

CITY OF STAMFORD

Stamford Board of Ethics  
Stamford Government Center  
January 22, 2018

**Advisory Opinion**

To: Representative Anzelmo Graziosi

From: City of Stamford Board of Ethics

Date: January 22, 2018

Re: Advisory Opinion

Dear Representative Graziosi:

You requested an Advisory Opinion from the City of Stamford Board of Ethics. You advised us of the following facts:

1. You are a newly elected representative from the 13<sup>th</sup> District on the Board of Representatives;
2. You were appointed by the Board to the Land Use Committee;
3. The Land Use Committee, among other things, considers ordinances related to rental properties; and,
4. You are a member of several LLC's that own real estate in Stamford.

Based on that factual background, you asked the Board to answer the following question:

"Should I abstain from any debate, discussion and votes in committee or board meetings regarding landlord/tenant issues or rentals in general?"

The Board advised you that as the question was phrased, the answer would be no. The fact that you are a member of an LLC which owns real property in Stamford would not by itself require you to abstain from *any* discussion or vote regarding *any* landlord/tenant issues. However, we also advised you that the answer to that question would do little to help you prospectively assess any conflict that might exist or any circumstance that would require you to abstain from participation. It is impossible to prospectively assess potential conflicts without knowing the specific facts and circumstances of particular Board and committee actions in which you would

be asked to participate. By way of further explanation, the Board directed you to review Sections 19-4, 19-5, and 19-8 of the Code of Ethics. Each of which prohibit officers or employees of the City of Stamford from participating in any decision or action from which the officer or employee, a member of the officer or employee's family or a business with which the officer or employee is associated might gain or lose a material benefit that is not common to the general interest of other citizens of this City. In addition, section 19-11 requires disclosure in the case of such a conflict. For purposes of your question, the relevant portion of those code sections is "a material benefit that is not common to the general interest of other citizens of the City."

Therefore, merely because you are a landlord, you are not prohibited from participating in matters which concern landlords generally. However, you are prohibited from participating in any decision or action which would result in a gain or a loss to you, your family or any of your businesses which is disproportionate to any gain or loss which might be suffered by another landlord or property owner.

In making these assessments, there is not, and cannot be, a hard and fast rule which will apply in all circumstances. By its nature, the assessment of conflicts will, to some degree, be based upon subjective factors that cannot be known until the circumstance arises. Accordingly, it is your obligation to act diligently to assess the potential impact that any board action would have on you or your familial and business interests to assure that no conflict arises pursuant to the rules. Of course, if any question arises on a particular matter before your board, you may always re-approach this board. Please be guided accordingly.

Thank you for proactively seeking advice on how to handle potential conflicts of interest and for your service to the City of Stamford.