

**COMMISSION ON
ETHICS AND PUBLIC
TRUST**

Memo

To: Aristides Rivera, Director
Public Works Department

From:  Robert Meyers, Executive Director
Commission on Ethics and Public Trust

Date: 5/7/02

Re: Request for Opinion

I received a fax from your office on April 29, 2002 wherein you are seeking an opinion from the Miami-Dade Commission on Ethics regarding your participation in the Section Eight Housing Program administered by Miami-Dade County. In your fax, you state that you are the director of the Miami-Dade Public Works Department and you own a 4-unit apartment building in Hialeah. You further state that you been approached by a prospective tenant who holds a voucher for rental subsidy under the Section Eight Program.

I have discussed this matter with the staff counsel to the Commission on Ethics and she and I agree that you are barred from renting units in the apartment building you own to individuals who hold Section Eight vouchers. The Ethics Commission has consistently held that county employees who participate in the Section Eight Program are transacting business with the county. County employees at the your rank, department director, are prohibited from transacting business with the county, as this creates a conflict as defined in Section 2-11.1(c) of the Miami-Dade County Code.

There is an alternative available to you that you may wish to pursue. If the Section Eight Housing voucher were transferred to another local housing agency (Hialeah, Homestead, Miami Beach), a conflict of interest under the Miami-Dade County Code Section 2-11.1(c) would no longer exist.

Finally, please understand that the above opinion is not an official pronouncement of the Miami-Dade Commission on Ethics, but represents the opinion of its staff. If you wish this matter to be heard by the Commission on Ethics at its next regularly scheduled meeting, I can place this item on the agenda for our meeting of May 22, 2002.

If you have any questions, please contact me at your earliest convenience.