
From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, July 30, 2015 11:50 AM
To: Sanchez, Rodzandra (COE)
Subject: FW: Rafael Granado, City Clerk, City of Miami Beach (Outside employment) INQ 15-165
Attachments: Outside employment Memo 2014 amended (3).doc

INQ 15-165 Granado

From: Perez, Martha D. (COE)
Sent: Thursday, July 30, 2015 10:11 AM
To: Granado, Rafael
Cc: Centorino, Joseph (COE); Diaz-Greco, Gilma M. (COE)
Subject: Rafael Granado, City Clerk, City of Miami Beach (Outside employment) INQ 15-165

Good morning Mr. Granado,

It was a pleasure speaking with you. You have inquired whether a City employee who “rents” a room out of his apartment is engaged in outside employment and bound by the requirements of Section 2-11.1(k) of the County Ethics Code.

As background, the City employee will be “housing an adult student” for one month through “Homestay”. The employee will be paying taxes on this income. The employee plans to continue to provide this service through “Homestay” on a monthly basis. “Homestay” is a national online booking service for travel accommodations which allows guests to book a room in a local person’s home on a nightly, weekly or monthly basis for a fee. There is no fee to join the service. The host decides how much to charge the guests (this fee should include breakfast). Guests pay a 15% deposit to “Homestay” and the remaining 85% is paid to the host. Essentially, the City employee is engaging in a lodging service, providing temporary sleeping accommodations to visitors on a monthly basis.

I am attaching the Outside Employment Memorandum approved by the Ethics Commission which addresses this issue. It indicates that if an employee is engaged in compensated work or services, it constitutes outside employment. Consequently, the employee would be required to complete the outside employment requirements. See Ethics Code Sec. 2-11.1(k).

A Request for Outside Employment Form would have to be completed and an Outside Employment Statement would have to be filed by July 1st with the City Clerk.

This opinion is based on the facts presented. If these facts change, please contact us.

Sincerely,

Martha D. Perez
Staff Attorney
MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST
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From: Granado, Rafael [<mailto:RafaelGranado@miamibeachfl.gov>]
Sent: Wednesday, July 29, 2015 5:22 PM
To: Perez, Martha D. (COE)
Cc: LaRosa, Clara; Granado, Rafael
Subject: Outside Employment

Good afternoon Ms. Perez,

It was a pleasure speaking with you today. A city of Miami Beach employee has posed this question:

“I will begin (possibly in August) to rent out a room in my apartment for a service called “Homestay” where I will be housing one adult student from another country to attend a one month English Course at “Zoni Language Center” located on the beach at 1434 Collins Av. If it works well with this first student then I may continue to rent a room one month at a time when I can. I will pay taxes on the money that I receive. I was not sure if this would be considered outside employment and if I would need to fill out the form for outside employment.”

Is this deemed outside employment?

Thank you for your assistance.

Regards,



Rafael E. Granado, Esq., *City Clerk*
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