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STAFF GENERAL COUNSEL**

February 4, 2008

Robert Chisholm  
R.E. Chisholm Architects  
7254 S.W. 48<sup>th</sup> Street  
Miami, FL 33155

**RE: REQUEST FOR ADVISORY OPINION 08-02**

Dear Mr. Chisholm:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on January 31, 2008 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding any conflicts created by your appointment to the Affordable Housing Advisory Board.

In your letter, you advised the Commission that you are President of Chisholm Architects. Chisholm Architects has been involved in the programming, planning and design of a number of public and private facilities. Mr. Chisholm has also been involved as an architect, developer and investor in affordable housing projects for the past 25 years. The Mayor is seeking to appoint Chisholm to the Affordable Housing Advisory Board.

The Affordable Housing Advisory Board was created, pursuant to state statute, to make recommendations regarding funding for affordable housing projects, affordable housing policies and programs and necessary amendments to the Comprehensive Development Master Plan.

In 2007, the Board of County Commissioners amended the membership requirements to provide that " a citizen shall not be eligible to serve on the Affordable Housing Advisory Board if that citizen owns a financial interest in, is employed by or is an officer of any entity that receives or applies for funding through the Affordable Housing Advisory Board."

The Commission found that you may not serve as a member of the Affordable Housing Advisory Board. Under the provisions of the enabling ordinance, a prohibited conflict of interest is created if a person is an officer, employee or investor in an entity that receives or applies for funding through the Affordable Housing Advisory Board. Since you are a developer and investor in affordable housing projects, you are prohibited from being serving on the Affordable Housing Advisory Board.

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 Ardyth Walker, Staff General Counsel at (305) 350-0616 or the undersigned at (305) 579-2594.

Sincerely Yours,



ROBERT MEYERS  
Executive Director

cc: Tracie Auguste, Office of the Mayor