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Office of Inspector General

Investigative Report

160411-01

November 14, 2016

Chris Hirst, Inspector General

Enhancing Public Trust in Florida's Affordable Housing

**Office of Inspector General
Investigative Report
Case Number 160411-01**

INTRODUCTION

On April 11, 2016, the Florida Housing Finance Corporation (Florida Housing) Office of Inspector General (OIG) received an email from Debbi Jarrie, Contractor, Corporation to Develop Communities of Tampa, Inc. (CDC), regarding Kimberly McKay, a Hardest Hit Fund (HHF) Program applicant. Specifically, Ms. Jarrie stated:

I would like to report that an applicant for UMAP¹ [Unemployment Mortgage Assistance Program] is submitting fraudulent documents to gain eligibility of the program. The clients name is Kimberly McKay and she is assigned to us here at CDC of Tampa. Please advise with instructions on how to proceed with submitting or denying her application.

According to the records, Ms. McKay applied for HHF Program funds on January 27, 2016, and reported the primary reason for her hardship and/or loan default as, "job loss, underemployed, pending divorce." As part of her application, Ms. McKay provided letters that appeared to have been from two previous employers stating she was laid off due to no fault of her own². According to Ms. Jarrie, she was able to determine that one of the letters submitted by Ms. McKay was a fraudulent document provided in order for her to gain eligibility to HHF Program funds. On May 19, 2016, Ms. McKay was deemed ineligible to receive HHF Program funds due to not having an eligible hardship.

The OIG initiated an investigation based on the allegation provided.

ALLEGATIONS

It is alleged Kimberly McKay provided falsified documents and made false statements/certifications on her HHF Program application about circumstances surrounding her termination of employment with Injury Care Centers (ICC) in order to be found eligible to receive payments from HHF Program funds.

It is also alleged that Ms. McKay provided falsified documents and made false statements/certifications on her HHF Program application about circumstances surrounding her termination of employment with Dr. Gregory Garamoni, PhD, Ponte Vedra Psychologists, in order to be found eligible to receive payments from HHF Program funds.

If supported, these allegations would constitute a violation of federal and/or state laws, including:

¹ Florida Housing Finance Corporation (Florida Housing) was directed by US Treasury (Treasury) to create and administer foreclosure prevention assistance programs that address the unique issues of our state. UMAP is for homeowners who are underemployed, unemployed, or have had at least a 10-percent reduction of income due to a qualifying financial hardship, loan funds can be used to pay monthly mortgage and escrowed mortgage-related expenses until the homeowner can resume payments or for up to 12 months, with a cap of \$24,000, whichever occurs first. Additionally, for homeowners who are delinquent on the first mortgage at the time they qualify for the UMAP program, up to \$18,000 can be paid toward any past due amounts. This assistance is typically paid prior to UMAP payments and can help to reinstate the first mortgage.

² One of the HHF Program eligibility requirements for applicants is for them to provide proof of having a qualifying hardship (unemployment or underemployment) through no fault of their own.

- Title 18, United States Code, §1001, False Statements;
- Section 817.03, Florida Statutes (F.S.), Making false statement to obtain property or credit;
- Section 817.545, F.S., Mortgage Fraud; and/or
- Section 837.06, F.S., False Official Statements.

EXECUTIVE SUMMARY

From April 11, 2016 to June 20, 2016, OIG staff conducted interviews and reviewed significant documentation related to the allegations.

As a result of the investigation, OIG staff determined that the allegation of Ms. McKay providing falsified documents and making false statements/certifications on her HHF Program application about circumstances surrounding her termination of employment with ICC in order to be found eligible to receive payments from HHF Program funds was **Supported**. However, OIG staff were unable to **Neither Support nor Refute** the allegation that Ms. McKay provided falsified documents and/or made false statements/certifications on her HHF Program application about circumstances surrounding her termination of employment with Dr. Garamoni in order to be found eligible to receive payments from HHF Program funds.

COMPLAINANT INTERVIEW

On April 11, 2016, OIG staff conducted an unrecorded telephone interview of Ms. Jarrie, who said Katrya Watkins was the HHF Advisor working with Ms. McKay during her HHF Program application process. According to Ms. Jarrie, Ms. McKay was claiming hardship due to divorce and employment issues. Ms. Jarrie said their office had not been able to locate documents related to a divorce, but she said Ms. McKay submitted letters (Exhibit 1) regarding being laid off from positions.

