RESOLUTION APPROVING THE AMENDED AND RESTATED CONFLICT OF INTEREST POLICY
OF THE HOUSING AUTHORITY OF THE CITY OF LOS ANGELES

Douglas Guthrie
President & Chief Executive Officer
James Johnson
General Counsel

Purpose: The purpose of this item is to approve the amended and restated Conflict of Interest ("COI") Policy of the Housing Authority of the City of Los Angeles ("HACLA"). The COI Policy governs Commissioners’ and Employees’ outside activities and interests that could pose a conflict of interest with HACLA’s operations and programs. The COI Policy includes the Outside Activities and Interests disclosure form that employees must submit upon hire and each year thereafter, and also incorporates the COI Code, which designates the HACLA officials and employees that must disclose certain financial and personal interests as mandated by the Political Reform Act. The COI Code was last updated in 2019, and is not being modified by this resolution.

Issues: HACLA’s Commissioners and Employees, including the President and CEO and Executive Staff, are subject to a range of statutory, regulatory, and contractual prohibitions against participating in activities, employment, or enterprises that are in conflict with the public interest or their duties to HACLA. These obligations include, but are not limited to, 2 Code of Federal Regulations (C.F.R.) § 200.318, 24 C.F.R. § 982.161, the conflict of interest provisions found within HUD’s Annual Contributions Contract and Housing Assistance Payments Contract, California Health and Safety Code (Health & Saf. Code) § 34281, California Government Code (Gov. Code) § 1090, et seq., Gov. Code § 1126, et seq., Gov. Code § 87100, et seq., and California Code of Regulations (Cal. Code Regs.), title 2, § 18700, et seq.

The COI Policy aims to describe Commissioners’ and Employees’ COI obligations in a concise and accessible manner. The COI Policy includes requirements for resolving real and apparent COI situations, confidentiality obligations, disciplinary consequences, and appeal procedures, along with limitations on gift-giving, outside employment and incompatible activities, and work-related political activity.

The COI Policy contains two core mechanisms for COI disclosure. The first is through the Outside Activities and Interests (“OAI”) form, which every HACLA Employee must submit upon hire and subsequently on an annual basis. Submitted OAI forms are reviewed by staff from HACLA’s Human Resources Department and by the Legal Department and Executive Staff when necessary.

The second mechanism for COI disclosure is HACLA’s COI Code. Under the Political Reform Act (Government Code section 81000 et seq.), every state and local agency must adopt a COI Code that identifies all officials and employees within the agency who make or participate in governmental decisions as a result of the positions they hold. Individuals in these designated positions must disclose certain financial and personal interests upon hire or appointment, on an annual basis thereafter, and upon leaving the agency. HACLA...
Commissioners’ disclosures under the COI Code are reviewed by California’s Fair Political Practices Commission, and Employees’ disclosures are reviewed by the City of Los Angeles Ethics Commission.

While the COI Code was last amended in 2019, the other components of the COI Policy have not been amended since 2006. The proposed amended and restated COI Policy makes few major changes to the current policy. Some of the statutes, regulations, and contractual obligations referenced in the current policy have slightly changed, and the policy has been modified accordingly. The remaining changes are primarily aimed at communicating Commissioners’ and Employees’ obligations and rights in a clear manner that can appropriately accommodate subsequent modifications to applicable law. Headings have been added throughout the policy and direct quotes from statutes have generally been replaced by references to the pertinent statutory section numbers, so that the policy will remain current even if those statutes are subsequently amended.

The following are the most significant changes reflected in the amended and restated COI Policy:

1) The definition of “immediate family members” covered by the COI Policy has been expanded to include grandchildren and grandparents, as well as domestic partners. The addition of grandchildren and grandparents brings the policy in line with the COI disclosure obligations articulated in HUD’s HAP Contract (Form HUD-52641). Domestic partners have been added to the COI Policy in acknowledgment of the fact that domestic partnerships between committed cohabitants can give rise to conflicts of interest just as significant as those arising out of marital unions. The definition of domestic partnership used within the COI Policy is derived from, and consistent with, the definition of domestic partnership employed by the federal Office of Personnel Management (see, e.g., 5 C.F.R. § 875.101) and the definition of registered domestic partnership employed by the California Fair Political Practices Commission (see, e.g., 2 Cal. Code Regs., title 2, § 18229).

2) In Section III.A. of the Proposed COI Policy, HACLA’s prohibition of receipt of gifts by Commissioners and Employees has been clarified and simplified such that Commissioners and Employees may now receive non-monetary gifts from contractors, subcontractors, vendors, or tenants having a value less than or equal to the maximum allowable gift amount under the California Political Reform Act (Gov. Code § 87100, et seq.) and the regulations of the Fair Political Practices Commission (Cal. Code Regs., title 2, § 18700 et seq.) (currently $500 in cumulative value per gift source per calendar year), so long as the gift was not intended either to influence the Commissioner or Employee in their official duties, or to reward the Commissioner or Employee for any official actions performed in their role. This simplifies the gift restrictions articulated in the current COI Policy, which were fixed at the dollar amounts applicable when that Policy was passed rather than changing in light of subsequent modifications to those amounts by the State of California.

3) Section 4 of the proposed OAI Form (numbered as Section 3 on the current OAI Form) requires that employees disclose relatives who live in HACLA Public Housing in addition to the previous requirement that they disclose relatives living in Section 8 units. This disclosure is necessary to ensure that HACLA is compliant with our COI obligations under HUD’s ACC Contract (Form HUD-53012A).
The proposed COI Policy has been presented to HACLA’s employee bargaining units for their review and comment. Several of the bargaining units requested “meet and confer” discussions, and some of their concerns and proposed revisions have been incorporated in the final draft of the proposed COI Policy.

Vision Plan: HACLA’s COI Policy is one of the first documents presented to new employees, and having an up-to-date COI Policy will communicate to both new and existing employees that HACLA takes ethical responsibilities seriously. Thus, this item addresses Pathways Strategy 9, pertaining to Staff Morale and Productivity, particularly in regard to near-term efforts aimed at improving the on-boarding process and initial orientation of staff.

Funding: No funds are required for this action.

Environmental Review: This action is exempt.

Section 3: This action is exempt.

Attachments:
A. Resolution Approving the Amended and Restated Conflict of Interest Policy
B. Proposed Conflict of Interest Policy
C. Current Conflict of Interest Policy
RESOLUTION NO.______________

RESOLUTION APPROVING THE AMENDED AND RESTATED CONFLICT OF INTEREST POLICY OF THE HOUSING AUTHORITY OF THE CITY OF LOS ANGELES

WHEREAS, the Housing Authority of the City of Los Angeles (“HACLA”) is a public body, corporate and politic, duly created, established, and authorized to transact business and exercise powers under and pursuant to the provisions of the Housing Authorities Law, Sections 34200 et seq. of the California Health and Safety Code;

WHEREAS, HACLA is a Public Housing Agency (“PHA”) recognized and funded by the U.S. Department of Housing and Urban Development (“HUD”), and as such subject to federal PHA statutes, HUD regulations, and HUD contractual obligations;

WHEREAS, California and Federal statutes, HUD regulations, and HUD contractual requirements mandate that housing authority commissioners and employees refrain from participating in activities, employment, or enterprises that are in conflict with the public interest or their duties to the housing authority;

WHEREAS, avoiding conflicts of interest helps ensure that HACLA maintains the public’s trust while providing services to the community in an efficient and ethical manner;

WHEREAS, HACLA’s Conflict of Interest Policy (“COI Policy”) governs Commissioners’ and Employees’ involvement in outside activities and interests that could pose a conflict with HACLA’s operations and programs;

WHEREAS, HACLA’s COI Policy incorporates an Outside Activities and Interests Form and a Conflict of Interest Code, which aim to help ensure that both real and apparent conflicts of interest are appropriately disclosed, reviewed, and resolved;

WHEREAS, HACLA’s COI Policy was last amended in October 2006;

WHEREAS, since October 2006, there have been statutory, regulatory, and contractual modifications to HACLA’s conflict of interest obligations; and

WHEREAS, the need to update the COI Policy to reflect relevant legal changes also provided an opportunity to restate the COI Policy in a clearer and more accessible manner.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby approves the attached amended and restated COI Policy.

BE IT FURTHER RESOLVED that upon taking effect, the amended and restated COI Policy will supersede the COI Policy found at Section 108:13 of HACLA’s Manual of Policies and Procedures (MPP).

HOUSING AUTHORITY OF THE
CITY OF LOS ANGELES

By: ___________________________

Ben Besley, Chairperson

APPROVED AS TO FORM:

BY: _________________________________

James Johnson, General Counsel

DATE ADOPTED: _____________________
ATTACHMENT B –

PROPOSED CONFLICT OF INTEREST POLICY
This Conflict of Interest Policy (Policy) governs outside activities and interests that could pose a conflict of interest with HACLA’s general operations and programs, and is incorporated into HACLA’s Manual of Policies and Procedures (MPP) as Section 108:13. The Policy shall be HACLA’s statement of incompatible activities.

I. PURPOSE

It is HACLA’s basic policy not to abridge any Employee’s civil or political liberties or other constitutionally guaranteed rights. However, HACLA is obligated to take reasonable steps to protect the public interest. HACLA policy requires Commissioners and Employees to refrain from participating in activities, employment or enterprises, which are in conflict with the public interest or with their duties as a Commissioner or Employee of the Authority. This policy provides notice to Commissioners and Employees (including the President and CEO and Executive Staff) of the acts HACLA deems incompatible and prohibited, violation of which may subject Employees to disciplinary action.

II. GENERAL

HACLA, and its Commissioners and Employees, will follow all applicable statutes, regulations, and Department of Housing and Urban Development (HUD) mandated contractual provisions related to employment, activities, or enterprises that may constitute a real or apparent conflict of interest. These legal obligations include, but are not limited to, 2 Code of Federal Regulations (C.F.R.) § 200.318, 24 C.F.R. § 982.161, the conflict of interest provisions found within HUD’s Annual Contributions Contract and Housing Assistance Payments Contract, California Health and Safety Code (Health & Saf. Code) § 34281, California Government Code (Gov. Code) § 1090, et seq., Gov. Code § 1126, et. seq., Gov. Code § 87100, et seq., and California Code of Regulations (Cal. Code Regs.), title 2, § 18700, et. seq. Further information regarding California conflict of interest obligations can be found at the website of the Fair Political Practices Commission (www.fppc.ca.gov).

Real and Apparent Conflicts of Interest. Commissioners and Employees will avoid anything that constitutes a real or apparent conflict of interest. A real conflict of interest exists whenever an individual exploits their position with HACLA or their association with HACLA programs for personal or financial gain. A real conflict of interest also exists whenever a Commissioner or Employee compromises their professional judgment in carrying out HACLA-related responsibilities because of an external relationship or situation that directly or indirectly affects the business or significant financial interest of the Commissioner or Employee, one of their immediate family members, or an associated entity. Apparent conflicts of interest involve circumstances such that a reasonable person with knowledge of the relevant facts would question the individual’s ability to act impartially in the matter, even if a real conflict of interest does not in fact exist. “Conflict of interest” as used in this Conflict of Interest Policy (COI Policy) encompasses both real and apparent conflicts of interest.

