



In your City position, you are the [redacted] for the Department of [redacted]. You stated that your City duties do not involve residential property sold in the Scavenger Sale (although a committee on which you sit may become involved in a no-cash bid by the City for some nonresidential property), and that you have no special knowledge about the sale as a result of your City position. However, because of your position in the Department of [redacted], we call your attention to the Board's advice in Case no. 87072, that employees and officials who are privy to non-public information

Section 2-156-110 of the Ethics Ordinance prohibits employees and elected officials from purchasing any property that is sold for taxes or assessments unless the property is sold pursuant to a process of competitive bidding following public notice. In a previous opinion, Case no. 87072.A, the Board of Ethics determined a City official may bid for and purchase property offered at a Scavenger Sale because the requisites of this exception (competitive bidding following public notice) are assured under the State of Illinois Revenue Act, 35 ILCS 200/21 et seq.

On [redacted], you asked whether the Governmental Ethics Ordinance affects your ability as a City employee to purchase residential property at the 1995 Scavenger Sale of tax delinquent property run by Cook county. You provided staff with the General Information packet for the 1995 Scavenger Sale. It is the staff's opinion that, under the circumstances as you describe them, the Ethics Ordinance does not prohibit you from purchasing residential property at the 1995 Scavenger Sale.

Re: Case No. 95023.0
Financial Interest in City Business

Dear [redacted]:

[redacted]

CONFIDENTIAL

August 18, 1995

City of Chicago
Richard M. Daley, Mayor
Board of Ethics
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2/11/95

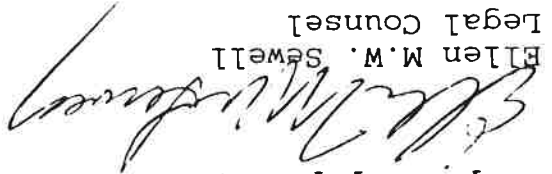
concerning the Scavenger Sale property should abstain from bidding on such property in accordance with § 2-156-070 of the Ordinance. This section states that no official or employee shall use or disclose, other than in the performance of his or her official duties and responsibilities, confidential information gained in the course of or by reason of his or her city position or employment.

We also call to your attention §§ 2-156-030 and -080 of the Ordinance, which prohibits you from participating in or trying to use your position to influence any governmental decision or action in which you have an "economic interest" distinguishable from that of the general public. An "economic interest" is "any interest valued or capable of valuation in monetary terms..." (§ 2-156-010(1)).

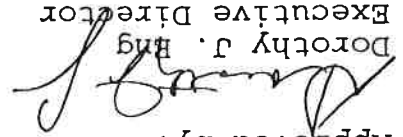
The staff's conclusion is based on the application of the Governmental Ethics Ordinance to the facts you provided. If the facts are incorrect or incomplete or new facts arise, please notify us, because a change in the facts could alter our conclusions. Other rules or laws may apply to your situation, and a City department may impose rules stricter than those contained in the Ethics Ordinance.

We appreciate your calling us, and your willingness to seek guidance on this matter. If, after reviewing staff's opinion, you have further questions or need further guidance, please contact us.

Very truly yours,


Ellen M.W. Sewell
Legal Counsel

Approved by:


Dorothy J. King
Executive Director

2-156-3