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VIA FACSIMILE (305) 375-4151

February 1, 2006

Debra Owens
Executive Director
Miami-Dade County Legislative Delegation
111 N.W. First Street
Suite 108
Miami, FL 33128

RE: REQUEST FOR ADVISORY OPINION RQO 06-06

Dear Ms. Owens:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on January 26, 2006 and rendered its opinion based on the facts stated in your request.

You requested an opinion regarding whether the County may properly pay rent to a member of the Florida House during the legislative session.

In your request, you advised the Commission that you are required to reside in Tallahassee while the Florida Legislature is in session. Miami-Dade County pays all reasonable living expenses for county employees whose job duties require them to reside in Tallahassee during the legislative session. A member of the Florida Legislature has advertised housing in property owned by the legislator for rent during the session. The county would pay housing costs to the legislator.

The Ethics Commission found that the Conflict of Interest and Code of Ethics ordinance permits Miami-Dade County to pay a legislator for housing provided to County staff members. As long as the rental agreement between you and the legislator is an arms-length transaction, the Conflict of Interest and Code of Ethics ordinance permits you to contract with the legislator for short-term housing.

This opinion construes the Miami-Dade 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) 579-2594 or Ardyth Walker, Staff General Counsel at (305) 350-0616.

Sincerely Yours,

A handwritten signature in cursive script, appearing to read "Robert Meyers", followed by a horizontal line extending to the right.

ROBERT MEYERS
Executive Director