Definition of “Immediate Family Member.” Except as used in the portion of the COI Policy pertaining to HACLA’s Conflict of Interest Code, or when applicable law requires a more expansive definition, the term “immediate family member” means a spouse, domestic partner, mother, father, mother-in-law, father-in-law, daughter-in-law, son-in-law, grandparent, sister, brother, sister-in-law, brother-in-law, aunt, uncle, niece, nephew, first cousin, child, or grandchild of a covered class member, and includes “half” and “step” relatives, e.g., a half-brother or
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stepchild. For the purposes of HACLA’s Conflict of Interest Code and the disclosures directly pertaining to that document, “immediate family member” is defined in a manner consistent with Gov. Code § 82029 and 2 Cal. Code Regs. tit. 2, § 18229 (a definition that as of the time of adoption of this COI Policy means spouse, registered domestic partner, and dependent children).

Definition of “Domestic Partner.” Except as used in the portion of the COI Policy pertaining to HACLA’s Conflict of Interest Code, or when applicable law requires a more expansive definition, the term “domestic partner” means a registered domestic partner, or an unrelated and unmarried person who shares common living quarters with a Commissioner or Employee and lives in a committed relationship with that Commissioner or Employee.

Note with Regard to Tenant Commissioners. The conflict of interest provisions contained herein shall not be construed to preclude HACLA tenants from serving as Commissioners, nor shall these provisions be construed as in any manner inhibiting the right of a tenant Commissioner to exercise the full powers vested in their office.

A. Financial Interests in HACLA Housing Subsidies or Contracts. Commissioners, Employees who formulate or influence HACLA policy or administrative decisions, and their immediate family members shall not knowingly own property that is subsidized under any housing program sponsored or administered by HACLA. Commissioners and Employees shall not participate in the selection, award, or administration of a contract if they, or their immediate family members, have a real or apparent conflict of interest. Such a conflict exists if a Commissioner, Employee, their immediate family member, or an organization which employs or is about to employ any of these individuals, has a financial or other interest in, or derives a tangible personal benefit from, a firm considered for a contract.

B. Tenant-Based Case Files. No Commissioner or Employee will knowingly handle HACLA matters related to their own tenant-based case file or the tenant-based case file of an immediate family member.

C. Supervision of Immediate Family Members. No Employee will knowingly supervise an immediate family member.

D. Outside Activities and Interest Form. All Employees shall complete and sign the Outside Activities and Interests form (OAI Form) attached as Exhibit 108:13A. The OAI Form includes disclosures regarding participation as a landlord in HACLA-subsidized voucher programs, immediate family members employed by HACLA, receipt of housing assistance through HACLA, business interests, participation as an officer in outside organizations, outside work as a contractor or in real estate, and vendor relationships with HACLA. The OAI Form shall be signed upon hire and thereafter on at least an annual basis. Employees must fill out the OAI Form completely and to the best of their knowledge. The OAI Form is independent of the Statement of Economic Interest disclosure requirements detailed in HACLA’s Conflict of Interest Code.

E. Due Diligence in Purchases of Real Property; Inheritance of Real Property. Employees are advised to use due diligence during the purchasing process of real property to determine in advance whether program participants reside in the prospective real property. Should a conflict exist as it relates to real property, the Employee has the responsibility to notify HACLA within 10 business days upon obtaining title to such property and resolve the conflict within 12 months from when
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the conflict was disclosed. In instances of inheritance of HACLA subsidized property, or other such transfer of interest in real property, HACLA must be notified within 10 business days of receipt of such property. In all cases, the conflict must be resolved according to the procedures described in Section II.F., below.

F. Resolution of Conflicts. Upon becoming aware that a conflict exists, an Employee shall within 10 business days notify their supervisor of the conflict, and shall work with HACLA to promptly resolve the conflict by either:

1. *Obtaining a waiver from the applicable authority (President and CEO or HUD);

2. Terminating the outside activity;

3. Resigning from HACLA;

4. In the case of a familial or personal conflict pursuant to section II.B. or II.C., above, cooperating in a reassignment that removes the caseload issue or supervisory relationship; or

5. In the case of property subsidized under a HACLA sponsored or administered program, such as Section 8, under certain circumstances the Employee may request assistance from HACLA to transfer administration of the contract to another agency.

* Should HUD take longer than the twelve months provided to resolve any conflict of interest to determine whether or not to grant a waiver, HACLA will, to the extent permitted by HUD, extend the time for the employee to resolve the conflict of interest.

G. Disciplinary Action. Failure to disclose a conflict of interest within 10 business days or to promptly resolve a conflict of interest as described throughout this policy shall subject the Employee to disciplinary action, up to and including termination.

H. Appeal Procedures. Should an Employee subject to disciplinary action due to a prohibited act outlined in this Policy wish to appeal the action recommended or taken to resolve such conflict, the Employee shall follow the appeal procedures of the appropriate M.O.U. or Chapter 108:09 of the MPP, as applicable.

III. RELATIONSHIPS WITH CONTRACTORS, VENDORS, TENANTS, AND OTHER SERVICE PROVIDERS

A. Gifts. Commissioners and Employees shall neither solicit nor accept, either directly or indirectly, any form of earned or unearned gift, gratuity, contribution, favor, loan, discount, credit, perk or any other such benefit of monetary value from HACLA’s active or prospective contractors, subcontractors, vendors, or tenants. A non-monetary gift having a value less than or equal to the maximum allowable gift amount for designated employees and local government officials under the Political Reform Act and the regulations of the Fair Political Practices Commission ($500 in cumulative value per gift source per calendar year at the time of adoption of this Policy) and which can reasonably be substantiated as not having been offered in any way to influence the
Commissioner or Employee in their official duties, nor intended as a reward for any official actions performed by the Commissioner or Employee, will be excluded from this prohibition.

B. **Sale of Services or Products.** Selling any services or products either directly or indirectly, that are not officially sponsored by HACLA to active or prospective contractors, vendors, or tenants is also prohibited. This section is not intended to regulate candy or merchandise of nominal value, which is sometimes displayed and sold in the workplace for a non-profit purpose.

C. **Fraternization.** Fraternization with tenants in a way that is detrimental to the landlord-tenant relationship or which otherwise tends to compromise HACLA’s fiduciary relationship with its tenants shall be a conflict of interest and grounds for disciplinary action up to and including termination in accordance with the appropriate M.O.U. or Chapter 108:09 of the MPP Part I. Employees are strongly discouraged from entering into romantic relationships with individuals involved in any of the programs provided or administered by HACLA.

IV. **OUTSIDE EMPLOYMENT OR ENTERPRISE**

A. **Outside Employment Generally.** Employees will not engage in any outside employment or enterprise that constitutes a real or apparent conflict of interest. Should a conflict of interest be disclosed or discovered, the conflict must be resolved within 30 days, or if the conflict involves HACLA subsidized real property, 12 months, pursuant to the guidelines outlined in Section II.F., above.

B. **Outside Employment Form.** Employees that seek to engage in outside employment or enterprises shall complete HACLA's Outside Employment form and receive signed permission from the President and CEO or their designee prior to engaging in the activity. The signed form will act as confirmation that there is no real or perceived conflict of interest. Should it be discovered that a conflict of interest exists related to outside employment activities, the Employee must resolve the conflict within 30 days or if the conflict involves HACLA subsidized real property, 12 months, pursuant to Section II.F., above. On an annual basis, the Employee shall renew any such Outside Employment approval that is granted by the President and CEO or their designee.

C. **Incompatible Activities.** Pursuant to Gov. Code § 1126, Employees are prohibited from any outside employment, activity, or enterprise that:

1. Involves the use for private gain or advantage of HACLA’s time, facilities, equipment, resources, supplies, name, badge, uniform, prestige, or influence. Employees shall not seek to receive a discounted rate, perk, credit, or other such benefit due to being employed by or associated with HACLA. A government rate that is generically provided to government employees shall be exempted from this prohibition;

2. Involves receipt or acceptance by the Employee of any money or other consideration from anyone other than HACLA for the performance of an act which the Employee, if not performing such act, would be required or expected to render in the regular course or hours of their employment with HACLA or as part of their duties as a HACLA Employee;
3. Involves the performance of an act in other than their capacity as a HACLA Employee which may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement of HACLA or of any other HACLA Commissioner or Employee; or

4. Involves time demands that would render performance of duties as a HACLA Employee less efficient.

V. CONFIDENTIALITY

Employees are prohibited from using or accessing confidential information, available by virtue of employment with HACLA, for private gain or advantage. Employees are further prohibited from providing confidential information to unauthorized recipients. Employees are required to sign HACLA’s Confidentiality Agreement and any amendments or revisions to that document, which shall be placed within each Employee’s personnel file and a copy of which shall be given to the Employee.

VI. STATEMENT OF FINANCIAL DISCLOSURE

A. Annual Statement of Economic Interest. HACLA Commissioners and Employees shall participate in the annual Statement of Economic Interest (SEI) or other required filing as mandated by local or state law as it relates to fair political practices and ethics in government.

B. Conflict of Interests Code. HACLA has adopted a “Conflict of Interests Code,” utilized as part of the annual SEI process, which is separate from this Policy and attached as Exhibit 108:13B. Such separation is due to the limited number of Employees in designated positions (employees who are in positions that make or participate in the making of decisions which may have a foreseeable material effect on their financial interest) who are required to file the annual SEI forms and to whom the guidelines for filing such SEI disclosures apply.

C. Updates to the Conflict of Interest Code. Schedules A (summary of designated positions) and B (description of filing requirements) of the Conflict of Interest Code will be updated at least every other year (or as otherwise mandated by the Fair Political Practices Commission) in order to ensure accuracy in SEI reporting.

VII. POLITICAL ACTIVITIES AND CONTRIBUTIONS

Commissioners and Employees are subject to the restrictions on political activities of public employees articulated in California’s Government Code. To the extent applicable, Commissioners and Employees are also subject to the provisions of the federal Hatch Act.

A. Political Activities. Commissioners and Employees shall not participate in political activities, nor attend political rallies and political meetings, while on duty with HACLA. Commissioners and Employees are prohibited from engaging in political activity while on duty, in HACLA offices, on HACLA property, wearing an official HACLA uniform, or using a HACLA vehicle.
B. Political Contributions. No Commissioner or Employee shall knowingly solicit political contributions, either directly or indirectly, from other HACLA Commissioners or Employees. Nothing shall prohibit off-duty Commissioners and Employees from soliciting political contributions from the general public, which may include Commissioners or Employees.

VIII. AMENDMENTS TO POLICY

HACLA reserves the right to add, delete, clarify, or change the Policy. Prior to any amendment, HACLA will give notice to the relevant labor associations, and will participate in the meet and confer process as required under the Myers-Milius-Brown Act and other applicable laws.

Upon approval of the Board of Commissioners, the Policy will be amended to reflect such approved changes and notification of such changes will be provided to all Employees.

