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INQ 15-290 Loo

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**From:** Centorino, Joseph (COE)  
**Sent:** Tuesday, December 29, 2015 11:23 AM  
**To:** Perez, Martha D. (COE); Diaz-Greco, Gilma M. (COE)  
**Subject:** FW: Section 8 Landlord Ethics Opinion SEC 15-17

Please note that this opinion has been assigned the number INQ 15-290 in regard to the Outside Employment portion.

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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Monday, December 28, 2015 10:57 AM  
**To:** Loo, Georgina (RER) <[LooG@miamidade.gov](mailto:LooG@miamidade.gov)>  
**Cc:** Centorino, Joseph (COE) <[CENTORI@miamidade.gov](mailto:CENTORI@miamidade.gov)>; Hefty, Lee (RER) <[HeftyL@miamidade.gov](mailto:HeftyL@miamidade.gov)>  
**Subject:** Section 8 Landlord Ethics Opinion SEC 15-17

Ms. Loo:

Attached is the Section 8 Landlord Ethics Opinion. Please note it indicates that you do not violate relevant sections of the Ethics Code with respect to contracting as a Section 8 landlord with the Housing Agency.

Records indicate that you own 4 rental units. As explained in the letter above, this constitutes Outside Employment which will require you to request permission to engage in Outside Employment and file financial disclosure (Outside Employment Statement).

You may submit the attached copy of this letter to the Housing department. I will send you the original letter via regular mail.

Please do not hesitate to contact me if you have further questions.

Best regards,

Gilma (Mimi) Diaz-Greco  
Staff Attorney



Miami-Dade Commission on Ethics and Public Trust  
19 W. Flagler Street, Suite 820  
Miami, FL 33130  
Tel: (305) 579-2594  
Fax: (305) 579-0273  
[gdiazgr@miamidade.gov](mailto:gdiazgr@miamidade.gov)  
[www.facebook.com/MiamiDadeEthics](http://www.facebook.com/MiamiDadeEthics)

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ADVOCATE  
Miriam S. Ramos  
DEPUTY GENERAL COUNSEL

Via First Class Mail and  
email at: loog@miamidade.gov

December 28, 2015

Georgina Loo  
16092 SW 83 Street  
Miami, Florida 33193

Re: **SEC 15-17**

Section 8 Housing, Landlord Ethics Opinion

Dear MS. Loo:

The Ethics Commission staff considered your request for an opinion regarding your ability to contract with the County to provide Section 8 housing. Based on the facts stated in your application of December 19, 2015, the following is our decision on this matter.

### OUTSIDE EMPLOYMENT

Records indicate that you own 4 rental units (2 duplexes). Ownership of 3 or more rental units constitutes outside employment. See COE Outside Employment Guidelines Memorandum (2014). Consequently, you will be required to obtain permission to engage in outside employment annually from your supervisor and file the related financial disclosure form every year. Please note that conflicting employment, prohibited by the County Ethics Code, can be created when an employee uses County time or resources in his or her outside employment activities. See the County Code at §§ 2-11.1 (g) and (j).

**It is important to note that this letter does not grant you permission to engage in outside employment.** You **must** obtain permission to engage in outside employment annually from your supervisor and file the related financial disclosure form every year (Outside Employment Statement).

*Please submit this letter to the Public Housing and Community Development Department with your application. The Ethics Commission does not submit this letter on your behalf.*

## CONTRACTING WITH THE COUNTY

Because neither you nor any of your immediate family is employed by the Miami-Dade County Public Housing and Community Development department (PHCD), **you do not violate subsections 2-11.1 (c) and (d) of the Conflict of Interest and Code of Ethics Ordinance to contract with the Housing Agency.**

In your application you advised the Ethics Commission that you are a County employee working for the Miami-Dade Regulatory and Economic Resources Department (RER) as an Environmental Resources Project Supervisor. You would like to contract with PHCD as a landlord in the Section 8 federally funded program that provides rental subsidies to low-income tenants.

Subsection 2-11.1 (c) (2) of the Conflict of Interest and Code of Ethics Ordinance states:

Notwithstanding any provision to the contrary herein, Subsection (c) and (d) shall not be construed to prevent any employee ... from entering into any contract, individually or through a firm, corporation, partnership or business entity in which the employee or any member of his or her immediate family has a controlling financial interest, with Miami-Dade County or any person or agency acting for Miami-Dade County as long as

- 1) entering into the contract would not interfere with the full and faithful discharge by the employee of his or her duties to the County,
- 2) the employee has not participated in determining the subject contract awards or awarding the contract, and
- 3) the employee's job responsibilities and job description will not require him or her to be involved with the contract in any way, including but not limited to its enforcement, oversight, administration, amendment, extension, termination or forbearance.

Please note that as long as your current or future job responsibilities with the RER or any other County department you may be employed by, do not require your involvement in any aspect of the contract, as described above, you may accept, as a landlord, Section 8 housing vouchers provided by PHCD.

This opinion is limited to the facts as you presented them to the Commission on Ethics regarding conflicts under Subsections (c) and (d) of the Miami-Dade Conflict of Interest and Code of Ethics Ordinance only. Other conflicts, based on directives from your Department or under state law, may apply. If you have additional questions regarding possible conflicts based on Department directives, contact your Department supervisor or the Mayor's Office. Questions regarding the state ethics laws should be addressed to the State of Florida Commission on Ethics.

Please contact me at 305 350-0638 if I you have any further questions.

Sincerely,



Gilma Diaz-Greco  
Staff Attorney