Ms. Jarrie explained they were concerned that the letter from ICC was not professional because it did not have a company letterhead. So, Ms. McKay was requested to have the employer provide the letter on a company letterhead. Ms. Jarrie also said they called ICC to verify the authenticity of the letter and spoke with Adriana McClerren, Administrator, ICC, who confirmed both verbally and via email (Exhibit 2) the following:

. . . I'm the office administrator and I'm the one responsible for writing any type of documents like that one and I did not do this document. This individual was also let go due to different reasons too.

Ms. Jarrie further stated that during Ms. McKay's HHF Program application process, the CDC received a fax (Exhibit 3), with details about Ms. McKay's felony conviction for False Insurance Claims, and that she was currently serving probation for this conviction.

WITNESS INTERVIEWS

On April 13, 2016, OIG staff conducted a recorded telephone interview with Ms. Watkins, HHF Advisor, who stated the following (paraphrased):

- Ms. McKay was applying for HHF Program funds and submitted false or forged employment termination letters in an attempt to receive HHF Program funds.
- The following dates and explanations relate to the processing of Ms. McKay's HHF Program application:
 - On January 27, 2016, Ms. McKay started to apply for HHF Program funds.
 - On February 5, 2016:
 - Ms. McKay received an application check list via email from the CDC;

- Ms. McKay responded by sending an 85-page fax consisting of application documents:
 - One of the documents Ms. McKay included in the 85-page fax was a letter regarding her termination from employment with ICC, with the author's name listed as and signed by "Tina Moody"; and
- Ms. Watkins called Ms. McKay to inform her of the additional documents she needed to provide and discussed the "no fault letters" from the previous employers.
- On February 8, 2016, Ms. Watkins sent an email to Ms. McKay stating she was "a bit concerned" that the letter from ICC was not on company letterhead, and Ms. McKay responded stating, ". . . I'll call Tina to see if she can put the letter on some type of letterhead."
- On February 9, 2016, Ms. McKay sent an email to Ms. Watkins stating, "I was able to pick-up the letter from ICC last night. I will fax this in the morning."
- On March 24, 2016, Ms. McKay sent an email to Ms. Watkins stating the following regarding her termination from ICC:

When I was laid off from Injury Care Center there was not a severance package and I was not eligible for unemployment. In the state of Florida you have to earn \$3000 pre-tax dollars to qualify- I had not earned enough to get benefits.

- On March 31, 2016, the CDC received a fax (see Exhibit 3), with details about Ms. McKay being convicted of a felony and currently serving felony probation [2010 conviction for False or Fraudulent Insurance Claims \$20,000 or more, but less than \$100,000].
- On April 1, 2016, Ms. Jarrie read the fax and reviewed Ms. McKay's file:
 - Ms. Watkins said it appeared that the ICC letter may not be authentic;
 - They attempted to contact ICC, but the phone number on the letter for ICC was not a working number;
- They located the ICC website, called a telephone number listed on the site, and were able to speak to Ms. McClarren, who said:
 - The information contained in the letter provided by Ms. McKay was not accurate; and
 - Reported the following discrepancies in the letter:
 1. Ms. McKay reported a longer length of employment;
 2. Ms. McKay's actual reason for being released from the job did not match the letter; and
 3. Ms. Moody is not authorized to write any type of employment related letters.
- Regarding the other employment letter from Dr. Garamoni, Ms. Watkins said it appears to be similar to the letter from the ICC, but they did not contact the employer to verify its authenticity.
- Ms. Watkins also said they have not been able to locate any court documents in Duval County pertaining to the marital status of Ms. McKay, who stated she was:
 - Filing for divorce; and
 - Not able to provide any documents or information about her husband because she did not know where he was.
- Regarding the information about Ms. McKay's felony conviction and probation, Ms. Watkins said Ms. McKay provided the following explanation in an email dated April 1, 2016:

Back in 2010 I was over paid for disability benefits, and when I could not pay the money back in full, I was placed on probation to pay it back. I make a monthly payment.

Between April 11 and 13, 2016, OIG staff sent emails and left voicemail messages for Dr. Garamoni and Ms. McClarren, ICC Administrator. To date, Ms. McClarren and Dr. Garamoni have not responded to the requests for assistance.

