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MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST

In re: Elva Marin/

Case No: 07-44

PUBLIC REPORT AND ORDER DISMISSING COMPLAINT

Tama Twynette filed the above-captioned complaint against Elva Marin ("Respondent"), Real Estate Manager in the Facilities and Utilities Division of GSA, for alleged violation of Section 2-11.1((g) (misuse of official position). The complaint alleged the Respondent refused to allow Twynette to participate in the Infill Housing program.

Twynette sought to have a piece of property included in the Infill Housing program. The Infill Housing program takes vacant, abandoned and dilapidated property and sells them to private developers for affordable housing. GSA subsequently informed Twynette that she did not meet the criteria for the program because it was targeted towards housing developers.

On December 19, 2007, the Ethics Commission found the complaint legally insufficient because the complaint

did not state a possible violation of Section 2-11.1(g) (misuse of official position). Administrative Order 3-34, which establishes the criteria for inclusion in the program, states that the property must be county-owned to be included and that the property is deeded to affordable housing developers. Accordingly, the complaint does not state a possible violation of Section 2-11.1(g).

Thereafter, after reviewing the complaint and being otherwise advised in the premises, the Ethics Commission ordered the complaint dismissed.

Therefore it is:

ORDERED AND ADJUDGED THAT the Complaint is **DISMISSED for failing to state a cause of action.**

DONE AND ORDERED by the Miami-Dade Commission on Ethics and Public Trust in public session on December 19, 2007.

**MIAMI-DADE COUNTY COMMISSION
ON ETHICS AND PUBLIC TRUST**

By: 

Kerry Rosenthal
Chairperson

cc: Elva Marin
Tama Twynette