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**ARDYTH WALKER**  
STAFF GENERAL COUNSEL

February 24, 2006

Cynthia Muselaire  
Housing Finance Authority  
25 West Flagler Street  
Suite 950  
Miami, FL 33130

**RE: INQUIRY 06-27**

Dear Ms. Muselaire:

I received your request for an advisory opinion regarding your ability to receive a home loan administered by the Housing Finance Authority. The Executive Director and I have reviewed this matter and I am rendering the opinion based on the facts in your letter. The Ethics Commission has not considered this matter. Please contact me if you want this matter placed on the Ethics Commission's March agenda.

In your letter, you advised me that you were an employee of the AIA Employment Agency. The AIA Employment Agency assigned you to work for the Housing Finance Authority as a Clerk IV. In that capacity, you assisted the trust account manager with the processing of loan documents that were provided to OCED and participating lenders. During the time that you were employed by the AIA, you became a member of the Homebuyers' Club with the Miami-Dade Affordable Housing Foundation. During that time, you became pre-qualified to received HOME funding and BOND assistance and signed a pre-construction contract on your first home.

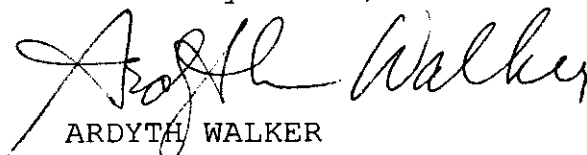
Subsequently, in May 2005, you became a full-time Housing Finance Authority employee. Your home will be completed in April, 2006.

The Conflict of Interest and Code of Ethics ordinance permits you to receive financing from HOME funds. Section 2-11.1 (c) provides that a county employee may participate in a single-family mortgage loan program administered by the Housing Finance Authority as long as the employee does not participate in administration of the single-family mortgage loan program. Since you do not participate in administration of the program, the Conflict of Interest ordinance permits you to participate in the loan program.

The opinion construes the Conflict of Interest and Code of Ethics ordinance only and is not applicable to any conflict under state law. Please contact the State of Florida Commission on Ethics if you have any questions regarding possible conflicts under state law.

If you have any questions regarding this opinion, please call the undersigned at (305) 350-0616.

Sincerely Yours,



ARDYTH WALKER  
Staff General Counsel



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INQUIRY 06-27

- ADA Coordination
- Agenda Coordination
- Animal Services
- Art In Public Places
- Audit and Management Services
- Aviation
- Building
- Building Code Compliance
- Business Development
- Capital Improvements
- Citizens' Independent Transportation Trust
- Commission on Ethics and Public Trust
- Communications
- Community Action Agency
- Community & Economic Development
- Community Relations
- Consumer Services
- Corrections & Rehabilitation
- Cultural Affairs
- Elections
- Emergency Management
- Employee Relations
- Empowerment Trust
- Enterprise Technology Services
- Environmental Resources Management
- Fair Employment Practices
- Finance
- Fire Rescue
- General Services Administration
- Historic Preservation
- Homeless Trust
- Housing Agency
- Housing Finance Authority
- Human Services
- Independent Review Panel
- International Trade Consortium
- Juvenile Services
- Medical Examiner
- Metro-Miami Action Plan
- Metropolitan Planning Organization
- Park and Recreation
- Planning and Zoning
- Police
- Procurement Management
- Property Appraisal
- Public Library System
- Public Works
- Safe Neighborhood Parks
- Seaport
- Solid Waste Management
- Strategic Business Management
- Team Metro
- Transit
- Task Force on Urban Economic Revitalization
- Vizcaya Museum And Gardens
- Water & Sewer

Ardyth Walker  
Staff General Counsel  
Commission on Ethics & Public Trust  
19 West Flagler Street, Suite 207  
Miami, FL 33130  
305-579-2594

February 22, 2006

Dear Ms. Walker,

I am writing to you to ask for your opinion whether or not is it a conflict of interest for me to participate in the Single Family Bond Program or HOME funding provided by the Housing Finance Authority of Miami-Dade County or any other financing outlet, County related, to purchase my first home.

I was a Clerk IV with A1A Employment (a "temp" agency) from February 2003 to May 2005, assigned to the HFA to provide basic office assistance by assisting the Trust Account Manager with the processing of loan documents which are forwarded to Miami-Dade County Community and Economic Development and participating Lenders. From May 2005 to this present day, I have been with the HFA as a Clerk III. In this capacity I do not have authority to approve or deny loans.

While I was with A1A I became a Home Buyers Club Member with Miami-Dade Affordable Housing Foundation, Inc, a non profit organization, which offers services and resources to first time home buyers.

The Home Buyers Club is a program which is open to the public and offers one-on-one counseling, credit counseling, budget counseling, and a pre-approval process which explains to the client what public and private funding sources are available to them based on their income. I was pre-qualified to receive HOME funding and BOND assistance (funding sources provided by the HFA), and signed a pre-construction contract on my first home; the completion date is anticipated to be April 1<sup>st</sup>, 2006.

Therefore, I am respectfully requesting your written opinion on this transaction and my employment with the HFA. Please contact me should you require additional information.

Thank you,  
  
Cynthia Muselaire

*Delivering Excellence Every Day*