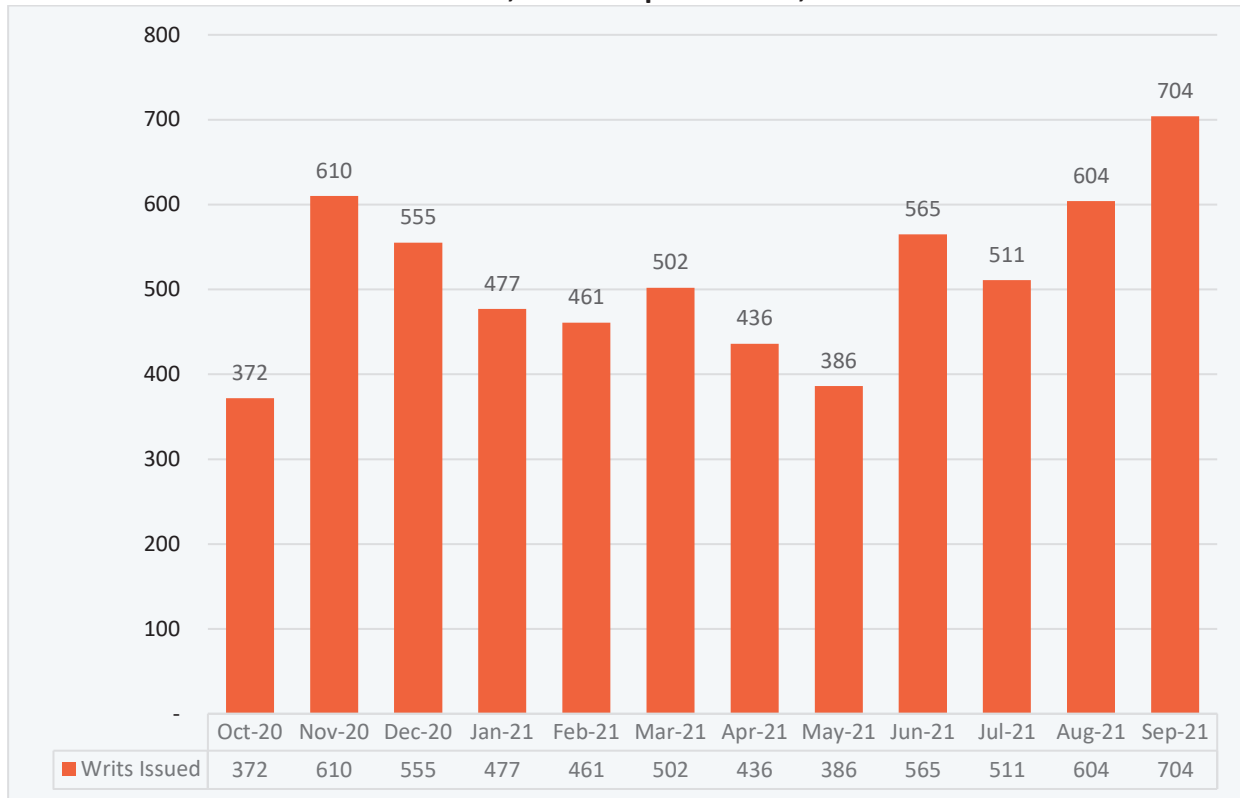
Source: Odyssey Case Manager System (Clerk of Courts)

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Figure 3 depicts eviction case activity by month from October 1, 2020 to September 30, 2021. The total writs issued each month is shown.

Figure 3

**Monthly Writs Issued
October 1, 2020 - September 30, 2021**



Source: Odyssey Case Manager System (Clerk of Courts)

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Figure 4 details the number of writs issued by property type from October 1, 2020 through September 30, 2021, irrespective of file date. Given that the Odyssey Case Manager did not distinguish between commercial and residential evictions prior to October 1, 2020, the “Type Not Listed” category represents cases that have not been classified by property type, as they were filed prior to October 1, 2020.

Figure 4

**Writs Issued by Property Type
October 1, 2020 - September, 2021**

Category Name	October	November	December	January	February	March	April	May	June	July	August	September	Total
Residential	20	162	332	364	369	404	365	312	513	473	533	648	4,495
Commercial	1	12	21	23	29	38	31	49	35	24	41	40	344
Type Not Listed	351	436	202	90	63	60	40	25	17	14	30	16	1,344
Total	372	610	555	477	461	502	436	386	565	511	604	704	6,183

Source: Odyssey Case Manager System (Clerk of Courts)

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Figure 5 displays the number of writs of possession executed by MDPD (MDPD Enforced) relative to those where possession was returned to the landlord without MDPD enforcement being necessary (Non-MDPD Enforced) from March 1, 2020 through September 30, 2021. Note that as of March 5, 2021, writs on commercial properties are being executed, and pending writs which do not qualify for the CDC eviction moratorium are being scheduled for service by MDPD, as stated in a March 10, 2021 memorandum from the Mayor to the BCC. The CDC’s eviction moratorium order ended on August 26, 2021.