On June 20, 2016, OIG staff contacted ICC in an attempt to locate an employee by the name of Tina Moody. A representative of ICC stated Tina Payne, formerly known as Tina Moody, is a current staff member and they would have her contact the OIG. On June 20, 2016, OIG staff spoke to Ms. Payne, who said she was previously known as Tina Moody. OIG staff emailed her copies of the two letters provided by Ms. McKay, and discussed the letters, with some of the details listed below:

- The letters were dated November 14, 2014;
- The letters were listed as from ICC;
- The letters had the same content, but one had the address for ICC and the other appeared to be on ICC letterhead;
- The letters stated:
 - Ms. McKay was laid off from her position due to the location closing; and
 - The letters were signed by “Tina Moody, Manager.”

In a recorded telephone interview with OIG staff on June 20, 2016, Ms. Payne stated the following (paraphrased):

- She has worked with ICC during two time periods, for approximately 10 years as a billing specialist/team leader and recently as the office manager after about a 16 months break in employment;
- She knows Ms. McKay on a professional level, and recalled that she went to high school with Ms. McKay’s brother;
- She said Ms. McKay worked for ICC during two different time periods, she did not recall the exact dates, but said the first time period was for less than a year, and then for a couple of months in 2014; and
- She said the reason for Ms. McKay’s recent termination from employment with ICC was due to having a “bad background check.”

Regarding her review of the two letters, Ms. Payne stated, “Neither of these letters are from me. I never provided her with a letter. In fact, I am not the one who officially fired her so-to-speak. So, it was not even myself.” She also said Ms. McKay did not contact her to request she provide the letters. According to Ms. Payne, at the time of Ms. McKay’s termination her supervisor would have been Ms. McClerren.

HHF PROGRAM MANAGERS REVIEW

In an email dated April 11, 2016, OIG staff notified Nicole Gibson, Assistant Director of Homeownership Programs, of the complaint and the advisor’s request for guidance on the processing of Ms. McKay’s HHF Program application due to the issues reported above. Ms. Gibson responded via email and provided the following response to Ms. Jarrie, “You can deem the client ineligible for no hardship.”

Note: As previously reported above, Ms. McKay received a letter from the CDC dated May 19, 2016 (Exhibit 4), advising her that she was deemed to be ineligible due to not having an eligible hardship.

DOCUMENTATION/RECORDS ANALYSIS

HHF Program Application

A review of Ms. McKay’s HHF application (Exhibit 5), shows she signed the application on January 27, 2016. The results of the review are listed below by related documents, which are listed in bold:

- On the first page of her **HHF Intake Form**, she reported her hardship as “job loss, underemployed, pending divorce.”

- In her **Hardship Letter** dated November 23, 2014, Ms. McKay stated the following regarding her employment prior to and with ICC:

The reason I am in this hardship position is due to unstable work. I worked part time 2011-2013, but it was not enough (sic) make the mortgage payment; much less feed my three kids. I could not afford to pay childcare, to work, so I needed the flexibility.

After that job ended I was not able to find a full-time job until September of 2014 at an Accident/Injury treatment center, processing claims. It paid \$12.00 hourly and was full time. I worked at this job from September 2014 until November 2014 when I was laid off due to lower patient counts and a location closing. . .

- On her **Hardship Affidavit**, Ms. McKay made certifications to ten items, and the items related to the allegations are listed below:
 1. Under penalty of perjury. I/we certify that all of the information in this affidavit is truthful and the event(s) identified above has/have contributed to my/our financial hardship.
 2. I/we understand and acknowledge that FHFC & HHF Advisor and/or its agents may investigate the accuracy of my/our statements, may require me/us to provide supporting documentation, and that knowingly submitting false information may violate Federal and/or state law.
 4. I/we understand that if I/we have intentionally defaulted on my/our existing mortgage, engaged in fraud or misrepresented any facts(s) in connection with this Hardship Affidavit, or if I/we do not provide all of the required documentation, I may not qualify for HHF assistance.
 10. In making this certification, I/we certify under penalty of perjury that all of the information in this document is truthful and that I/we understand that the Servicer, the U.S. Department of Treasury, or their agents may investigate the accuracy of my statements by performing routine background checks, including automated searches of federal, state and county databases, to confirm that I/we have not been convicted of such crimes. I/we also understand that knowingly submitting false information may violate federal law.

