



May 24, 2002

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ARDYTH WALKER
STAFF GENERAL COUNSEL

Via Facsimile No. (954) 981-4902

James Harden
7210 Fairway Blvd.
Miramar, FL 33023

RE: REQUEST FOR ADVISORY OPINION 02-67

Dear Mr. Harden:

You requested an opinion regarding your ability to contract with the county to provide Section 8 housing.

In your letter, you advised the Commission that you are a Corrections Office with the Miami-Dade Department of Corrections and Rehabilitation and you would like to contract with the Miami-Dade Housing Agency to provide Section 8 housing. Section 8 is a federally-funded program which subsidizes landlords who rent to low-income tenants.

Based on the facts you have given us, we find that you may contract with the Miami-Dade Housing Agency to provide Section 8 housing. Section 2-11.1(c) provides that "Notwithstanding any provision to the contrary herein, subsection (c) and (d) shall not be construed to prevent any employee... from entering into any contract, individually or through a firm, corporation, partnership or business entity in which the employee or any member of his or her immediate family has a controlling financial interest, with Miami-Dade County or any person or agency acting for Miami-Dade County as long as 1) entering into the contract would not interfere with the full and faithful discharge by the employee of his or her duties to the County,

2) the employee has not participated in determining the subject contract awards or awarding the contract , and 3) the employee's job responsibilities and job description will not require him or her to be involved with the contract in any way, including but not limited to its enforcement, oversight, administration, amendment, extension, termination or forbearance. Since your job responsibilities with the Miami-Dade Department of Corrections and Rehabilitation will not require your involvement in any aspect of the contract, you may contract to provide Section 8 housing.

If you have any questions regarding this opinion, please call Ardyth Walker, Staff General Counsel, at (305) 350-0616.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Robert Meyers", with a long horizontal flourish extending to the right.

ROBERT MEYERS
Executive Director

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