

INQ 02-38

**Prkic, Christina (COE)****From:** Marianela Moreno [mmoreno@mdha.miamidade.gov]**Sent:** Wednesday, August 07, 2002 8:24 AM**To:** Prkic, Christina (COE)**Subject:** Re: Opinion

Thank you very much.

— Original Message —

**From:** Prkic, Christina (COE)**To:** 'Marianela Moreno'**Cc:** Clodfelter, Madeline (HA)**Sent:** Tuesday, August 06, 2002 6:39 PM**Subject:** RE: Opinion

Hi Marienela:

You have requested an ethics opinion regarding outside real estate employment by housing agency employees who, as part of their job requirement/duty, must have an active real estate license.

Generally, the Ethics Commission prefers not to render informal ethics opinions when the matter presented is so broad in scope as to exclude specific details and relevant information which could have an affect upon an official determination by the Ethics Commission. I have reviewed this matter with our Executive Director and we would encourage the individual employees to seek an ethics advisory opinion.

However, as a general rule and based upon previous Ethics Commission opinions, employees may engage in outside employment provided that, (1) they have received permission from the department director; and (2) the employment would not "impair his or her independence of judgment in the performance of his or her public duties." [See section 2-11.1 (j) of the Conflict of Interest and Code of Ethics Ordinance]

Additionally, Sec. 2-11.1 (h) prohibits an employee from disclosing confidential information acquired through his or her official position for personal gain or benefit or from accepting employment which might require him or her to disclose confidential information acquired on the job.

Should you have any additional questions or comments please do not hesitate to contact me directly at (305) 350-0615.

Best regards,  
Christina Prkic  
Staff Attorney

-----Original Message-----

**From:** Marianela Moreno [mailto:mmoreno@mdha.miamidade.gov]**Sent:** Tuesday, August 06, 2002 2:06 PM**To:** cprkic@miamidade.gov**Cc:** MADELINE CLODFELTER**Subject:** Opinion

We would like to have an opinion regarding employees who are required to have an active real estate license and conduct private business during their time off, wether they or we pay for the licenses.

Thanks for your help.

8/13/02