Upon approval of the Board of Commissioners of this or any amended Conflict of Interest Policy, Employees will sign an acknowledgement form (see Exhibit 108:13C) indicating receipt and understanding of the guidelines as stated herein. The signed acknowledgement form will be placed in each Employee’s personnel file.

IX. HISTORY

Date adopted:
Board Resolution #: 
EXHIBIT 108:13A
Outside Activities and Interests Form – please see next page
OUTSIDE ACTIVITIES AND INTERESTS

Answer each question on this form as completely as possible and to the best of your knowledge. HACLA may contact you for additional information. If you need more space to provide complete answers, please attach additional pages, numbered to reflect the question(s) for which the additional information is being provided. For the purposes of this form, “immediate family members” include your domestic partner, spouse, mother, father, mother-in-law, father-in-law, daughter-in-law, son-in-law, grandparent, sister, brother, sister-in-law, brother-in-law, aunt, uncle, niece, nephew, first cousin, child, grandchild (whether related as a full relative, or as a “half” or “step” relative, e.g., a half-brother or stepchild). “Domestic partner” means a registered domestic partner, or an unrelated and unmarried person with whom you share common living quarters and that lives in a committed relationship with you.

Name: ____________________________ Work Location: ____________________________
Department: ________________________ For the Calendar Year ending: __________
Title: ______________________________ Submission Date: ________________________

Statement and Questionnaire:

1. Do you, your spouse, or your domestic partner (see definition of “domestic partner” above) own (in part or in full) any property that is currently contracted under, or in the process of being contracted under, any HACLA-subsidized voucher program, including but not limited to Section 8? If yes, please provide the complete address for each property.

   □ Yes □ No

2. Aside from yourself and your spouse or domestic partner, do you have any other immediate family members (see definition of “immediate family members” above) that own, in part or in full, any property that currently has a contract with, or is in the process of contracting under, any HACLA-subsidized voucher program, including but not limited to Section 8? If yes, please provide the full name of each immediate family member falling under this description, their family relationship to you (i.e., “brother,” “mother-in-law,” etc.), and the address for each property.

   □ Yes □ Don’t Know □ No

3. Do you have any immediate family members (see definition of “immediate family members” above) currently employed by HACLA? If yes, please provide the full name of each immediate family member employed by HACLA, their family relationship to you (i.e., “brother,” “mother-in-law,” etc.), and the HACLA department in which they work.

   □ Yes □ Don’t Know □ No

4. Do you have any immediate family members (see definition of “immediate family members” above) currently receiving assistance through any HACLA program, including Public Housing, Section 8, or any other HACLA-subsidized voucher program? If yes, please provide the full name of each immediate family member, their family relationship to you (i.e., “brother,” “mother-in-law,” etc.), and their home address.

   □ Yes □ Don’t Know □ No
5. Do you own (full or partial interest) or operate a business that transacts business with HACLA, its vendors, its contractors, or its residents? If yes, please indicate the name, address, and nature of the business. This question includes, but is not limited to, interests in multi-level marketing business selling products not directly related to HACLA interests (i.e. Avon, Herbalife, etc.).

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If you answered “yes” to Question 5, please list any HACLA contractors, vendors, or residents with whom your business transacts.

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6. Are you an officer of a Corporation, Trust, Partnership, Limited Liability Company, Foundation, Non-Profit Corporation, or other such organization that transacts business with HACLA, its vendors, its contractors, or its residents? If yes, please indicate the name of each such organization, its business type, and your office or title with the organization, along with the names of any HACLA contractors, vendors, or residents with whom the organization transacts.

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7. Are you a licensed contractor that conducts business with contractors or vendors that conduct business with HACLA? If yes, please list the names and addresses of the contractors or vendors with whom you conduct business.

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8. Do you hold a Real Estate license that is under the supervision of a broker or brokerage firm that manages any HACLA-subsidized property? If so, please provide the name and address of the broker or brokerage firm below.

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9. Do you have any immediate family members (see definition of “immediate family members” above) that have a vendor (construction, maintenance, services, goods, etc.) contract with HACLA or any of its programs, or who are in the process of bidding for a vendor contract with HACLA or any of its programs? If yes, please provide the full name of each immediate family member falling under this description, their family relationship to you (i.e., “brother,” “mother-in-law,” etc.), and the type of contract or contracts involved.

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Under penalty of perjury under the laws of the State of California, I hereby certify that everything listed above is a true and full statement to the best of my knowledge and belief.

Signed: ___________________________ Date: ____________________
EXHIBIT 108:13B

Conflict of Interest Code, Housing Authority of the City of Los Angeles (for SEI Filing) – please see next page
INCORPORATION

The Political Reform Act of 1974 (PRA) requires state and local government agencies to adopt and promulgate conflict of interests codes to help government employees avoid financial conflicts. See California Government Code sections 81000 et seq.

The Fair Political Practices Commission (FPPC) has adopted a regulation that contains the terms of a standard conflict of interests code, can be incorporated by reference, and may be amended by the FPPC to conform to amendments to the PRA after public notice and hearings. The conflict of interests code of the Housing Authority of the City of Los Angeles (HACLA) incorporates by reference that regulation (2 California Code of Regulations section 18730); the attached Schedule A, which identifies each position in the agency that is charged with making or participating in making a government decision; and the attached Schedule B, which identifies the economic interests that the individuals in those designated positions must disclose.

HACLA officials (individuals holding or appointed to a position in Schedule A) must periodically submit statements of economic interests that disclose the economic interests in Schedule B that they held during the reporting period. The statements must be submitted to the Ethics Commission of the City of Los Angeles, which makes the statements available for public inspection and reproduction (see California Government Code section 81008).

HACLA officials are required to comply with the requirements of HACLA’s code and the requirements of state and federal law.
CERTIFICATION

This code accurately designates all positions at HACLA that make or participate in the making of governmental decisions. The disclosure category assigned to each position accurately requires individuals who hold the position to report their investments, business positions, interests in real property, and sources of income that could foreseeably be materially affected by the HACLA decisions they make or participate in making. This code was approved by the HACLA Board of Commissioners on

09/26/2019
(Date)

(Doug Chatham)
(Signature)

President and CEO
(Title)

10/2/19
(Date)

This code was adopted by order of the Council of the City of Los Angeles on and is effective as of 11/27/2019.
(Date)
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<tr>
<th>Position Title</th>
<th>Disclosure Category</th>
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<td>Accounting Supervisor</td>
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<tr>
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<td>12</td>
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<td>Administrative Analyst II</td>
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<td>Administrative Assistant</td>
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<td>Administrative Services Manager</td>
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<td>Asset Manager</td>
<td>15</td>
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<tr>
<td>Assistant Director</td>
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<td>Assistant Finance Manager</td>
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<td>Assistant Finance Officer</td>
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<tr>
<td>Assistant Housing Manager</td>
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<tr>
<td>Bond Program Manager</td>
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<td>Budget Manager</td>
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<td>Building Engineer</td>
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<td>Buyer</td>
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<td>Capital Grant Administrator</td>
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<td>Chief Administrative Officer</td>
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<td>Chief Financial Officer</td>
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<td>Position</td>
<td>Number</td>
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<td>----------------------------------------------------</td>
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<td>Chief Operating Officer</td>
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<td>Chief Programs Officer</td>
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<td>Chief Strategic Development Officer</td>
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<td>Community Development Manager</td>
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<td>Community Safety Partnership Manager</td>
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<td>Community Relations Officer</td>
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<td>Community Service Center Project Director</td>
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<td>Construction Project Manager</td>
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<td>Consultant</td>
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<td>Contracts Administration Manager</td>
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<td>Contract Administrator</td>
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<td>Deputy Assistant Director</td>
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<td>Deputy Director Housing Services</td>
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<tr>
<td>Deputy General Counsel</td>
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<td>Development Officer</td>
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<td>Development Services Deputy Director</td>
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<td>Director</td>
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<td>Environmental Coordinator</td>
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<td>Facilities Manager</td>
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<td>Facilities Specialist</td>
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<td>Field Superintendent</td>
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<td>Financial Analyst</td>
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<td>Position</td>
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<td>Finance Manager</td>
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<td>Fraud Investigator</td>
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<td>General Counsel</td>
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<td>Housing Finance Analyst</td>
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<td>Housing Finance Project Manager</td>
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<td>Housing Inspector</td>
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<td>Information Technology Project Manager</td>
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<td>Job Developer</td>
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<td>Maintenance Supervisor</td>
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<td>Manager</td>
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<td>Member, Board of Commissioners</td>
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<td>Ombudsperson</td>
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<td>Paralegal II</td>
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<td>Payroll Supervisor</td>
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<td>President and CEO</td>
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<td>Programs Development Manager</td>
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<td>Project Delivery Manager</td>
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<td>Quality Control Manager</td>
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<td>Records Management Specialist</td>
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Resident Development Program Coordinator 10
Resident Services Manager 15
Resident Services Site Coordinator 13
Risk Manager 8
Safety Coordinator 5
Section 3 and MBE/WBE Compliance Administrator 5
Security Supervisor 6
Senior Accountant 8
Senior Community Case Manager 13
Senior Construction Project Manager 15
Senior Fraud Investigator 14
Senior Human Resources Analyst 8
Senior Project Manager 8
Senior Staff Attorney – Labor Relations 8
Senior Staff Attorney – Transactional 5
Staff Attorney - Unlawful Detainer Attorney 5
Staff Attorney 5
Special Programs Coordinator 15
Supervising Construction Project Manager 15
Supervising Financial Analyst 8
Supervising Fraud Investigator 14
Support Services Supervisor 6
TCC Project Manager 6
TCC Senior Project Manager 8
Technology Contracts Analyst 2
Workers Compensation Coordinator 7
Workforce Development & Section 3 Manager 8
Workforce Development Grants Administrator 12
* Consultants/New Positions are included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation:

The President and CEO may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The President and CEO's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interests code. (Gov. Code Section 81008.)
City of Los Angeles
HOUSING AUTHORITY

Conflict of Interests Code
DISCLOSURE CATEGORIES
(Schedule B)

An individual whose position is identified in the Designated Positions section (Schedule A) of an agency's conflict of interests code is a filer and must disclose each economic interest identified below for the disclosure category associated with the individual's position. Disclosure must be made by filing the California Form 700 on specified schedules.

The definitions for investments, business positions, sources of income, interests in real property, doing business, gifts, and other terms may be found in the California Political Reform Act, its associated regulations, and the instructions for the California Form 700. The term “division” means a subset of the filer's agency and, depending on the agency's structure, may also be known as a department, group, office, section, or other similar term used to indicate a subordinate unit of the agency.

Economic interests must be disclosed for the applicable reporting period. In general, the following types of Form 700 filings have the following reporting periods:

Annual: January 1 through December 31 of the previous calendar year.

Assuming Office: the date the filer assumes office for investments, business positions, and interests in real property; for income, the 12 months immediately preceding the date the filer assumes office.

Leaving Office: the last date covered by the filer's most recent filing through the date the filer left the designated position.

Reporting periods may vary in individual circumstances and for other types of filings and should be verified with the Ethics Commission.

Category 1

Any investment, business position, source of income, or interest in real property.