Counselor Direct Database

A review of the HHF Program files on the Counselor Direct (CD) database, revealed the following details from email correspondence pertaining to Ms. McKay's HHF Program application (Exhibit 6):

- On April 8, 2016, Ms. Jarrie provided the following explanation to Ms. Watkins about the letter Ms. McKay presented as being from her previous employer ICC:

From: Debbi Jarrie
Sent: Friday, April 08, 2016 1:20 PM
To: Katrya Watkins
Subject: MCKAY file

Just an update I spoke to Adriana and she will reply to my email confirming that she was terminated and worked there for 30 days and the letter was not written by Adriana, Tina is not authorized to write this type of letter.

Debbi Jarrie
Contractor
CDC OF TAMPA, INC. | 1907 E. Hillsborough Avenue, Suite 100 | Tampa, FL 33610
Direct: 813.231.4362 Ext.360 | Main: +1 813.231.4632 | Fax: +1 813.231.4680
E-mail: Debbi.Jarrie@cdcoftampa.org | Website: www.cdcoftampa.org | Facebook:
www.facebook.com/cdcoftampa | Twitter: http://www.twitter/cdcoftampa

CDC of Tampa, Inc. fosters economic development through partnerships and programs that serve Tampa Bay communities.

The email correspondence also confirms the information Ms. Jarrie and Ms. Watkins provided to OIG staff regarding ICC and the allegations against Ms. McKay.

HHF Advisor Manual

As of February 2015, the **HHF Advisor Manual** provides the details listed below regarding an applicant and the requirements of a qualifying hardship:

7. Has the client experienced a qualifying hardship (unemployment, underemployment, death, divorce or disability)?
 - a. Homeowners will only be eligible for the program if they are unemployed or substantially underemployed, through no fault of their own or has had a financial hardship due to Death, Divorce or Disability.
 - i. Unemployment / Underemployment Hardship
 2. a.i. Applicants who have voluntarily left work without good cause attributable to his or her employing unit or has been discharged by the employing unit for misconduct connected with his or her work, based on a finding by the Department of Economic Opportunity are not eligible for assistance.
10. To be considered “substantially underemployed” there must be at least a 10% reduction in income for either a borrower or co-borrower in order to qualify for underemployment and through no fault of the borrower or co-borrower.
 - a. If the borrower or co-borrower is working at a new employer:
 - i. If the borrower or co-borrower did not collect Unemployment Benefits:
 1. Verify and document that the job loss at the previous employer was through no fault of the borrower or co-borrower via third party verification.

Duval County Clerk of the Courts and the Florida Department of Corrections

A review of the available records on the websites for the Duval County Clerk of the Courts and the Department of Corrections, confirms the information provided in the fax (see Exhibit 3) about Ms. McKay’s felony conviction and probation status, which ends on December 14, 2019 (Exhibit 7).

Note: As reported above:

- Divorce is included in the qualifying hardships;
- Ms. McKay reported to her advisor that she had filed for divorce, while she reported “divorce pending” on her HHF Program Application;
- The advisor stated she had not received any records from Ms. McKay in support of her claim of filing for divorce; and
- They had not been able to locate any divorce records in their searches.

As of June 17, 2016, searches of the Duval County Clerk of the Courts website did not reveal any divorce related documents being filed by or against Ms. McKay in that county.

Dr. Gregory Garamoni, the St. Johns County Property Appraiser, and the St. Johns County Tax Collector

As reported above, Ms. McKay submitted a letter dated December 20, 2013 (see Exhibit 1), from Dr. Garamoni with some of the details listed below:

- Business address: 2304 Sawgrass Village Dr., Ponte Vedra Beach, FL;
- Business phone number: (904)285-4229;
- Dates of employment: May 2011 – December 2013; and
- The letter had a signature for “Dr. Gregory Garamoni, PhD, owner.”; and

- The reason for Ms. McKay being laid off was listed as, "I had to close my office due to health reasons."

Searches of the available records on the websites for Dr. Garamoni, Ponte Vedra Psychologists, the St. Johns County Property Appraiser, and the St. Johns County Tax Collector provided the following information:

- Dr. Garamoni's website states that he has been in private practice since 1991, serving the communities in Duval and St. Johns County;
- The St. Johns County website shows that Dr. Garamoni has owned the office condominium located at the business address listed above since 1992; and
- As previously indicated above, OIG staff left a voicemail message and sent an email to Dr. Garamoni:
 - The phone number listed on the letter was the same number listed on Dr. Garamoni's website; and
 - The email address, greg@drgaramoni.com, was listed on his website and appeared to be valid because an automatic reply/error message has not been received.