Figure 5

**Total Number of Writs of Possession Executed
March 1, 2020 - September 30, 2021**

Category Name	Prior	November	December	January	February	March	April	May	June	July	August	September	Total
MDPD Enforced	197	87	17	3	1	330	534	583	485	422	440	440	3,539
Non-MDPD Enforced	152	109	2	7	0	144	265	248	240	116	100	88	1,471
Total	349	196	19	10	1	474	799	831	725	538	540	528	5,010

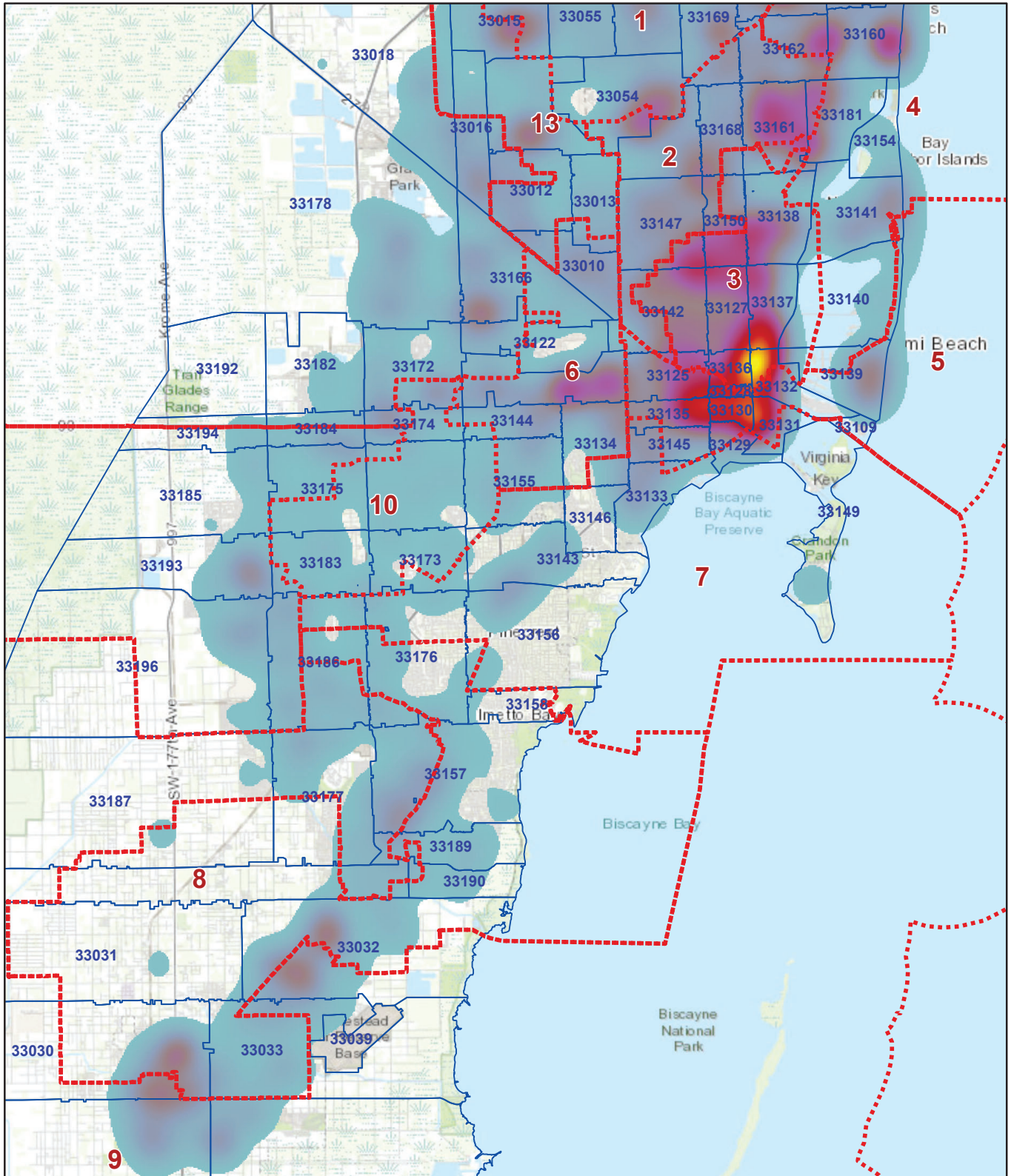
Source: Odyssey Case Manager System (Clerk of Courts)

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Figure 6 is a heatmap highlighting by zip code and Commission District pending countywide evictions filed between March 1, 2020 and September 30, 2021.