Category 2

A. Any investment in, business position with, or income from a source that did any of the following:

1. Provides the type of services, goods, or equipment used by the filer's agency;

2. Provided or sought to provide services, goods, or equipment to the filer's agency; or
3. Was a party or sought to become a party to a written agreement with the filer’s agency.

B. Any interest in real property that was involved in a contracting decision made by or pending with the filer’s agency or is located within 500 feet of such property.

C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer’s agency.

D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer’s agency provided a review, recommendation, or referral.

**Category 3**

A. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer’s agency.

B. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer’s agency or is located within 500 feet of such property.

**Category 4**

A. Any income from an individual, or an immediate family member of an individual, who was employed by or applied for any position within the filer’s agency.

B. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees in the filer’s agency.

C. Any investment in, business position with, or income from a source that did any of the following:
   1. Provides the type of services, goods, or equipment used by the filer’s division;
   2. Provided or sought to provide services, goods, or equipment to the filer’s division; or
   3. Was a party or sought to become a party to a written agreement with the filer’s division.

D. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer’s agency or its employees when the filer’s division provided a review, recommendation, or referral.
**Category 5**

A. Any investment in, business position with, or income from a source that did any of the following:

   1. Provides the type of services, goods, or equipment used by the filer’s agency;
   2. Provided or sought to provide services, goods, or equipment to the filer’s agency; or
   3. Was a party or sought to become a party to a written agreement with the filer’s agency.

B. Any interest in real property that was involved in a contracting decision made by or pending with the filer’s agency or is located within 500 feet of such property.

C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer’s agency.

D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer’s agency provided a review, recommendation, or referral.

E. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer’s agency.

F. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer’s agency or is located within 500 feet of such property.

**Category 6**

A. Any investment in, business position with, or income from a source that did any of the following:

   1. Provides the type of services, goods, or equipment used by the filer’s agency;
   2. Provided or sought to provide services, goods, or equipment to the filer’s agency; or
   3. Was a party or sought to become a party to a written agreement with the filer’s agency.

B. Any interest in real property that was involved in a contracting decision made by or pending with the filer’s agency or is located within 500 feet of such property.
C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer’s agency.

D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer’s agency provided a review, recommendation, or referral.

E. Any income from an individual, or an immediate family member of an individual, who was employed by or applied for any position within the filer’s agency.

F. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees in the filer’s agency.

G. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer’s agency or its employees when the filer’s division provided a review, recommendation, or referral.

**Category 7**

A. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer’s agency.

B. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer’s agency or is located within 500 feet of such property.

C. Any income from an individual, or an immediate family member of an individual, who was employed by or applied for any position within the filer’s agency.

D. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees in the filer’s agency.

E. Any investment in, business position with, or income from a source that did any of the following:

   1. Provides the type of services, goods, or equipment used by the filer’s division;

   2. Provided or sought to provide services, goods, or equipment to the filer’s division; or

   3. Was a party or sought to become a party to a written agreement with the filer’s division.
F. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer’s agency or its employees when the filer’s division provided a review, recommendation, or referral.

Category 8

A. Any investment in, business position with, or income from a source that did any of the following:

1. Provides the type of services, goods, or equipment used by the filer’s agency;
2. Provided or sought to provide services, goods, or equipment to the filer’s agency; or
3. Was a party or sought to become a party to a written agreement with the filer’s agency.

B. Any interest in real property that was involved in a contracting decision made by or pending with the filer’s agency or is located within 500 feet of such property.

C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer’s agency.

D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer’s agency provided a review, recommendation, or referral.

E. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer’s agency.

F. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer’s agency or is located within 500 feet of such property.

G. Any income from an individual, or an immediate family member of an individual, who was employed by or applied for any position within the filer’s agency.

H. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees in the filer’s agency.

I. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer’s agency or its employees when the filer’s division provided a review, recommendation, or referral.
Category 9

A. Any investment in, business position with, or income from a source that did any of the following:

1. Provides the type of services, goods, or equipment used by the filer’s division;
2. Provided or sought to provide services, goods, or equipment to the filer’s division; or
3. Was a party or sought to become a party to a written agreement with the filer’s division.

B. Any interest in real property that was involved in a contracting decision made by or pending with the filer’s division or is located within 500 feet of such property.

C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the City when the filer’s division provided a review, recommendation, or referral.

D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer’s division provided a review, recommendation, or referral.

Category 10

A. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer’s division.

B. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer’s division or is located within 500 feet of such property.

Category 11

A. Any income from an individual, or immediate family member of an individual, who was employed by or applied for any position with the filer’s agency when the filer’s division provided a review, recommendation, or referral.

B. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees and for whom the filer’s division provided a review, recommendation, or referral.

C. Any investment in, business position with, or income from a source that did any of the following:
1. Provides the type of services, goods, or equipment used by the filer’s division;

2. Provided or sought to provide services, goods, or equipment to the filer’s division; or

3. Was a party or sought to become a party to a written agreement with the filer’s division.

D. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer’s agency or its employees when the filer’s division provided a review, recommendation, or referral.

Category 12

A. Any investment in, business position with, or income from a source that did any of the following:

1. Provides the type of services, goods, or equipment used by the filer’s division;

2. Provided or sought to provide services, goods, or equipment to the filer’s division; or

3. Was a party or sought to become a party to a written agreement with the filer’s division.

B. Any interest in real property that was involved in a contracting decision made by or pending with the filer’s division or is located within 500 feet of such property.

C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer’s agency when the filer’s division provided a review, recommendation, or referral.

D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer’s division provided a review, recommendation, or referral.

E. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer’s division.

F. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer’s division or is located within 500 feet of such property.
Category 13

A. Any investment in, business position with, or income from a source that did any of the following:

1. Provides the type of services, goods, or equipment used by the filer’s division;

2. Provided or sought to provide services, goods, or equipment to the filer’s division; or

3. Was a party or sought to become a party to a written agreement with the filer’s division.

B. Any interest in real property that was involved in a contracting decision made by or pending with the filer’s division or is located within 500 feet of such property.

C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer’s agency when the filer’s division provided a review, recommendation, or referral.

D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer’s division provided a review, recommendation, or referral.

E. Any income from an individual, or immediate family member of an individual, who was employed by or applied for any position with the filer’s agency when the filer’s division provided a review, recommendation, or referral.

F. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees and for whom the filer’s division provided a review, recommendation, or referral.

G. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer’s agency or its employees when the filer’s division provided a review, recommendation, or referral.

Category 14

A. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer’s division.

B. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer’s division or is located within 500 feet of such property.
C. Any income from an individual, or immediate family member of an individual, who was employed by or applied for any position with the filer’s agency when the filer’s division provided a review, recommendation, or referral.

D. Any investment in, business position with, or income from a source that did any of the following:

1. Provides the type of services, goods, or equipment used by the filer’s division;

2. Provided or sought to provide services, goods, or equipment to the filer’s division; or

3. Was a party or sought to become a party to a written agreement with the filer's division.

E. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees and for whom the filer’s division provided a review, recommendation, or referral.

F. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer’s agency or its employees when the filer's division provided a review, recommendation, or referral.

Category 15

A. Any investment in, business position with, or income from a source that did any of the following:

1. Provides the type of services, goods, or equipment used by the filer’s division;

2. Provided or sought to provide services, goods, or equipment to the filer’s division; or

3. Was a party or sought to become a party to a written agreement with the filer’s division.

B. Any interest in real property that was involved in a contracting decision made by or pending with the filer’s division or is located within 500 feet of such property.

C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer’s agency when the filer’s division provided a review, recommendation, or referral.

D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer's division provided a review, recommendation, or referral.
E. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer's division.

F. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer's division or is located within 500 feet of such property.

G. Any income from an individual, or immediate family member of an individual, who was employed by or applied for any position with the filer's agency when the filer's division provided a review, recommendation, or referral.

H. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees and for whom the filer's division provided a review, recommendation, or referral.

I. Any investment in, business position with, or income from a source that did any of the following:
   1. Provides the type of services, goods, or equipment used by the filer's division;
   2. Provided or sought to provide services, goods, or equipment to the filer's division; or
   3. Was a party or sought to become a party to a written agreement with the filer's division.

Category 16

A. Any income from an individual, or an immediate family member of an individual, who was employed by or applied for any position within the City when the filer's division provided a review, recommendation, or referral.

B. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees and for whom the filer's division provided a review, recommendation, or referral.

C. Any investment in, business position with, or income from a source that did any of the following:
   1. Provides the type of services, goods, or equipment used by the filer's division;
   2. Provided or sought to provide services, goods, or equipment to the filer's division; or
   3. Was a party or sought to become a party to a written agreement with the filer's division.

D. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to City employees and for which the filer's division provided a review, recommendation, or referral.
E. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in a personnel, investigative, enforcement, claim, or litigation matter that involved the filer’s division.

**Category 17**

A. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer’s agency.

B. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer’s agency or is located within 500 feet of such property.

C. Any investment in, business position with, or income from a source that did any of the following:

1. Provides the type of services, goods, or equipment used by the filer’s division;

2. Provided or sought to provide services, goods, or equipment to the filer’s division;

3. Was a party or sought to become a party to a written agreement with the filer’s division.

D. Any interest in real property that was involved in a contracting decision made by or pending with the filer’s division or is located within 500 feet of such property.

E. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer’s agency when the filer’s division provided a review, recommendation, or referral.

F. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer’s division provided a review, recommendation, or referral.

**Category 18**

A. Any income from an individual, or an immediate family member of an individual, who was employed by or applied for any position within the filer’s agency.

B. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees in the filer’s agency.

C. Any investment in, business position with, or income from a source that did any of the following:
1. Provides the type of services, goods, or equipment used by the filer’s division;

2. Provided or sought to provide services, goods, or equipment to the filer’s division; or

3. Was a party or sought to become a party to a written agreement with the filer’s division.

D. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer’s agency or its employees when the filer’s division provided a review, recommendation, or referral.

E. Any interest in real property that was involved in a contracting decision made by or pending with the filer’s division or is located within 500 feet of such property.

F. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer’s agency when the filer’s division provided a review, recommendation, or referral.

G. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer’s division provided a review, recommendation, or referral.
Employee Acknowledgement Form for Conflict of Interest Policy – please see next page
I, the undersigned, acknowledge receipt of the Conflict of Interest Policy as provided to me on this __________ day of __________, __________.

Under penalty of perjury, I hereby certify that I understand that noncompliance with and/or nondisclosure of required information as stated in the Conflict of Interest Policy may subject me to disciplinary action up to and including termination.

I recognize that signing this document is a condition of employment with the Housing Authority of the City of Los Angeles.

Name: ________________________________

Date: ________________________________
This section establishes Authority policy governing outside activities and interests that could pose a conflict of interest with the general operations and programs of the Authority. Section 108:13 Conflict of Interest Policy shall be the Authority’s statement of incompatible activities.