Screen captures of these websites are listed below:



Support for Living Your Whole Life Well

Gregory Garamoni, Ph.D.
Licensed Psychologist

Ponte Vedra Psychologists
2304 Sawgrass Village Drive
Ponte Vedra Beach, Florida
32082-5007

(904) 285-4229

A Private Practice Helping Children, Adolescents, and Adults Since 1991

AREAS OF SPECIALIZATION:
 Marriage Counseling • Couples Therapy • Sex Therapy
 Cognitive Therapy for Depression • Cognitive Therapy for Anxiety
 • Stress Management • Career Counseling • Family Counseling & Therapy
 Psychoeducational Evaluations • ADD/ADHD Assessments • Gifted IQ Testing

SERVING COMMUNITIES IN ST. JOHNS COUNTY & DUVAL COUNTY:
 Ponte Vedra Beach | Palm Valley | Nocatee | St. Augustine
 Jacksonville Beach | Neptune Beach | Atlantic Beach | Jacksonville

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CONTACT INFORMATION:
 2304 Sawgrass Village Drive, Ponte Vedra Beach, Florida 32082-5007
 (904) 285-4229
 Email: Dr. Garamoni

309749-0000		PERSONAL PROPERTY		
Payment History				
Year	Folio	Date Paid	Receipt	Amount
2014	115275	6/18/2015	1119496.0001	\$
	Owner Name	GARAMONI GREGORY L PHD		
	Paid By	PONTE VEDRA PSYCHOLOGISTS LLC		
Year	Folio	Date Paid	Receipt	Amount
2013	113891	5/13/2014	2017029.0001	\$
	Owner Name	GARAMONI GREGORY L PHD		
	Paid By	TANGIBLE GARAMONI		
Year	Folio	Date Paid	Receipt	Amount
2012	113235	5/28/2013	1064402.0001	\$
	Owner Name	GARAMONI GREGORY L PHD		
	Paid By	PONTE VEDRA PSYCHOLOGISTS LLC		
Year	Folio	Date Paid	Receipt	Amount
2011	112753	6/27/2012	2004081.0001	\$
	Owner Name	GARAMONI GREGORY L PHD		
	Paid By	PONTE VEDRA PSYCHOLOGISTS		

Historic St. Johns County
 Sharon Outland, Property Appraiser
 www.sjcpa.us email: sjcpa

Parcel Information

Strap: 0622322304
 Mailing Address: 2304 SAWGRASS VILLAGE DR PONTE VEDRA BEACH FL 32082-5007
 Site Address: 2304 SAWGRASS VILLAGE DR PONTE VEDRA BEACH FL 32082-0000
 Property Map: [Click here for Map](#)

Valuation Information

2015 Certified Values

Total Land Value:	\$ 0
Total Extra Features Value:	\$ 0
Total Building Value:	\$ 83,500
Total Market(Just) Value:	\$ 83,500
Assessed Value:	\$ 83,500
Homestead Exemption:	\$ 0
Taxable Value:	\$ 83,500

Legal Information **Owner Information**

PARK PLACE AT SAWGRASS OFFICE CONDO (PT OR738/1524) UT 2304 OR908/542 GARAMONI GREGORY L PHD

Based upon this information, it does not appear that Dr. Garamoni closed his office in 2013. However, OIG staff have not been able to confirm this information without Dr. Garamoni's response. An additional email request for assistance was sent to Dr. Garamoni on June 16, 2016.

SUBJECT INTERVIEWS

In a recorded telephone interview with OIG staff on July 20, 2016³, Ms. McKay stated the following (paraphrased):

- Her married name is Norwood;
- She worked for ICC from September - November 2014, with one prior period of employment with ICC, but she did not remember the dates;
- Her position in 2014 was as a "Biller";
- Tina [Moody Payne] was her supervisor during both periods of employment:
 - She does not know Tina's full name, but
 - She knew her as Tina Moody because they went to school together.
- Regarding the reason for her termination from ICC in 2014, Ms. McKay explained:

Adriana gave me a packet to fill out and I filled it out and it was not an employment packet, but like a background check and I filled that out and gave that to her and that was the last that I heard of it until they were going to move me to another location, and they told me that I was unable to move to the other location and Adriana took me in the back and said that the background had come back and that I was not going to be able to move to the other location.

- When asked whether they discussed why she was terminated, Ms. McKay stated:

Yeah, we discussed it and I told her that no one asked me about when I came back and I did didn't (sic) you know, once they ran it, I knew that they would see it on there. It just came back and she said that I was not going to be able to move to the new location.