Figure 6

Number of Pending Eviction Cases
March 1, 2020 - September 30, 2021



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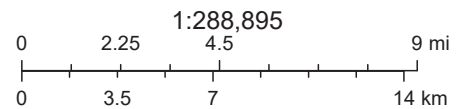
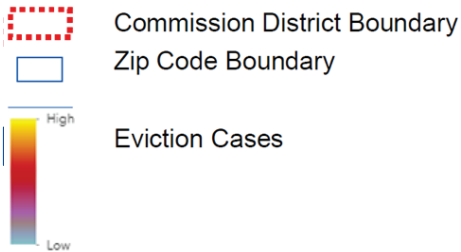


Figure 7 is a table denoting the total number of pending eviction cases filed in each County zip code from March 1, 2020 through September 30, 2021.

Figure 7

**Number of Pending Eviction Cases by Zip Code
March 1, 2020 - September 30, 2021**

Zip Code	Pending Eviction Cases	Zip Code	Pending Eviction Cases
33010	75	33147	155
33012	52	33148	1
33013	29	33149	5
33014	72	33150	130
33015	91	33152	1
33016	56	33154	8
33018	40	33155	39
33023	1	33156	25
33030	63	33157	98
33031	3	33158	1
33032	127	33160	129
33033	59	33161	214
33034	41	33162	116
33035	31	33165	21
33054	128	33166	89
33055	39	33167	40
33056	72	33168	61
33114	1	33169	122
33122	16	33170	21
33125	153	33172	53
33126	157	33173	12
33127	118	33174	32
33128	29	33175	27
33129	13	33176	42
33130	155	33177	34
33131	109	33178	77
33132	202	33179	126
33133	31	33180	45
33134	36	33181	76
33135	145	33182	9
33136	130	33183	14
33137	169	33184	21
33138	102	33185	13
33139	57	33186	63
33140	13	33187	12
33141	69	33189	15
33142	177	33190	10
33143	24	33193	40
33144	36	33194	4
33145	39	33196	34
33146	5	33245	1

TOTAL PENDING EVICTION CASES - 5,001

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

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, 2021.

Figure 8

**Number of Pending Eviction Cases by District
March 1, 2020 - September 30, 2021**

District Number	Commissioner	Pending Eviction Cases
1	Oliver Gilbert	420
2	Jean Monestime	610
3	Keon Hardemon	981
4	Sally A. Heyman	408
5	Eileen Higgins	651
6	Rebeca Sosa	314
7	Raquel Regalado	163
8	Danielle Cohen Higgins	260
9	Kionne McGhee	382
10	Sen. Javier D. Souto	94
11	Joe A. Martinez	166
12	Jose "Pepe" Diaz	331
13	René García	221

TOTAL PENDING EVICTION CASES - 5,001

Source: Odyssey Case Manager System (Clerk of Courts)

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II. FORECLOSURES

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

- (a) There were 2,886 residential and commercial foreclosures filed on or after March 1, 2020 through September 30, 2021. Of these, 1,615 are pending (open and reopened, including inactive) cases;
- (b) There were 2,290 residential foreclosures filed after April 2, 2020 through September 30, 2021. Of these, 1,366 are pending cases;
- (c) The number of commercial foreclosures filed after April 2, 2020 through September 30, 2021 is 241, of which 131 are pending cases;
- (d) There were 656 final judgments issued in residential and commercial foreclosure cases from the expiration of the Governor's Executive Order No. 20-180 at 12:01am on October 1, 2020 through September 30, 2021;
- (e) There were 722 foreclosure sales of residential and commercial properties pursuant to final judgments issued by the court from March 1, 2020 through September 30, 2021. Note that the Odyssey Case Manager System 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 1,296 residential foreclosure cases filed from March 1, 2020 to September 30, 2021 where the subject property was homestead exempt;
- (g) There were 1,340 residential foreclosure cases filed from March 1, 2020 to September 30, 2021 where the subject property was not homestead exempt;
- (h) There were 251 foreclosure cases filed in county court, and 2,635 foreclosure cases filed in circuit court from March 1, 2020 to September 30, 2021;
- (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 limitations of the Odyssey Case Manager System. Specifically, the system does not capture the address of the property subject to foreclosure;
- (j) There were 3,703 foreclosure actions or judgments between \$0.00 to \$50,000, 285 between \$50,000 and \$250,000, and 498 over \$250,000 from March 1, 2020 through September 30, 2021. 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, the Odyssey Case Manager reflects an entry of \$0.00 in numerous

