



Inspector General Insights

Background: The Property Assessed Clean Energy (PACE) program allows property owners to finance renewable energy, energy efficient, water conservation and wind-hardening improvements, with repayment of the amounts financed through special assessments on their property tax bills. The Board of County Commissioners established the PACE program within the unincorporated area of Collier County via Resolution 2017-130, as approved on July 11, 2017. The residential PACE program in Collier County was terminated on June 25, 2019.

The work was performed on Collier County residences by PACE-approved contractors, and the Office of Inspector General (OIG) discovered irregularities with some of the contractor documentation, including notarized documents filed with the Clerk's office. The OIG performed an investigation relating to this contractor and the documentation filed, and we referred the case to law enforcement on December 9, 2019.

Objective: To refer findings of potentially fraudulent filings with the Clerk's office, to law enforcement for potential prosecution.

Scope: To determine whether the allegation was substantiated, the OIG reviewed 48 Notices of Commencement ("NOCs") and building permits for residential roofing contracts involving Pebblestone which were filed between September 22, 2016 and January 18, 2019. The NOCs were identified within Collier County's Official Land Records database.

The OIG conducted phone and personal interviews of witnesses, and turned over two sworn statements to law enforcement, one for the forgery and one for fraud. Additionally, numerous check copies, contracts, insurance filings and other supporting documentation was remitted.

Observations: In total, the OIG investigated and found the following:

- There were 48 related contracts filed in Collier County between September 22, 2016 and March 7, 2019, at an estimated total value of approximately \$975,892.00.
- The principal of the company reviewed the documents and confirmed that the work had been performed under his construction license by a third party, without his knowledge or consent. He confirmed forgeries on 14 contracts with an estimated total value of approximately \$388,070.00 via a written statement. Upon further review, we suspected another 12 contracts totaling \$267,693.00 of being forgeries.
- There were three The Ygrene Fund ("Ygrene," a PACE authorized entity) roofing contracts totaling \$68,200.00 performed by the third party in 2018.
- There were four instances where Collier County homeowners either filed complaints or alleged that the contractor committed fraud, including in some situations, abandoning the project after receiving payment. The estimated total construction costs for these four projects is \$156,650.00.

Actions: The PACE contractor was arrested, and is being prosecuted, as detailed below.



**AMIRA D. FOX
STATE ATTORNEY**

**OFFICE OF THE STATE ATTORNEY
TWENTIETH JUDICIAL CIRCUIT
IN AND FOR COLLIER COUNTY, FLORIDA**

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FOR IMMEDIATE RELEASE

CONSTRUCTION FRAUD TASK FORCE INVESTIGATION AND ARREST

Naples (August 31, 2022) – A State Attorney’s Office Economic Crimes Unit investigation, also part of the State Attorney’s Office Construction Fraud Task Force, has resulted in the arrest of defendant William Burgess, for one count of Scheme to Defraud, a first-degree felony.

The case originated at the Collier County Clerk’s Office. The Collier Clerk Office of Inspector General found alleged fraud related to contracts and building permits. The defendant is accused of entering an agreement with the owner of a construction and management company based in Tampa, to assist him in getting jobs in Collier County.

Burgess, who is not licensed, is accused of forging the name of a licensed contractor on building permit applications, accepting jobs, and taking payment, without the contractor’s knowledge.

The State received evidence that the notary employed by Burgess notarized documents without the witnesses present, allegedly at the direction of the defendant. He is also accused of creating similar sounding companies and defrauding innocent individuals, who entered into contracts with him, and is accused of then not doing the work.

The State Attorney’s Office Construction Fraud Task Force was formed by State Attorney Amira Fox to put experienced prosecutors and investigators together to handle construction fraud cases.

Burgess turned himself into the Collier County Sheriff’s Office after a capias warrant was issued by the State Attorney’s Office.

Assistant State Attorney J.D. Miller, State Attorney’s Office Economic Crimes Unit Chief, is prosecuting the case.

Total # Transactions	Amounts Audited or Reviewed	Questioned Costs	Taxpayer Savings	# Arrests
78	\$ 1,856,505.00	\$ 388,070.00	N/A	1