- As previously reported above, Ms. McKay provided two letters to the HHF advisor from ICC dated November 14, 2014 (see Exhibit 1). Ms. McKay said she picked them up from the ICC location at 5222 Lenox Avenue during her HHF application period in January 2016 and she explained:

I didn't make the letters, someone made the letter for me and when I talked to Katria at CDC, she told me that I needed a letter stating why I was not there anymore. I told her that my husband was the primary income and those two months really did not impact my application and she said that she just needed it because he and I had become separated and he wasn't providing any income and since I was the only one working that I had to send it in.

- Ms. McKay said she does not know the individual, who provided the letters, and she stated:

I don't know the girl's name. I had been calling up to Injury Care Centers to get the letter/a letter from them and I could never get anyone on the line and I couldn't get Tina on the line. So, I just (sic) and they kept telling me to keep calling back, keep calling back. So, I finally talked to someone and they said you used to sit and you were the one facing out the window doing the charges in the corner, and I said yeah, that was me. They said, I remember you and they said you can just come by and pick-up the letter. I don't remember her name because I

³ On July 14, 2016, OIG staff attempted to conduct a telephone interview with Ms. McKay, but were disconnected during the initial conversation and script leading into the interview. OIG staff called her back twice, left a voicemail message, and sent an email to her. On July 15, 2016, Ms. McKay responded via email stating, "It is a bad storm here and the power is out. Could you clarify the reason for this interview? My file was denied and I am now working with my lender." Ms. McKay was provided an explanation and she agreed to complete the interview on July 20, 2016.

didn't really speak to anyone there while I was working there. It was just me and another girl in the corner doing the charges and there were about three or four of us back there.

- When asked to describe the individual, who provided the letters from ICC, Ms. McKay stated:

I think I can, it's been so long ago and I barely remember the faces. It's like I saw them for a quick minute, and I'm trying to remember the name and I cannot remember the name of hardly anybody that's up there other than Tina [Moody Payne] and Adriana [McClerren], who was the owner, but I do not remember her last name.

It was just a white girl, with brown hair, is about all I remember, about shoulder length. She is not what I would consider to be super tall. I guess over five feet and uhm I guess she would be considered to be medium build. She looked younger. So, probably mid-thirties I guess. She looked younger though.

- When asked whether Ms. Moody [Payne] actually signed the letters, Ms. McKay stated, "I don't think she did."
- When informed that Ms. Moody [Payne]: has a different last name due to marriage, confirmed she was not contacted by Ms. McKay about the letters, and that she did not provide the letters, Ms. McKay stated, "Maybe, but she was not sure."
- Regarding the letters stating she was let go because the Mandarin location was closing, Ms. McKay said she has never been to the Mandarin location, was not sure if it closed, and she stated:

On the first letter, it was just to keep it basic to say when I was there and when I left and Katrya told (sic) got the letter and told me that (sic) more detailed information as to why I was done and it needed a letter head. So, I asked for the second letter and uhm, then I sent it in and I never heard anything back other than when I called Katrya about the uhm (sic) she had sent me an email about needing information about my estranged husband and I would send some of that information and she told me that because he and I were not legally separated or the divorce had not been finalized it is not likely that I would get approved for the program because I had to have a final document regarding the divorce or a legal separation and I never filed for legal separation and I'm still in the midst of the divorce. So, I don't have either one of those yet.

- Regarding her employment with Dr. Garamoni, Ms. McKay stated she:
 - Worked as his office manager for approximately two years;
 - Worked part-time, two or three days a week, a couple of hours a day;
 - Was initially hired to clean-up a room full of old charges and charts that had never been billed; and
 - Was then responsible for the day-to-day operations, including billing, accounts receivable, and signing-in/logging the patients.
- As previously reported above, Ms. McKay provided the HHF advisor a letter from Dr. Garamoni dated December 20, 2013 (see Exhibit 1), which reported that he closed his office in December 2013 due to health reasons. Whether Dr. Garamoni actually closed the office, Ms. McKay stated:

Yeah, I don't think he actually closed the office. I think that he did decrease his hours. He had told me that, when I was working there on a part-time basis, that if the Obama-care passed that he would go to only like a self-pay and that he and his wife came in one day and just said that they weren't going to be needing me anymore because he was not going to be as busy. He had ongoing heart problems and so that was like my last week.