I. PURPOSE

It is the basic policy of the Authority not to abridge any employee’s civil or political liberties or other constitutionally guaranteed rights. However, the Authority is obligated to take reasonable steps to protect the public interest. Authority policy requires employees to refrain from participating in activities, employment or enterprises, which are in conflict with public interest and/or with his or her duties as an employee of the Authority. This policy provides notice to Employees (including Executive Director and Executive Staff) of the acts the Authority deems incompatible and prohibited, violation of which may subject Employees to disciplinary action.

Applicable statutes can be found in Appendix 108:H.

II. GENERAL

The Authority will follow all applicable statutes related to employment, activities and/or enterprises that may constitute a real or apparent conflict of interest in the administration of this Conflict of Interest Policy. The Authority adopts the prohibition of outside employment, activity or enterprise included, but not limited to, the acts outlined in Appendix 108:H.

A. Employees (including Executive Director and Executive Staff) of the Authority will avoid anything that constitutes a real or apparent conflict of interest as outlined via applicable government codes and throughout the Conflict of Interest Policy. Further stated, a conflict of interest exists in any situation in which an individual exploits his or her position with the Authority and/or his or her association with Authority programs for personal or financial gain. A conflict of interest occurs when an employee compromises professional judgment in carrying out Authority employment responsibilities, or public service activities because of an external relationship or situation that directly or indirectly affects the business or significant financial interest of the employee, an immediate family member, or an associated entity. Upon approval and implementation of this Conflict of Interest Policy, all Employees will complete the Outside Activities and Interests Form and include data as outlined throughout this policy. Employees shall include both current and retroactive data from up to one year prior to the implementation of the policy.

B. No Authority employee, nor his/her family member(s), (including father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister) shall knowingly own property that is owned, utilized or subsidized by the Authority
under any subsidized housing program sponsored or administered by the Authority, nor may they have a financial interest in any firm doing business with the Authority.

All Employees will sign the Outside Activities and Interests form disclosing whether he or she has a financial interest in property involved in any tenant based program sponsored or administered by the Authority. Such a program, for example, would be the Section 8 Program. This form shall be signed upon hire and hereafter on at least an annual basis. The Outside Activities and Interests form is independent of the Statement of Economic Interest disclosure requirement pursuant to the City of Los Angeles Conflict of Interest Code for Designated Employees, which are employees who are in a position to make or participate in the making of decisions, which may have a foreseeable material effect on their financial interests.

C. No employee will knowingly handle Authority matters related to his or her own tenant based case file nor the tenant based case file(s) of member(s) of their family. All employees, upon hire, and on at least an annual basis, will fill out the Outside Activities and Interests form disclosing the names of family members known by the employee to receive tenant based services from the Authority in order to assist the Authority in preventing and mitigating conflicts of interests between employees and tenants. Family members shall include the same lineage list outlined in Section II.B., above.

D. No employee will knowingly supervise a member of his or her own family (family shall include the same lineage list outlined in Section II. B. above.) All employees, upon hire, and at least on an annual basis, will fill out the Outside Activities and Interests form disclosing the names of family members known to be employed with the Authority in order to assist the Authority in preventing and mitigating conflicts of interests between employees. Should a conflict be discovered, it shall be resolved via item II. F. the same date or no later than 90 days of disclosure and/or discovery.

E. Employees are advised to use due diligence during the purchasing process of real property to determine in advance whether Authority program participants reside in the prospective real property. Should a conflict exist as it relates to real property, the employee has the responsibility to notify the Authority within 10 business days upon obtaining title to such property and resolve the conflict within twelve (12) months from when the conflict was disclosed. In instances of inheritance of Authority subsidized property, or other such transfer of interest in real property, the Authority must be notified within 10 business days of receipt of such property. In all cases, the conflict must be resolved via item F. below.

F. Upon being notified that a conflict exists, the employee must promptly resolve the conflict by either:

1. *Receiving a signed waiver from the applicable authority (Executive Director or HUD);
CONFLICT OF INTEREST POLICY

2. Terminating the outside activity;

3. Resigning from the Authority; or

4. In the case of familial employment relationships pursuant to II C and D above, cooperating in a reassignment that removes the supervisory relationship and/or caseload issue.

* Should the U.S. Department of Housing and Urban Development (HUD) take longer than the twelve months provided to resolve any conflict of interest to determine whether or not to grant a waiver, the Authority will, to the extent permitted by HUD, extend the time for the employee to resolve the conflict of interest.

G. With regards to ownership of real property, the employee may request a waiver for himself or herself from HUD or for a family member from the Executive Director or request assistance from the Authority to transfer administration of the contract to another agency.

H. Failure to promptly resolve and/or disclose conflict of interest as described throughout this policy shall subject the Employee to disciplinary action, up to and including termination. In addition, where applicable, should the Employee also be violating federal, state, or local law, the Authority may notify the applicable authorities and cooperate as requested thereafter.

I. Should an employee be subject to disciplinary action due to a violation of a prohibited act outlined in this Conflict of Interest Policy and wish to appeal the action recommended or taken to resolve such conflict, the Employee shall follow the appeal procedures of the appropriate M.O.U. or pursuant to Chapter 108:09 of the MPP Part I.

III. RELATIONSHIPS WITH CONTRACTORS, VENDORS AND TENANTS

A. Employees are to avoid employment relationships with contractors, firms, or other organizations that are known to them to contract with or are in process to contract with the Authority where an apparent or real conflict may exist. Employment is defined as service performed for wages under a contract for hire, written or oral, expressed or implied, including service in interstate commerce. An Employee may be in conflict if his or her relationship with an actual or prospective Authority vendor or contractor is as follows:
CONFLICT OF INTEREST POLICY

1. As an officer of the vendor/contractor corporation; or

2. As an individual who, under the applicable law, in determining the employer-employee relationship, would be considered an employee of the vendor/contractor; or

3. As an individual who performs services for remuneration (barter of services, payment or other such benefit) for any vendor or contractor.

B. Employees shall not solicit and/nor accept either directly or indirectly any form of earned or unearned gift, gratuity, contribution, favor, loan, discount, credit, perk or any other such benefit of monetary value from the Authority’s active or prospective contractors, vendors and/or tenants from which it reasonably could be substantiated that the gift was intended to influence the Employee in his/her official duties, or was intended as a reward for any official actions performed by the Employee. A non-monetary gift having a value of less than $50.00 and which reasonably could be substantiated as not having been offered in any way to influence the Employee in his/her official duties, nor intended as a reward for any official actions performed by the Employee, will be excluded from this prohibition. Further, free admission and similar non-cash nominal benefits provided to an Employee in connection with his/her attendance at any public or private conference, convention, meeting, social event, meal or like gathering will also be excluded from this prohibition.

Selling any services and/or products either directly or indirectly, that are not officially sponsored by the Authority to active or prospective contractors, vendors, and/or tenants is also prohibited. Employees who solicit and/or accept said gifts or other such benefits or sell products and/or services prohibited or not sponsored by the Authority shall be subject to disciplinary action pursuant to the appropriate M.O.U. or the provisions of the MPP Part I Personnel Rules Section 108:09. This section is not intended to regulate candy or merchandise of nominal value, which is sometimes displayed and sold in the workplace for a non-profit purpose.

C. As an exception to item (B) above, Employees partaking in meals and/or entertainment in connection with business operations is acceptable if participation is infrequent and not lavish and expenditure, per vendor or contractor, does not exceed fifty dollars ($50) in a calendar month, nor two hundred and fifty dollars ($250) in a calendar year. Applicable disclosure regarding such benefit described herein will be made pursuant to Section VI. Statement of Financial Disclosure, below.

D. Employees are prohibited from using the name and/or resources of the Authority for personal gain. Employees shall not seek to receive a discounted rate, perk, credit or other such benefit due to being employed by and/or associated with the Authority. A
CONFLICT OF INTEREST POLICY

government rate that is generically provided by vendor(s) to any and all government employees shall be exempted from this prohibition.

E. Fraternization with tenants in a way that is detrimental to the landlord-tenant relationship or which otherwise tends to compromise the Authority’s fiduciary relationship with its tenants shall be a conflict of interest and grounds for disciplinary action up to and including termination in accordance with the appropriate M.O.U. or Chapter 108:09 of the MPP Part I. Employees are strongly discouraged from entering into romantic relationships with individuals involved in any of the programs provided or administered by the Authority.

IV. OUTSIDE EMPLOYMENT OR ENTERPRISE

A. Employees will not engage in outside employment, that constitutes a real or apparent conflict of interest. Should a conflict of interest be disclosed and/or discovered, the conflict must be resolved within thirty (30) days or if the conflict involves Authority subsidized real property, twelve (12) months, pursuant to the guidelines outlined in item F. in Section II., above.

B. Should any Employee seek to engage in outside employment, as defined by Section III, Item A. above, he/she shall complete the required Outside Employment form and receive signed permission from the Executive Director or designee within 10 days prior to engaging in the activity. The signed form will act as confirmation that there is no real or perceived conflict of interest. Should it be discovered that a conflict of interest exists related to outside employment activities, the employee must resolve the conflict within 30 days pursuant to item F. in Section II. above. On an annual basis, the employee shall renew any such Outside Employment approval that is granted by the Executive Director.

V. CONFIDENTIALITY

An employee using or having access to confidential information, available by virtue of employment with the Authority, for private gain or advantage or providing confidential information to persons whom issuance of this information has not been authorized is strictly prohibited. Upon hire, and/or as part of requirements for systems access to outside vendor databases, Employees will sign the Confidentiality Agreement, which shall be placed within his or her personnel file and a copy shall be given to the employee.

VI. STATEMENT OF FINANCIAL DISCLOSURE
A. The Authority will participate in the annual Statement of Economic Interest (SEI) or other required filing as mandated by local or state law as it relates to fair political practices and ethics in government.

B. The Authority has adopted the “Conflict of Interest Code, City of Los Angeles, Agency: Housing Authority”, utilized as part of the annual SEI process which is separate from this policy, and included as Exhibit 108:13B. Such separation is due to the limited number of those Employees in designated positions (which are employees who are in positions that make or participate in the making of decisions which may have a foreseeable material effect on their financial interest) who are required to file the annual SEI form(s) and to whom the guidelines for filing such SEI disclosure(s) apply.

C. Schedule A (summary of designated positions) and B (description of filing requirements) of the Conflict of Interest Code (Exhibit 108:13B) will be updated utilizing the approved budgetary classifications at least every other year (or as otherwise mandated by the Fair Political Practices Commission or other such governing body) in order to ensure accuracy in SEI reporting.

VII. POLITICAL ACTIVITY

A. The policy of the Authority regarding the political activities of its employees shall be to recognize and incorporate by reference the Hatch Act, as it relates to the prohibitions and exceptions with regards to employees influencing elections and taking part in political campaign activities.

1. Employees, shall not participate in, nor attend political rallies and political meetings while on duty with the Authority. Employees are prohibited from engaging in political activity while on duty, in Authority offices, on Authority property, wearing an official Authority uniform, and/or using an Authority vehicle.

2. No Employee on duty shall directly or indirectly, knowingly solicit campaign contributions from an Authority Employee to support or oppose the candidacy of any person for elective office or for the recall of any elective official, or for an officeholder account. Nothing shall prohibit employees from communicating through the mail or by other independent means, or requesting campaign funds or contributions from the general public, which may include officers or employees of the Authority.

