

INQ 05-92

Meyers, Robert (COE)

From: Meyers, Robert (COE)
Sent: Wednesday, June 15, 2005 2:06 PM
To: Meyers, Robert (COE)
Subject: Inquiry

I received a call from Richard Perez, Holland & Knight, and he wanted to know whether the ban on contingency fees extended to developers who agree to pay for neighbor improvements as part of a settlement with the association, with such improvements to be made only after the developer's project is approved. I spoke to the County Attorney's Office of we agreed such an arrangement would not be a violation of the contingency fee ban for three reasons: 1) this is not a fee as contemplated by the Code Section; 2) the improvement is part of contract negotiations between two parties (as opposed to an agreement to represent a third party) and 3) even assuming an improvement can be considered a contingency fee, it is being paid to a third party, not the lobbyist who is representing the developer.

6/15/2005