- Whether Dr. Garamoni provided her with the letter at the end of her employment, Ms. McKay stated, “Now, that letter I created that at his office because I always did correspondence and created letters at his office. That letter I did make at his office after he told me it was my last week.”
- Whether Dr. Garamoni signed the letter, Ms. McKay stated, “No, I always signed the correspondence. So, I signed that myself.”
- Whether Dr. Garamoni was aware that she had signed the letter, Ms. McKay stated, “Uhm, I told him that I would need a letter and he told me, ‘Go ahead and make what you need,’ and that is what I always did.”
- Regarding her divorce proceedings, Ms. McKay said she has filed for divorce⁴ in Duval County in December 2015. She said they are in the beginning of the process and have had a magistrate hearing.
- During the interview, some of the explanations regarding employment terminations and related hardships that she provided on her HHF application were read to her with the issues identified about the accuracy of her statements and Ms. McKay stated:

Now see there was an original letter that Katrya told me to rewrite and include different information in it because I told her the thing that had the most impact was my husband losing his job because he was always the primary provider of the income. And she told me to remove all of his information out of the letter and to put more of the information about the job in there because the original letter and the second letter are not the same.

Ms. McKay said she was “speaking about the hardship letter” and OIG staff directed her to provide any records to show the directions she received.

At the end of the interview the 10 certifications from her HHF application forms were read to Ms. McKay, who stated the following regarding her understanding of these certifications:

I filled out the application. I don’t remember seeing all of that on there. It was just a lot to fill out and I had to fill it out like two or three times for them, but I will send the email chain that I have with Katrya and that’s all that I have because the phone calls I wouldn’t have that I had with her, but I do have the email chain of different emails that we were sending back-and-forth with her.

Note: To date, Ms. McKay has not provided any additional information or copies of emails in support of her explanations reported above.

FINDINGS/CONCLUSIONS

It is alleged that Ms. McKay provided falsified documents and made false statements/certifications on her HHF Program application about circumstances surrounding her termination of employment with ICC and Dr. Garamoni in order to be found eligible to receive payments from HHF Program funds.

The allegation regarding Ms. McKay providing falsified documents and making false statements/certifications on her HHF Program application about circumstances surrounding her termination of employment with ICC was **Supported** by Ms. McClarren, ICC Administrator and Ms. Payne, ICC Office Manager. Both confirmed the letters were not authentic and that the statements Ms. McKay made about the reason for her termination of employment with ICC were false.

⁴ An additional search of the Duval County Clerk of the Courts website revealed Kimberly Erin Norwood filed for Dissolution of Marriage (Case No. 16-2011-DR-010073-FMXX-MA) from Jason Wayne Norwood on October 20, 2011; however, the case was closed with a Notice of Voluntary Dismissal without Prejudice on April 2, 2014.

Since the OIG has been unable to verify whether Ms. McKay provided falsified documents and/or made false statements/certifications on her HHF Program application about circumstances surrounding her termination of employment with Dr. Garamoni in order to be found eligible to receive payments from HHF Program funds, the allegation is **Neither Supported nor Refuted**.

In accordance with §20.055(7)(c), F.S, on August 25, 2016, this investigation was coordinated with the Florida Department of Corrections (FDOC) and the Florida Department of Law Enforcement (FDLE) for possible violations of federal and/or state laws, including:

- Title 18, United States Code, §1001, False Statements;
- Section 817.03, Florida Statutes (F.S.), Making false statement to obtain property or credit;
- Section 817.545, F.S., Mortgage Fraud; and/or
- Section 837.06, F.S., False Official Statements.

On September 8, 2016, FDLE advised that they would not initiate a criminal investigation because the case did not meet their investigative strategy. On September 23, 2016, FDOC advised that if Ms. McKay was formally charged with an arrest warrant issued, then they would file the appropriate Violation of Probation Report, Affidavit, and Warrant Request with the Duval County Court. On October 19, 2016, a copy of this report was provided to the FDOC, OIG for further investigative review and action deemed appropriate.

INSPECTOR GENERAL COMMENTS

The Office of Inspector General does not have any recommendations at this time.


CERTIFICATIONS

This investigation has been conducted in compliance with the "Quality Standards for Investigations" found within the *Principles and Standards for the Offices of Inspector General*.


Name, Title, Office of Inspector General

APPROVALS


Melanie Yopp
Investigator


Chris Hirst
Inspector General


Date


Date