VIII. AMENDMENTS TO POLICY

The Authority reserves the right to add, delete, clarify, or change the Conflict of Interest Policy herein. The Authority will give notice to the relevant labor associations and request
the approval of the Board of Commissioners in making changes deemed necessary. Upon such approval, the policy herein will be amended to reflect such approved changes and notification of such changes will be provided to all Employees. Those provisions, which are within scope, are subject to the meet and confer process with the bargaining units upon request.

Upon approval of the Board of Commissioners to this and any amended Conflict of Interest policy, employees will sign an acknowledgement form (see Exhibit 108:13C) indicating receipt and understanding of the guidelines as stated herein. The signed acknowledgement form will be placed within his/her personnel file.
CONFLICT OF INTEREST POLICY

EXHIBIT 108:13A

Outside Activities and Interests Form – please see next page
OUTSIDE ACTIVITIES AND INTERESTS PROCEDURES
FORM CI-JS-2005A

| Name: ______________________________ | Work Location: ______________ |
| Department: _________________________ | For the Calendar Year ending: ______________ |
| Title: ______________________________ | Submittal Date: ______________ |

Statement and Questionnaire:

1. Do you or your spouse own (in part or in full) any property that is under any HACLA subsidized programs (including but not limited to: Section 8) or are in the contracting process with a property that is currently owned? If yes, please indicated property address in the space below:

   □ Yes  □ No

2. Does any family member own (in part or in full) any property that is under any HACLA subsidized programs (including but not limited to: Section 8) or are in the contracting process with a property that is currently owned? For these purposes, family members are father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister. If yes, please indicate property address, name of family member, and relationship if you are not the direct owner:

   □ Yes  □ No  □ Don’t Know

3. Do you have any family members currently employed by HACLA or receiving Section 8 assistance? For these purposes, family members are father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister. If yes, please explain:

   □ Yes  □ No  □ Don’t Know

4. Do you own (full or partial interest) or operate a business that to your knowledge transacts business with HACLA, its vendors, and/or residents, including, but not limited to a part-time interest selling products unrelated to HACLA interests?

   □ Yes  □ No  □ Don’t Know

   If you answered “yes” above, please list the name and address of the business, the nature of the business and with which HACLA contractors, vendors, or residents it transacts business.
5. Are you an employee and/or officer of a Corporation, Trust, Partnership, Limited Liability Company, Foundation or other such organization that to your knowledge transacts business with HACLA or its programs?  

| ☐ Yes | ☐ No | ☐ Don’t Know |

If you answered Yes, please state your position, the name and address of the business or organization and the nature of its operations.

6. Are you a licensed contractor that transacts business with vendors/contractors who to your knowledge transact business with HACLA?  

| ☐ Yes | ☐ No | ☐ Don’t Know |

If you answered “yes” above, please list the names and addresses of vendor(s) with which you transact business.

7. Do you hold a Real Estate license that is held with a brokering firm that to your knowledge manages any HACLA subsidized property? If so, please provide the name and address of the brokerage firm below.  

| ☐ Yes | ☐ No | ☐ Don’t Know |

8. To the best of your knowledge, do you have a family member (including: father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister) that has contracts or are is in the process of bidding for vendor contracts with HACLA or any of its programs? If yes, please indicate name, relationship, and contract type in the space below:  

| ☐ Yes | ☐ No | ☐ Don’t Know |

Under penalty of perjury, under the laws of the State of California, I hereby certify that everything listed above is a true and full statement to the best of my knowledge and belief about my business interests, personal activities, outside employment, and nepotism. I understand and agree that any misstatements or omissions of material fact may grounds for disciplinary action up to and including termination.

Signed: _________________________________ Date: _____________________
EXHIBIT 108:13B

Conflict of Interest Code, City of Los Angeles, Agency: Housing Authority (for SEI Filing) – please see next page
INCORPORATION

The Political Reform Act of 1974 (PRA) requires state and local government agencies to adopt and promulgate conflict of interests codes to help government employees avoid financial conflicts. See California Government Code sections 81000 et seq.

The Fair Political Practices Commission (FPPC) has adopted a regulation that contains the terms of a standard conflict of interests code, can be incorporated by reference, and may be amended by the FPPC to conform to amendments to the PRA after public notice and hearings. The conflict of interests code of the Housing Authority of the City of Los Angeles (HACLA) incorporates by reference that regulation (2 California Code of Regulations section 18730); the attached Schedule A, which identifies each position in the agency that is charged with making or participating in making a government decision; and the attached Schedule B, which identifies the economic interests that the individuals in those designated positions must disclose.

HACLA officials (individuals holding or appointed to a position in Schedule A) must periodically submit statements of economic interests that disclose the economic interests in Schedule B that they held during the reporting period. The statements must be submitted to the Ethics Commission of the City of Los Angeles, which makes the statements available for public inspection and reproduction (see California Government Code section 81008).

HACLA officials are required to comply with the requirements of HACLA’s code and the requirements of state and federal law.
CERTIFICATION

This code accurately designates all positions at HACLA that make or participate in the making of governmental decisions. The disclosure category assigned to each position accurately requires individuals who hold the position to report their investments, business positions, interests in real property, and sources of income that could foreseeably be materially affected by the HACLA decisions they make or participate in making. This code was approved by the HACLA Board of Commissioners on

09/26/2019 (Date)

(Doug Osthus) (Signature)

President and CEO (Title)

10/2/19 (Date)

This code was adopted by order of the Council of the City of Los Angeles on and is effective as of 11/27/2019 (Date).
<table>
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<td>Administrative Analyst II</td>
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<td>Administrative Assistant</td>
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<td>Consultant</td>
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Security Supervisor 6
Senior Accountant 8
Senior Community Case Manager 13
Senior Construction Project Manager 15
Senior Fraud Investigator 14
Senior Human Resources Analyst 8
Senior Project Manager 8
Senior Staff Attorney – Labor Relations 8
Senior Staff Attorney – Transactional 5
Staff Attorney - Unlawful Detainer Attorney 5
Staff Attorney 5
Special Programs Coordinator 15
Supervising Construction Project Manager 15
Supervising Financial Analyst 8
Supervising Fraud Investigator 14
Support Services Supervisor 6
TCC Project Manager 6
TCC Senior Project Manager 8
Technology Contracts Analyst 2
Workers Compensation Coordinator 7
Workforce Development & Section 3 Manager 8
Workforce Development Grants Administrator 12
* Consultants/New Positions are included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation:

The President and CEO may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The President and CEO's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interests code. (Gov. Code Section 81008.)
City of Los Angeles
HOUSING AUTHORITY

Conflict of Interests Code
DISCLOSURE CATEGORIES
(Schedule B)

An individual whose position is identified in the Designated Positions section (Schedule A) of an agency's conflict of interests code is a filer and must disclose each economic interest identified below for the disclosure category associated with the individual's position. Disclosure must be made by filing the California Form 700 on specified schedules.

The definitions for investments, business positions, sources of income, interests in real property, doing business, gifts, and other terms may be found in the California Political Reform Act, its associated regulations, and the instructions for the California Form 700. The term “division” means a subset of the filer's agency and, depending on the agency's structure, may also be known as a department, group, office, section, or other similar term used to indicate a subordinate unit of the agency.

Economic interests must be disclosed for the applicable reporting period. In general, the following types of Form 700 filings have the following reporting periods:

- **Annual:** January 1 through December 31 of the previous calendar year.
- **Assuming Office:** the date the filer assumes office for investments, business positions, and interests in real property; for income, the 12 months immediately preceding the date the filer assumes office.
- **Leaving Office:** the last date covered by the filer's most recent filing through the date the filer left the designated position.

Reporting periods may vary in individual circumstances and for other types of filings and should be verified with the Ethics Commission.

**Category 1**

Any investment, business position, source of income, or interest in real property.

**Category 2**

A. Any investment in, business position with, or income from a source that did any of the following:

1. Provides the type of services, goods, or equipment used by the filer's agency;

2. Provided or sought to provide services, goods, or equipment to the filer's agency; or
3. Was a party or sought to become a party to a written agreement with the filer’s agency.

B. Any interest in real property that was involved in a contracting decision made by or pending with the filer’s agency or is located within 500 feet of such property.

C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer’s agency.

D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer’s agency provided a review, recommendation, or referral.

**Category 3**

A. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer’s agency.

B. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer’s agency or is located within 500 feet of such property.

**Category 4**

A. Any income from an individual, or an immediate family member of an individual, who was employed by or applied for any position within the filer’s agency.

B. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees in the filer’s agency.

C. Any investment in, business position with, or income from a source that did any of the following:

1. Provides the type of services, goods, or equipment used by the filer’s division;

2. Provided or sought to provide services, goods, or equipment to the filer’s division; or

3. Was a party or sought to become a party to a written agreement with the filer’s division.

D. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer’s agency or its employees when the filer’s division provided a review, recommendation, or referral.

**Category 5**
A. Any investment in, business position with, or income from a source that did any of the following:

1. Provides the type of services, goods, or equipment used by the filer's agency;

2. Provided or sought to provide services, goods, or equipment to the filer's agency; or

3. Was a party or sought to become a party to a written agreement with the filer's agency.

B. Any interest in real property that was involved in a contracting decision made by or pending with the filer's agency or is located within 500 feet of such property.

C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer's agency.

D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer's agency provided a review, recommendation, or referral.

E. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer's agency.

F. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer's agency or is located within 500 feet of such property.

**Category 6**

A. Any investment in, business position with, or income from a source that did any of the following:

1. Provides the type of services, goods, or equipment used by the filer's agency;

2. Provided or sought to provide services, goods, or equipment to the filer's agency; or

3. Was a party or sought to become a party to a written agreement with the filer's agency.

B. Any interest in real property that was involved in a contracting decision made by or pending with the filer's agency or is located within 500 feet of such property.

C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer's agency.
D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer’s agency provided a review, recommendation, or referral.

E. Any income from an individual, or an immediate family member of an individual, who was employed by or applied for any position within the filer’s agency.

F. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees in the filer’s agency.

G. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer’s agency or its employees when the filer’s division provided a review, recommendation, or referral.

Category 7

A. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer’s agency.

B. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer’s agency or is located within 500 feet of such property.

C. Any income from an individual, or an immediate family member of an individual, who was employed by or applied for any position within the filer’s agency.

D. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees in the filer’s agency.

E. Any investment in, business position with, or income from a source that did any of the following:

1. Provides the type of services, goods, or equipment used by the filer’s division;
2. Provided or sought to provide services, goods, or equipment to the filer’s division; or
3. Was a party or sought to become a party to a written agreement with the filer’s division.

F. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer’s agency or its employees when the filer’s division provided a review, recommendation, or referral.

Category 8

A. Any investment in, business position with, or income from a source that did any of the following:
1. Provides the type of services, goods, or equipment used by the filer’s agency;

2. Provided or sought to provide services, goods, or equipment to the filer’s agency;
   or

3. Was a party or sought to become a party to a written agreement with the filer’s agency.

B. Any interest in real property that was involved in a contracting decision made by or pending with the filer’s agency or is located within 500 feet of such property.