instances where this information was not provided. Of the 3,703 foreclosure cases where the judgment amount was in the \$0.00 to \$50,000 range, 3,643 were foreclosure cases where the judgment amount was reported as \$0.00, either due to nonreporting, or due to the case having been dismissed; and

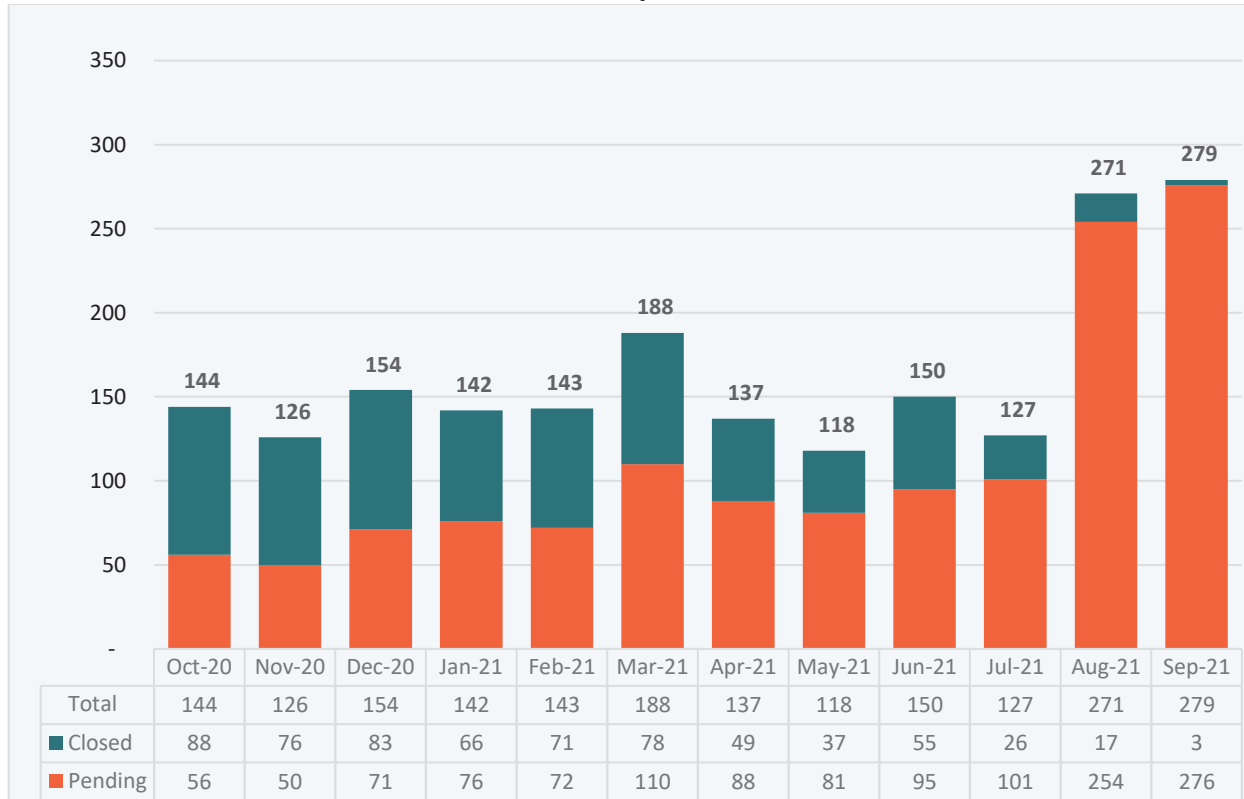
- (k) For foreclosure cases where a final judgment was entered on or after March 1, 2020 through September 30, 2021, there were 742 foreclosure sales where the bid amount was \$0.00 due to the foreclosure sale not being completed. There were 200 foreclosure sales where the bid amount was in the \$0.01 to \$175,000 range, and 330 where the bid amount was above \$175,000.

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Figure 1 depicts totals of foreclosure cases by case status (pending or closed) for each month from October 2020 through September 2021.

