

Wayne County Ethics Board dismisses complaint against treasurer

By Julie Heng

The Wayne County Ethics Board voted 5-1 Wednesday to dismiss a conflict of interest complaint against County Treasurer Eric Sabree, whose family members purchased tax-foreclosed properties then didn't pay tens of thousands of dollars in property taxes until they were delinquent.

"I don't see anything on this record that indicates that there was a proven conflict of interest on behalf of Mr. Sabree," said the board's vice chairman, Edward McCall Thomas.

The complaint was filed in February by Wayne County Executive Warren Evans, another elected official, following reports in the Free Press and Detroit News that members of Sabree's family bought tax-foreclosed properties. Three of the properties were houses in Harper Woods purchased in violation of the treasurer's office's own rules.

The county treasurer is responsible for collecting delinquent property taxes, and has the authority to foreclose on owners who don't pay their taxes and sell that real estate at auction.

The real estate transactions involved Sabree's wife, two sons and a nephew.

Sabree acknowledged to the Free Press in February that his wife spent \$58,000 to pay off three years of late taxes on more than a dozen properties.

Members of the ethics board cited various reasons in voting to dismiss the complaint, one being that Evans' proof of misconduct amounted to nothing more than news reports.

According to the County Ethics Ordinance, adopted in 2012, the complainant — Evans in this case — had “the burden of introducing the requisite evidence to prove the alleged unethical conduct.” Evans did not testify at Wednesday's meeting, or at board meetings in May and June.

The Sabrees began buying foreclosed properties in 2008, when Eric Sabree worked for the county as an attorney overseeing real estate. That year, his wife, Badriyyah Sabree, purchased at auction six vacant lots on Wyoming in Detroit for \$500 each.

In fall 2011, a company started by Eric and Badriyyah Sabree purchased three houses in Harper Woods at that year's auction. By then, Sabree was a deputy treasurer over land management, and according to the office's own rules, family members of employees were not allowed to participate in the auction.

That year, an outside company had been hired to run the auction.

Thomas, the board's vice chairman and a retired Wayne County Circuit Court judge, said he had a problem with how the case was handled.

"The defendant, Mr. Sabree, had the burden of not only defending himself but of presenting the evidence that was supposed to convince this board that he was guilty of ethical violations," Thomas said. He said the real burden of proof was on Evans.

"We don't have a plaintiff or complainant in this case. What we got was a letter from the county executive," Thomas said.

Board chairman Carron Pinkins, the only member to vote against dismissing the complaint, said he was concerned about the lack of disclosure about payment plans and forfeiture notices to Sabree family members.

"I know a lot of people in the county have had foreclosures filed against them. They've lost properties. They've seen the foreclosure notices, the forfeiture notices after two years come out to them. They've been assessed fees and fines and whatever else. My concern is — his family members were purchasing these properties," Pinkins said.

"Were they getting the same treatment as the general public? And when you tell me that you're not going to provide me with the forfeiture notices or these ... payment plans ... it makes me think that those things do not exist, because they were not sent out to his family members ... or his wife's properties. I personally find it strangely incredible," Pinkins said.

Sabree's lawyer, Philip Thomas of Grosse Pointe Farms, said he and his client were very pleased with the outcome.

"We're satisfied with the decision," Thomas said after the vote. "My client has been vindicated. This is the first step in getting his reputation back."

Evans said the Sabree matter "raised significant concerns, leaving many Wayne County residents to question the integrity of the auction process. Despite multiple lengthy hearings and review of substantive evidence, I'm not sure that the board's action today did much to address those concerns, but I accept its decision.

"Since filing the complaint, my administration has been working with key stakeholders toward changes to the foreclosure process to keep more people in their homes," Evans said. "That is our focus."

Free Press staff writer Jennifer Dixon contributed to this report.