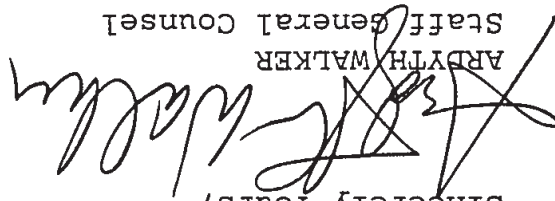


If you have any questions regarding the
opinion, please call the undersigned at (305)
at (305) 350-0616.

Sincerely Yours,


ARDYTH WALKER
Staff General Counsel



December 19, 2001

ETHICS COMMISSIONERS

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ADVOCATE

ARDYTH WALKER
STAFF GENERAL COUNSEL

Ana Hercules
1130 West 77th Street #1
Hialeah, FL 33014

RE: REQUEST FOR ADVISORY OPINION 01-138

Dear Ms. Hercules:

I considered your request for an advisory opinion and I am rendering my opinion based on the facts stated in your letter.

You requested an opinion as to whether the Conflict of Interest and Code of Ethics ordinance prohibits you renting an apartment that is part of the Section 8 program.

In your letter, you advised the Commission that you are a Data Entry Specialist for the Applicant and Leasing Center of the Moderate Rehabilitation Program. You would like to rent an apartment in the Xanadu complex.

The Conflict of Interest and Code of Ethics ordinance does not prohibit you from renting an apartment where the owner has a contract with the Housing Agency. The ordinance only prohibits you from contracting with the Housing Agency to provide housing. Accordingly, you may rent the apartment in the Xanadu complex.

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.