

COMMISSION ON ETHICS

ADVISORY OPINION

RQO 99-44

RQO 99-45

**BACKGROUND:** Carlos Chain, a Dade County employee, is seeking an advisory opinion regarding two Section 8 tenants who reside in property owned by Mr. Chain.

**NARRATIVE:** Chain recently purchased an apartment building where a Section 8 tenant resides. The tenant, Mr. Acosta, is disabled and lives in a second story unit. Chain wants to relocate the tenant from the second story unit in that building to a first-floor unit in another building. In order to make the transfer, Chain must execute a new contract with the Miami-Dade Housing Agency. Chain's second Section 8 contract is currently with the Homestead Housing Agency and is being transferred to the Miami-Dade Housing Agency.

**ARGUMENT:** The Conflict of Interest and Code of Ethics ordinance prohibits the Miami-Dade Housing Agency from entering into a contract with Chain to provide Section 8 housing. Section 2-11.1(c) prohibits the county from contracting with employees to provide services. Therefore, the county may not enter into contracts with Chain to provide Section 8 housing. Chain may contract with the Homestead Housing Agency to provide services but a transfer to the Miami-Dade Housing Agency to provide these services will create a conflict.

**CONCLUSION:** The Conflict of Interest and Code of Ethics ordinance prohibits the Miami-Dade Housing Agency from contracting with Chain to provide Section 8 services.