C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer’s agency.

D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer’s agency provided a review, recommendation, or referral.

E. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer’s agency.

F. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer’s agency or is located within 500 feet of such property.

G. Any income from an individual, or an immediate family member of an individual, who was employed by or applied for any position within the filer’s agency.

H. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees in the filer’s agency.

I. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer’s agency or its employees when the filer’s division provided a review, recommendation, or referral.

**Category 9**

A. Any investment in, business position with, or income from a source that did any of the following:

1. Provides the type of services, goods, or equipment used by the filer’s division;

2. Provided or sought to provide services, goods, or equipment to the filer’s division;
   or

3. Was a party or sought to become a party to a written agreement with the filer’s division.
B. Any interest in real property that was involved in a contracting decision made by or pending with the filer’s division or is located within 500 feet of such property.

C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the City when the filer’s division provided a review, recommendation, or referral.

D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer’s division provided a review, recommendation, or referral.

**Category 10**

A. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer’s division.

B. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer’s division or is located within 500 feet of such property.

**Category 11**

A. Any income from an individual, or immediate family member of an individual, who was employed by or applied for any position with the filer’s agency when the filer’s division provided a review, recommendation, or referral.

B. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees and for whom the filer’s division provided a review, recommendation, or referral.

C. Any investment in, business position with, or income from a source that did any of the following:

1. Provides the type of services, goods, or equipment used by the filer’s division;

2. Provided or sought to provide services, goods, or equipment to the filer’s division; or

3. Was a party or sought to become a party to a written agreement with the filer’s division.

D. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer’s agency or its employees when the filer’s division provided a review, recommendation, or referral.

**Category 12**
A. Any investment in, business position with, or income from a source that did any of the following:

1. Provides the type of services, goods, or equipment used by the filer’s division;

2. Provided or sought to provide services, goods, or equipment to the filer’s division; or

3. Was a party or sought to become a party to a written agreement with the filer’s division.

B. Any interest in real property that was involved in a contracting decision made by or pending with the filer’s division or is located within 500 feet of such property.

C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer’s agency when the filer’s division provided a review, recommendation, or referral.

D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer’s division provided a review, recommendation, or referral.

E. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer’s division.

F. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer’s division or is located within 500 feet of such property.

**Category 13**

A. Any investment in, business position with, or income from a source that did any of the following:

1. Provides the type of services, goods, or equipment used by the filer’s division;

2. Provided or sought to provide services, goods, or equipment to the filer’s division; or

3. Was a party or sought to become a party to a written agreement with the filer’s division.

B. Any interest in real property that was involved in a contracting decision made by or pending with the filer’s division or is located within 500 feet of such property.

C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the
filer’s agency when the filer’s division provided a review, recommendation, or referral.

D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer’s division provided a review, recommendation, or referral.

E. Any income from an individual, or immediate family member of an individual, who was employed by or applied for any position with the filer’s agency when the filer’s division provided a review, recommendation, or referral.

F. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees and for whom the filer’s division provided a review, recommendation, or referral.

G. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer’s agency or its employees when the filer’s division provided a review, recommendation, or referral.

**Category 14**

A. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer’s division.

B. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer’s division or is located within 500 feet of such property.

C. Any income from an individual, or immediate family member of an individual, who was employed by or applied for any position with the filer’s agency when the filer’s division provided a review, recommendation, or referral.

D. Any investment in, business position with, or income from a source that did any of the following:

   1. Provides the type of services, goods, or equipment used by the filer’s division;

   2. Provided or sought to provide services, goods, or equipment to the filer’s division;

   or

   3. Was a party or sought to become a party to a written agreement with the filer’s division.

E. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees and for whom the filer’s division provided a review, recommendation, or referral.
F. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer’s agency or its employees when the filer’s division provided a review, recommendation, or referral.

**Category 15**

A. Any investment in, business position with, or income from a source that did any of the following:

1. Provides the type of services, goods, or equipment used by the filer’s division;
2. Provided or sought to provide services, goods, or equipment to the filer’s division; or
3. Was a party or sought to become a party to a written agreement with the filer’s division.

B. Any interest in real property that was involved in a contracting decision made by or pending with the filer’s division or is located within 500 feet of such property.

C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer’s agency when the filer’s division provided a review, recommendation, or referral.

D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer’s division provided a review, recommendation, or referral.

E. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer’s division.

F. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer’s division or is located within 500 feet of such property.

G. Any income from an individual, or immediate family member of an individual, who was employed by or applied for any position with the filer’s agency when the filer’s division provided a review, recommendation, or referral.

H. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees and for whom the filer’s division provided a review, recommendation, or referral.

I. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer’s agency or its employees when the filer’s division provided a review, recommendation, or referral.
Category 16

A. Any income from an individual, or an immediate family member of an individual, who was employed by or applied for any position within the City when the filer’s division provided a review, recommendation, or referral.

B. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees and for whom the filer’s division provided a review, recommendation, or referral.

C. Any investment in, business position with, or income from a source that did any of the following:
   1. Provides the type of services, goods, or equipment used by the filer’s division;
   2. Provided or sought to provide services, goods, or equipment to the filer’s division;
      or
   3. Was a party or sought to become a party to a written agreement with the filer’s division.

D. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to City employees and for which the filer’s division provided a review, recommendation, or referral.

E. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in a personnel, investigative, enforcement, claim, or litigation matter that involved the filer’s division.

Category 17

A. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, or litigation matter that involved the filer’s agency.

B. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer’s agency or is located within 500 feet of such property.

C. Any investment in, business position with, or income from a source that did any of the following:
   1. Provides the type of services, goods, or equipment used by the filer’s division;
   2. Provided or sought to provide services, goods, or equipment to the filer’s division;
      or
   3. Was a party or sought to become a party to a written agreement with the filer’s division.
D. Any interest in real property that was involved in a contracting decision made by or pending with the filer’s division or is located within 500 feet of such property.

E. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer’s agency when the filer’s division provided a review, recommendation, or referral.

F. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer’s agency when the filer’s division provided a review, recommendation, or referral.

**Category 18**

A. Any income from an individual, or an immediate family member of an individual, who was employed by or applied for any position within the filer’s agency.

B. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees in the filer’s agency.

C. Any investment in, business position with, or income from a source that did any of the following:

   1. Provides the type of services, goods, or equipment used by the filer’s division;
   2. Provided or sought to provide services, goods, or equipment to the filer’s division; or
   3. Was a party or sought to become a party to a written agreement with the filer’s division.

D. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer’s agency or its employees when the filer’s division provided a review, recommendation, or referral.

E. Any interest in real property that was involved in a contracting decision made by or pending with the filer’s division or is located within 500 feet of such property.

F. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer’s agency when the filer’s division provided a review, recommendation, or referral.

G. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer’s division provided a review, recommendation, or referral.
EXHIBIT 108:13C

Employee Acknowledgement Form for Conflict of Interest – please see next page
I, the undersigned, acknowledge receipt of the Conflict of Interest Policy as provided to me on this _____ day of ________, __________.

Under penalty of perjury, I hereby certify that I understand that noncompliance with and/or nondisclosure of required information as stated in the Conflict of Interest Policy may subject me to disciplinary action up to and including termination.

I recognize that signing this document is a condition of employment with the Housing Authority of the City of Los Angeles.

Name: ________________________________

Date: ________________________________
CONFLICT OF INTEREST POLICY

APPENDIX 108:H

Applicable Statutes to the Conflict of Interest Policy – please see next page
CONFLICT OF INTEREST POLICY

APPLICABLE STATUTES

The following statutes were utilized in the development of the Authority’s Conflict of Interest Policy. They are included here as Appendix 108:H as a reference for Employees should there be questions regarding actual code language.


(a) Except as provided in Sections 1128 and 1129, a local agency officer or employee shall not engage in any employment, activity, or enterprise for compensation which is inconsistent, incompatible, in conflict with, or inimical to his or her duties as a local agency officer or employee or with the duties, functions, or responsibilities of his or her appointing power or the agency by which he or she is employed. The officer or employee shall not perform any work, service, or counsel for compensation outside of his or her local agency employment where any part of his or her efforts will be subject to approval by any other officer, employee, board, or commission of his or her employing body, unless otherwise approved in the manner described by subdivision (b).

(b) Each appointing power may determine, subject to approval of the local agency, and consistent with the provisions of Section 1128 where applicable, those outside activities which, for employees under its jurisdiction, are inconsistent with, incompatible to, or in conflict with their duties as local agency officers or employees. An employee’s outside employment, activity, or enterprise may be prohibited if it:

(1) involves the use for private gain or advantage of his or her local agency time, facilities, equipment and supplies; or the badge, uniform, prestige, or influence of his or her local agency office or employment or,

(2) involves the receipt or acceptance by the officer or employee of any money or other consideration from anyone other than his or her local agency for the performance of an act which the officer or employee, if not performing such act, would be required or expected to render in the regular course or hours of his or her local agency employment or as a part of his or her duties as a local agency officer or employee or,

(3) involves the performance of an act in other than his or her capacity as a local agency officer or employee which act may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement of any other officer or employee of the agency by which he or she is employed or

(4) involves the time demands as would render performance of his or her duties as a local agency officer or employee less efficient.

(c) The local agency shall adopt rules governing the application of this section. The rules shall include provision for notice to employees of the determination of prohibited activities, of disciplinary action to be taken against employees for engaging in prohibited activities, and for appeal by employees from such a determination and from its application to an employee. Nothing in this section is
CONFLICT OF INTEREST POLICY

intended to abridge or otherwise restrict the rights of public employees under Chapter 9.5 (commencing with Section 3201) of Title 1.

(d) The application of this section to determine what outside activities of employees are inconsistent with, incompatible with, or in conflict with their duties as local agency officers or employees may not be used as part of the determination of compensation in a collective bargaining agreement with public employees.”

B. California Government Code Section 1127.

It is not the intent of this article to prevent the employment by private business of a public employee, such as a peace officer, fireman, forestry service employee, among other public employees, who is off duty to do work related to and compatible with his regular employment, or past employment, provided the person or persons to be employed have the approval of their agency supervisor and are certified as qualified by the appropriate agency.

C. California Government Code Section 1090.

Members of the Legislature, state, county, district, judicial district, and city officers or employees shall not be financially interested in any contract made by them in their official capacity or by any body or board of which they are members. Nor shall state, county, district, judicial district, and city officers or employees be purchasers at any sale or vendors at any purchase made by them in their official capacity.

As used in this article, “district” means any agency of the state formed pursuant to general law or special act, for the local performance of governmental or proprietary functions within limited boundaries.

D. California Government Code Section 1091.

(a) An officer shall not be deemed to be interested in a contract entered into by a body or board of which the officer is a member within the meaning of this article if the officer has only a remote interest in the contract and if the fact of that interest is disclosed to the body or board of which the officer is a member and noted in its official records, and thereafter the body or board authorizes, approves, or ratifies the contract in good faith by a vote of its membership sufficient for the purpose without counting the vote or votes of the officer or member with the remote interest.

