

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Monday, December 03, 2018 1:56 PM
To: bvalme@bellsouth.net
Cc: Arrojo, Jose (COE); Murawski, Michael P. (COE); Perez, Martha D. (COE); Turay, Radia (COE); Sanchez, Rodzandra (COE); Vanegas, John (PHCD); Dana, Jacqueline (PHCD)
Subject: Re-sending INQ 18-253- Bianca Valme, Cytotechnologist, Jackson Health Systems, (Limitations on Contracting as a Section 8 landlord with Hialeah Housing Authority (c))
Attachments: INQ 18-253 Valme.pdf; Valme Applic..pdf

Dear Ms. Valme:

I previously sent a response to your inquiry, but mistakenly attached the incorrect response. Attached please find that correct one.

My apologies and please contact me if you have any further questions.

Gilma (Mimi) Diaz-Greco
Staff Attorney



Miami-Dade Commission on Ethics and Public Trust
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MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST

19 West Flagler Street, Suite 820 □ Miami, Florida 33130
Phone: (305) 579-2594 □ Facsimile: (305) 579-0273
Website: ethics.miamidade.gov

MEMORANDUM

TO: Bianca R. Valme, Cytotechnologist II, Jackson Health Systems/Public Health Trust

FROM: Gilma Diaz-Greco, Staff Attorney
Commission on Ethics

SUBJECT: INQ 18-253

DATE: 11-30-18

CC: All COE Legal Staff

Thank you for contacting the Miami-Dade Commission on Ethics and Public Trust and requesting our guidance regarding the contracting as a Section 8 Landlord.

Facts:

You are employed at Jackson Health Systems and are seeking to contract with the Hialeah Housing authority as a Section 8 Landlord.

Issue: Whether the County Ethic Code prohibits or sets out limitations for you in contracting as a Section 8 Landlord with a local municipal housing agency.

Discussion:

Generally, the County Ethics Code sets limitations on County/JHS employees who are seeking to contract with the **County**. See RQO 00-13. In other words, to avoid conflicts of interest, employees are limited in entering into contract or transacting business with the governmental entity which employs them. County Ethics Code Sections 2-11.1(c) and (g). For example, the County Ethics Code would prohibit a County/JHS employee from contracting with the County's Public Housing and Community Development Department (PHCD) as a Section 8 landlord if the employee or his or her immediate family members works in the PHCD division that administers the Section 8 program. See RQO 12-06.

However, this limitation **does not apply** in an instance like this where you as a County/JHS employee are contracting with **another** governmental entity such as another municipality in Miami-Dade County, another Florida County, or state or federal government agencies.

Opinion

Based on the facts presented here we find that nothing in the County Ethics Code prohibits you for contracting as a Section 8 Landlord with the Hialeah Housing Authority because the Code does not set limitations on contracting with a governmental entity such as the Hialeah Housing Authority, which is separate from the County entity that employs you.

This opinion is limited to the facts as you presented them to the Commission on Ethics and is limited to an interpretation of the County Ethics Code only and is not intended to interpret state laws. Questions regarding state ethics laws should be addressed to the Florida Commission on Ethics.

INQs are informal ethics opinions provided by the legal staff after being reviewed and approved by the Executive Director. INQs deal with opinions previously addressed in public session by the Ethics Commission or within the plain meaning of the County Ethics Code. RQOs are opinions provided by the Miami-Dade Commission on Ethics and Public Trust when the subject matter is of great public importance or where there is insufficient precedent. While these are informal opinions, covered parties that act contrary to the opinion may be referred to the Advocate for preliminary review or investigation and may be subject to a formal Complaint filed with the Commission on Ethics and Public Trust.

MIAMI-DADE



ETHICS COMMISSION

Enc 18-253

TO: County employees interested in accepting Section 8 housing vouchers

Generally, County employees may rent residences to tenants who receive Section 8 housing vouchers through the County if the employees and their immediate family members are not employed by the Miami-Dade County Public Housing and Community Development (PHCD) department during the time period that they are accepting Section 8 vouchers. If a County employee meets these requirements, written approval to become a Section 8 landlord must be obtained from the Ethics Commission. Please send the following information to the Ethics Commission to receive an Ethics Commission opinion.

County employee's name

BIANCA R. VALME

County department where employee works

Pathology Dept - JACKSON Health Systems (PHS)

Employee's job title

Cytotechnologist IIAddress of the rental property8405 NW 8 ST # 410, Miami, FL33126

Address of any other rental units
 (If more space is needed, write addresses of rental units on another sheet and attach to application)

- 1- _____
- 2- _____
- 3- _____

Employee's preferred mailing address
 street address, city and zip
 (not the address of the rental property)

8405 N.W. 8 ST # 405Miami FL 33126

Employee's daytime phone number

305- 585- 6184 (work)305- 576-6878 (cell)

Employee's preferred email address

Bvalme @ bellsouth.net

Mail, fax, or email this form to—

Gilma M. Diaz-Greco, Staff Attorney

Commission on Ethics & Public Trust

19 W. Flagler St., Suite 820

Miami, FL 33130

fax (305) 579-0273

gdiazgr@miamidade.gov

I AFFIRM that I am a County employee not employed by the County Public Housing and Community Development Department, and I would like to accept Section 8 housing vouchers issued to tenants through the County Public Housing and Community Development Department. Additionally, I have no immediate family members employed by the County Public Housing and Community Development Department.

Signature

10/19/2018

Date

Your ethics opinion will be sent to you by first class mail and email, unless you request another type of delivery.