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July 9, 2008

Eric Ruvin
9048 Carlyle Avenue
Surfside, FL 33154

RE: REQUEST FOR ADVISORY OPINION 08-31

Dear Mr. Ruvin:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on July 8, 2008 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding any conflicts between your current employment as the owner of a real estate brokerage firm and your prospective employment as a real estate officer for GSA.

In your letter, you informed the Commission that you are currently the managing partner of Skyline Properties, L.L.C. and serve as broker of record. Skyline Properties mainly serves as an agent for high-end residential properties including properties in Downtown and Midtown Miami. Your spouse works as an associate for the firm. You will place your broker license in an inactive status once you begin employment with Miami-Dade County. However, you will continue to receive commissions from prior sales and rental work on behalf of the corporation.

As a Real Estate officer for GSA, you will be responsible for negotiating sales and leases for the county for acquisition of property for major county projects. The Real Estate officer is also responsible for disposing of

surplus county property. You will not be involved in residential development or projects in your capacity as a Real Estate Officer for GSA.

The Ethics Commission found you may serve as a Real Estate Officer and remain as a partner in Skyline Properties, L.L.C. Your status as an inactive broker in the partnership should not conflict with your responsibilities as a Real Estate officer for GSA. Section 2-11.1(j) provides that no employee "shall accept other employment which would impair his or her independence of judgment in the performance of his or her public duties." You will not be involved in residential development in your capacity as a real estate officer so you will not have dealings with former or current clients of Skyline Properties.

In RQO 04-173, the Ethics Commission opined that the owner of a real estate equity firm who worked in the Asset Management Unit of the GSA Real Estate Division could serve in both capacities as long as the firm's clients do not seek analysis or assistance with any properties or developments owned, leased, financed or sought by Miami-Dade County or any agency or instrumentality of Miami-Dade County. The Ethics Commission also required the employee to submit a list of his clients and their projects to his Division Director on a quarterly basis in order to evaluate his client list for any potential conflicts.

Similarly, you may serve as manager of Skyline Properties as long as the firm does not represent any client who own properties that are leased or sought by Miami-Dade County or any agency or instrumentality of Miami-Dade County. You should also submit a list of the firm's clients to your Division Director on a quarterly basis.

Finally, you must obtain permission from your department for any outside employment and

file an annual outside employment disclosure form.

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 black ink, appearing to read 'Robert Meyers', with a long horizontal flourish extending to the right.

ROBERT MEYERS
Executive Director