Figure 1

**Total Monthly Foreclosures by Case Status
October 1, 2020 - September 30, 2021**



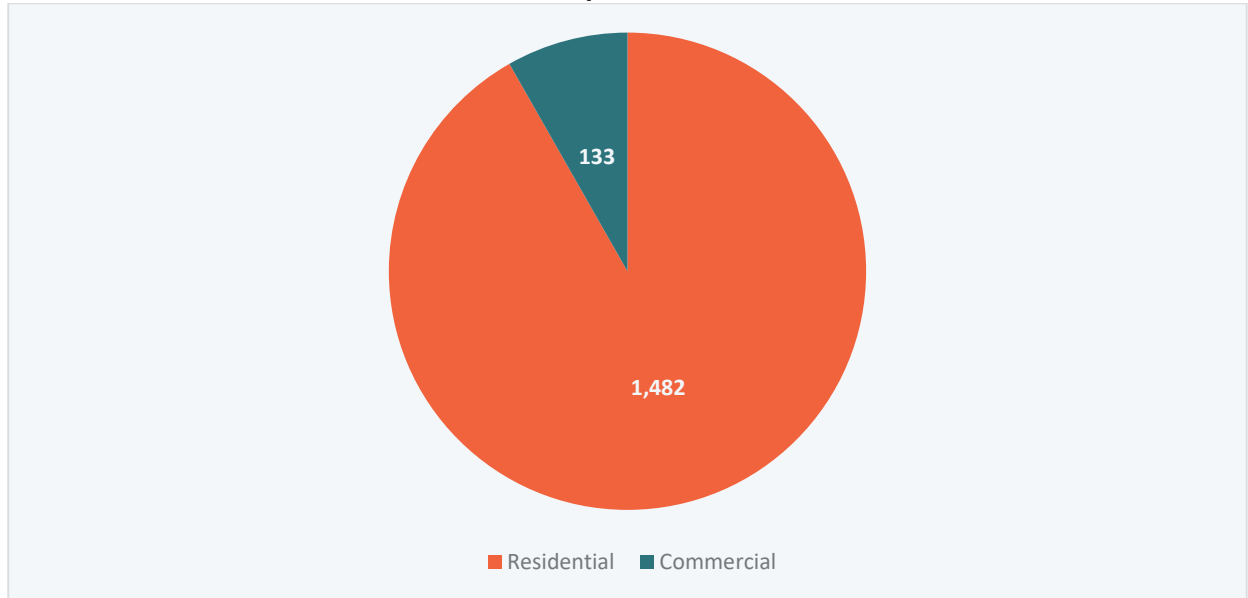
Source: Odyssey Case Manager System (Clerk of Courts)

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Figure 2 illustrates the total of pending foreclosure cases (filed on or after March 1, 2020 through September 30, 2021) by property type.

Figure 2

**Pending Foreclosures by Property Type
March 1, 2020 - September 30, 2021**



Source: Odyssey Case Manager System (Clerk of Courts)

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Figure 3 depicts the number of foreclosure cases (filed from October 1, 2020 to September 30, 2021) resulting in final judgment, and the number of cases during this period where the Odyssey Case Manager reports a foreclosure sale, by month and property type.

Figure 3

**Foreclosure Sales After Final Judgment
October 1, 2020 - September 30, 2021**

Category Name	Prior		April		May		June		July		August		September		Total	
	Res	Com	Res	Com	Res	Com	Res	Com	Res	Com	Res	Com	Res	Com	Res	Com
Final Judgment	302	22	45	2	50	2	42	5	46	4	51	2	75	8	611	45
Sales	293	19	43	2	48	2	38	4	34	4	33	2	23	3	512	36

Source: Odyssey Case Manager System (Clerk of Courts)

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Figure 4 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, 2021 through September 30, 2021.

Figure 4

**Foreclosure Cases by Foreclosure Judgment Amount
March 1, 2020 - September 30, 2021**

Judgment Range	Total
\$0.00 - \$50,000	3,703
\$50,001 - \$250,000	285
> \$250,000	498
Total	4,486

Source: Odyssey Case Manager (COC)

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Figure 5 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, 2021.

Figure 5

**Foreclosure Cases by Bid Amount Range
March 1, 2020 - September 30, 2021**

Bid Range	Total
\$0.00	742
\$0.01 - \$25,000	40
\$25,001 - \$75,000	29
\$75,001 - \$175,000	131
\$175,001 - \$375,000	225
\$375,001 - \$750,000	80
> \$750,000	25
Total	1,272

Source: Odyssey Case Manager (COC)

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Report produced by the Office of the Commission Auditor

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The Office of the Commission Auditor, Miami-Dade Board of County Commissioners

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).