



CITY OF STAMFORD

888 WASHINGTON BOULEVARD  
P.O. BOX 10152  
STAMFORD, CT 06904-2152

July 8, 1992

Mr.,

, Connecticut 06

Dear Mr.,

On June 23, 1992 you wrote the Board and requested an advisory opinion. The statute governing such requests is Section 13(c)(1) of Ordinance 640 Supplemental. In addition to the data contained in your letter, the Board is relying upon material contained within the June 8th letter of Mr. \_\_\_\_\_ to you.

You have requested an advisory opinion with respect to whether you can receive rehabilitation assistance from the Stamford Community Development Program (SCDP).

It is the Board's understanding that you are a City employee, but not an employee of SCDP nor are you involved in the decision making process at SCDP. Further it is our understanding that in your present position with the City you do not interact with SCDP. Rather the cause of your dealings with that agency is purely as a matter of your owning property eligible for assistance. We also understand that Mr. \_\_\_\_\_ has represented that under the state and federal programs providing these funds, the tenants are considered to be the beneficiaries of the assistance. Nonetheless, the Board considers the owner of the property to benefit as well. Finally, it is our understanding that the funds being disbursed are made available under a federal and state program wherein criteria for eligibility are established by federal and state agencies and that you, like any other applicant must meet these criteria.

The Board understands your concern with the potential applicability of Section 5 of Ordinance 640 Supplemental. The Board has also considered the potential applicability of Sections 4, Section 7, Section 8, Section 9 and Section 10 of the Ordinance. The Board is of the opinion that as you do not deal with the SCDP in any capacity except as a property owner and the fact that you must meet federal and state eligibility criteria, the fact that you are a city employee should not preclude you from participating in the program.

The Board appreciates your request and again expresses its preference for dealing with such matters on a prospective basis. As provided by the statute, an advisory opinion is an absolute defense to an complaint or allegation that one has violated the Code provided that the representations made to the Board are accurate and complete.

As set forth in the Ordinance, a copy of this letter is being filed with the Town Clerk. In accordance with the statute the copy filed with the Town Clerk will have such deletions as needed to prevent disclosure of your identity.

Yours truly,

*John A. Marsalisi*  
John A. Marsalisi  
Acting Secretary

cc: Mrs. Lois-Pont Briant, Town Clerk