(b) As used in this article, “remote interest” means any of the following:

(1) That of an officer or employee of a nonprofit entity exempt from taxation pursuant to Section 501(c)(3) of the Internal Revenue Code (26 U.S.C. Sec. 501(c)(3)) or a nonprofit corporation, except as provided in paragraph (8) of subdivision (a) of Section 1091.5.
CONFLICT OF INTEREST POLICY

(2) That of an employee or agent of the contracting party, if the contracting party has 10 or more other employees and if the officer was an employee or agent of that contracting party for at least three years prior to the officer initially accepting his or her office and the officer owns less than 3 percent of the shares of stock of the contracting party; and the employee or agent is not an officer or director of the contracting party and did not directly participate in formulating the bid of the contracting party.

For purposes of this paragraph, time of employment with the contracting party by the officer shall be counted in computing the three-year period specified in this paragraph even though the contracting party has been converted from one form of business organization to a different form of business organization within three years of the initial taking of office by the officer. Time of employment in that case shall be counted only if, after the transfer or change in organization, the real or ultimate ownership of the contracting party is the same or substantially similar to that which existed before the transfer or change in organization. For purposes of this paragraph, stockholders, bondholders, partners, or other persons holding an interest in the contracting party are regarded as persons holding an interest in the contracting party are regarded as having the “real or ultimate ownership” of the contracting party.

(3) That of an employee or agent of the contracting party, if all of the following conditions are met:

(A) The agency of which the person is an officer is a local public agency located in a county with a population of less than 4,000,000.

(B) The contract is competitively bid and is not for personal services.

(C) The employee or agent is not in a primary management capacity with the contracting party, is not an officer or director of the contracting party, and holds no ownership interest in the contracting party.

(D) The contracting party has 10 or more other employees.

(E) The employee or agent did not directly participate in formulating the bid of the contracting party.

(F) The contracting party is the lowest responsible bidder.

(4) That of a parent in the earnings of his or her minor child for personal services.

(5) That of a landlord or tenant of the contracting party.

(6) That of an attorney of the contracting party or that of an owner, officer, employee, or agent of a firm that renders, or has rendered, service to the contracting party in the capacity of stockbroker, insurance agent, insurance broker, real estate agent, or real estate broker, if these individuals have not received and will not receive remuneration, consideration, or a commission as a result of the contract and if these individuals have an ownership interest
of 10 percent or more in the law practice or firm, stock brokerage firm, insurance firm, or real estate firm.

(7) That of a member of a nonprofit corporation formed under the Food and Agriculture Code or a nonprofit corporation formed under the Corporations Code for the sole purpose of engaging in the merchandising of agricultural products or the supplying of water.

(8) That of a supplier of goods or services when those goods or services have been supplied to the contracting party by the officer for at least five years prior to his or her election or appointment to office.

(9) That of a person subject to the provisions of Section 1090 in any contract or agreement entered into pursuant to the provisions of the California Land Conservation Act of 1965.

(10) Except as provided in subdivision (b) of Section 1091.5, that of a director of or a person having an ownership interest of 10 percent or more in a bank, bank holding company, or savings and loan association with which a party to the contract has a relationship of borrower or depositor, debtor or creditor.

(11) That of an engineer, geologist, or architect employed by a consulting engineering or architectural firm. This paragraph applies only to an employee of a consulting firm who does not serve in a primary management capacity, and does not apply to an officer or director of a consulting firm.

(12) That of an elected officer otherwise subject to Section 1090, in any housing assistance payment contract entered into pursuant to Section 8 of the United States Housing Act of 1937 (42 U.S.C. Sec 1437f) as amended, provided that the housing assistance payment contract was in existence before Section 1090 became applicable to the officer and will be renewed or extended only as to the existing tenant, or, in a jurisdiction in which the rental vacancy rate is less than 5 percent, as to new tenants, in a unit previously under a Section 8 contract. This section applies to any person who became a public official on or after November 1, 1986.

(13) That of a person receiving salary, per diem, or reimbursement for expenses from a government entity.

(14) That of a person owning less than 3 percent of the shares of a contracting party that is a for-profit corporation, provided that the ownership of the shares derived from the person’s employment with that corporation.

(c) This section is not applicable to any officer interested in a contract who influences or attempts to influence another member of the body or board of which he or she is a member to enter into the contract.

(d) The willful failure of an officer to disclose the fact of his or her interest in a contract pursuant to this section is punishable as provided in section 1097. That violation does not void the contract unless the contracting party had knowledge of the fact of the remote interest of the officer at the time the contract was executed.
E. California Government Code Section 1091.5.

“(a) An officer or employee shall not be deemed to be interested in a contract if his or her interest is any of the following:

(1) The ownership of less than 3 percent of the shares of a corporation for profit, provided that the total annual income to him or her from dividends, including the value of stock dividends, from the corporation does not exceed 5 percent of his or her total annual income, and any other payments made to him or her by the corporation do not exceed 5 percent of his or her total annual income.

(2) That of an officer in being reimbursed for his or her actual and necessary expenses incurred in the performance of official duties.

(3) That of a recipient of public services generally provided by the public body or board of which he or she is a member, on the same terms and conditions as if he or she were not a member of the body or board.

(4) That of a landlord or tenant of the contracting party if the contracting party is the federal government or any federal department or agency, this state or an adjoining state, any department or agency of this state or an adjoining state, any county or city of this state or an adjoining state, or any public corporation or special, judicial, or other public district of this state or an adjoining state unless the subject matter of the contract is the property in which the officer or employee has the interest as landlord or tenant in which event his or her interest shall be deemed a remote interest within the meaning of, and subject to, the provisions of Section 1091.

(5) That of a tenant in a public housing authority created pursuant to Part 2 (commencing section 34200) of Division 24 of the Health and Safety Code in which he or she serves as a member of the board of commissioners of the authority or of a community development commission created pursuant to Part 1.7 (commencing with Section 34100) of Division 24 of the Health and Safety Code.

(6) That of a spouse of an officer or employee of a public agency in his or her spouse’s employment or officeholding if his or her spouse’s employment or officeholding has existed for at least one year prior to his or her election or appointment.

(7) That of a nonsalaried member of a nonprofit corporation, provided that this interest is disclosed to the body or board at the time of the first consideration of the contract, and provided further that this interest is noted in its official records.

(8) That of a noncompensated officer of a nonprofit, tax-exempt corporation, which, as one of its primary purposes, supports the functions of the body or board or to which the body or board has a legal obligation to give
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particular consideration, and provided further that this interest is noted in its official records.

For purposes of this paragraph, an officer is “noncompensated” even though he or she receives reimbursement from the nonprofit, tax-exempt corporation for necessary travel and other actual expenses incurred in performing the duties of his or her office.

(9) That of a person receiving salary, per diem, or reimbursement for expenses from a government entity, unless the contract directly involves the department of the government entity that employs the officer or employee, provided that the interest is disclosed to the body or board at the time of consideration of the contract, and provided further that the interest is noted in its official record.

(10) That of an attorney of the contracting party or that of an owner, officer, employee, or agent of a firm which renders, or has rendered, services to the contracting party in the capacity of stockbroker, insurance agent, insurance broker, real estate agent, or real estate broker, if these individuals have not received and will not receive remuneration, consideration, or a commission as a result of the contract and if these individuals have an ownership interest of less than 10 percent in the law practice or firm, stock brokerage firm, insurance firm, or real estate firm.

(11) Except as provided in subdivision (b), that of an officer or employee of, or a person having less than a 10-percent ownership interest in, a bank, bank holding company, or savings and loan association with which a party to the contract has a relationship of borrower, depositor, debtor, or creditor.

(12) That of (A) a bona fide nonprofit, tax-exempt corporation having among its primary purposes the conservation, preservation, or restoration of park and natural lands or historical resources for public benefit, which corporation enters into an agreement with a public agency to provide services related to park and natural lands or historical resources and which services are found by the public agency, prior to entering into the agreement or as part of the agreement, to be necessary to the public interest to plan for acquire, protect, conserve, improve, or restore park and natural lands or historical resources for public purposes and (B) any officer director or employee acting pursuant to the agreement on behalf of the nonprofit corporation. For purposes of this paragraph, “agreement” includes contracts and grants, and “park”, “natural lands” and “historical resources” shall have the meaning set forth in subdivisions (d), (g), and (i) of Section 5902 of the Public Resources Code. Services to be provided to the public agency may include those studies and related services, acquisitions of property and property interests, and any activities related to those studies and acquisitions necessary for the conservation, preservation, improvement, or restoration of park and natural lands or historical resources.
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(13) That of an officer, employee, or member of the Board of Directors of the California Housing Finance Agency with respect to a loan product or programs if the officer, employee, or member participated in the planning, discussions, development or approval of the loan product or program and both of the following two conditions exist:

(A) The loan product or program is or may be originated by any lender approved by the agency.

(B) The loan product or program is generally available to qualifying borrowers on terms and conditions that are substantially the same for all qualifying borrowers at the time the loan is made.

(b) An officer or employee shall not be deemed to be interested in a contract made pursuant to competitive bidding under a procedure established by law if his or her sole interest is that of an officer, director, or employee of a bank or savings and loan association with which a party to the contract has the relationship of borrower, depositor, debtor, or creditor."

F. Pursuant to California Health & Safety Code Section 34281, a commissioner or employee of an authority shall not acquire any direct or indirect interest in any housing project or in any property included or planned to be included in any project, nor shall he/she have any direct or indirect interest in any contract or proposed contract for materials or services to be furnished or used in connection with any housing project. If he/she owns or controls a direct or indirect interest in any such property, he/she shall immediately make a written disclosure of it to the authority and the disclosure shall be kept on file. Failure to disclose his/her interest constitutes misconduct in office.

Nothing contained in this section or in any other provision of law shall be construed as precluding a tenant of an authority from serving as a commissioner of the authority, provided that the fact of such tenancy is disclosed to the authority in writing and entered upon its minutes immediately upon assuming office; nor shall any provision in this code or elsewhere be construed as in any manner inhibiting the right of such tenant commissioner to exercise the full powers vested in his/her office.

G. Pursuant to the Code of Federal Regulations, Title 24 Housing and Urban Development, part 982.161 Conflict of Interest, neither the Authority nor any of its contractors or subcontractors may enter into any contract or arrangement in connection with the tenant-based programs in which any of the following classes of persons has any interest, direct or indirect, during tenure or one year thereafter:

1. Any present or former member or officer of the Authority (except a participant commissioner);
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2. Any employee of the Authority, or any contractor, subcontractor or agent of the Authority, who formulates policy or who influences decisions with respect to the programs;

3. Any public official, member of a governing body, or State or local legislator, who exercises functions or responsibilities with respect to the programs; or

4. Any member of the Congress of the United States.

H. Additionally, pursuant to the Code of Federal Regulations, Title 24 Housing and Urban Development, part 982.161 Conflict of Interest any member of the classes described in item G. above must disclose his/her interest or prospective interest to the Authority and HUD. The HUD field office for good cause may waive the conflict of interest prohibition described in item G. above. It is the responsibility of the employee or individual to apply for such a waiver.