

Code of Ethics Policy

As authorized under the State of Florida Code of Ethics, the governing Board (the “Board”) of the Escambia County Housing Finance Authority (the “Authority”) hereby adopts a Code of Ethics Policy (the “Ethics Policy”) for its officers and employees in accordance with Part III of Chapter 112, Florida Statutes "Code of Ethics For Public Officers and Employees." All public officers and employees of the Authority will conduct Authority business pursuant to the Authority Ethics Policy in addition to the statutory regulations set out in Part III, Chapter 112, Florida Statutes.

The proper operation of local government requires that public officers and employees be independent, impartial, and responsible to the people; that decisions and policy be made through proper channels of the governmental structure; that public office must not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, the Authority establishes this Ethics Policy for all its officers and employees.

A. Scope of the Policy

1. Public Officers

- a. A "public officer" is defined in Sections 112.313(1) and 112.3143(1)(b), Florida Statutes to include any person "elected or appointed to hold office in any agency of the State, including any person serving on an advisory body."
- b. The Authority's public officers are the members of the Board.

2. Public Employees

- a. The term "employee" is not defined in the State Code of Ethics, but the First District Court of Appeal has applied in an ethics context the same definition of "employee" as is used in tort actions. (*Wright v. Commission on Ethics*, 389 So.2d 662 (Fla. 1st DCA 1980.)
- b. Examples of such employees include the Executive Director, Chief

Financial Officer (the “Reporting Employees”), and all other salaried or hourly workers employed by the Authority, exclusive of independent contractors.

"Independent contractors" hired by the Authority are not employees and therefore are not governed by provisions in this policy that are applicable to public employees.

B. State Code of Ethics

All Authority public officers and employees shall be required to become familiar with the provisions of Part III, Chapter 112, Florida Statutes, including but not limited to the following sections:

1. Section 112.313, Florida Statutes. This section establishes the standard of conduct for public officers and employees of the Authority. It sets out the standards which must be followed in any official business conducted by public officers or employees of the Authority, including such matters as the solicitation or acceptance of gifts, doing business with one's agency, unauthorized compensation, salary and expenses, misuse of public position, conflicting employment or contractual relationships, disclosure or use of Authority information and certain other matters.
2. Section 112.3135, Florida Statutes. This anti-nepotism section prohibits a “public official” (including public officers and certain supervisory employees) from appointing, employing, promoting, or advancing or advocating the appointment, employment, promotion, or advancement of a relative. It does not necessarily prohibit two relatives from being employed within the Authority at the same time. "Relative," for purposes of this section only, with respect to a public officer, means an individual who is related to the public officer as 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, or half sister.
3. Section 112.3143, Florida Statutes. This section governs public officers who are appointed to hold office on the Board. It forbids any Authority public officer from voting or participating in his or her official capacity upon any measure which would inure to his or her special private gain

or loss or to the special private gain or loss of other specified individuals and provides for public disclosure of such voting conflicts.

4. Section 112.3144, Florida Statutes. This section requires the public disclosure of the financial interests of the Members of the Board and the Reporting Employees as specified herein. It establishes the procedure for such filing and the fines for failure to timely file as required.
5. Section 112.3145, Florida Statutes. This section requires that Authority public officers and Reporting Employees file disclosures of their financial interests and clients represented before the Board.
6. Section 112.3147, Florida Statutes. This section provides that applicable disclosures shall be on forms prescribed by the State Commission on Ethics.
7. Section 112.3148, Florida Statutes. This section governs certain public officers and Reporting Employees. It defines who a lobbyist is and sets out the requirements for the reporting and receipt of gifts by individuals filing full or limited public disclosure of financial interests and by procurement employees.
8. Section 112.3149, Florida Statutes. This section deals with the solicitation and disclosure of honoraria. It defines honoraria and how such honoraria may be accepted and reported to the Commission on Ethics.
9. Section 112.3151, Florida Statutes. This section provides for the extension of time for filing certain disclosures. It states the Commission on Ethics may grant for good cause, on an individual basis, an extension of time for filing any disclosure required under the State Code of Ethics.
10. Section 112.317, Florida Statutes. This section provides for the State penalties that public officers or employees may face for violation of the State Ethics Code.

C. Standards of Conduct

The conduct of all public appointed officers and employees shall be measured by the standards set out in Part III, Chapter 112, Florida Statutes, and by those additional standards adopted by the Authority that require a higher standard of conduct than permitted under the State Code of Ethics, including but not limited

to the following:

1. *Personal Interest in Authority Contract or Transaction.* No Authority public officer or employee having the power or duty to perform an official action related to a County contract or a transaction shall:
 - a. Have or thereafter acquire any interest in such a contract or transaction, or
 - b. Have an interest in any business entity representing, advising, or appearing on behalf of, whether paid or unpaid, any person involved in such contract or transaction, or
 - c. Have solicited or accepted present or future employment with a person or business entity involved in such contract or transaction, or
 - d. Have solicited, accepted, or granted a present or future gift, favor, service, or thing of value from or to a person involved in such contract or transaction, except as otherwise allowed in the State Code of Ethics.
2. *Disclosure or use of Certain Information.* No public officer, employee of an agency, or local government attorney shall disclose or use information not available to members of the general public and gained by reason or his or her official position for his or her personal gain or benefit or for the personal gain or benefit of any other person or business entity.
3. *Withholding of Information (Required Disclosure).*

No public appointed officers or employees shall withhold any information when the officer or employee knows, or reasonably should know, that a failure to disclose may impair the proper decision making of the Authority. In addition to the requirements of Chapter 112, Part II, Code of Ethics for Public Officers and Employees, members of Authority committees, and any of the Authority's employees who are recommending the approval or denial of a recommendation for any official action shall, prior to any such action, disclose any recent (within the last 90 days) or ongoing business, financial, or investment relationship or interest that may, in the context of the proposed official motion, reasonably be deemed to create the appearance of impropriety.

- a. Authority public officers and Reporting Employees shall be required to comply with the financial disclosure requirements established pursuant to Section 112.3145, Florida Statutes. Disclosure shall be made on an annual basis but shall not be made later than July 1 of each year. The Authority Ethics Officer shall ensure that disclosure forms and all necessary instructions for compliance are available and that such persons have adequate time to complete the disclosure forms. The Authority Ethics Officer shall be the custodian of records for any disclosure forms that are not required to be sent to the State of Florida Commission on Ethics.
4. Public Property. No Authority public officer or employee shall request or permit the unauthorized use of Authority-owned equipment, materials, or property.
5. Special Treatment. No Authority public officer or employee shall grant any special consideration, treatment, or advantage to any person, group or organization beyond that which is available to every other person, group or organization in the same or similar circumstances.
6. Payment of Debts. All public officers and employees shall settle, in a timely fashion, business accounts between them and the Authority.
7. Gifts and Gratuities. Appointed public officers and employees shall not directly solicit any gift or accept or receive any gift - whether it be money, services, loans, travel, entertainment, hospitality, a promise, or in any other form - under circumstances where it could be reasonably inferred or expected that the gift was intended to influence them in the performance of their official duties, or the gift was intended to serve as a reward for any official action on their part. Furthermore, no Authority employee shall receive any gifts from organizations, business concerns, or individuals that are lobbyists or vendors that have a business relationship with the Authority if such gift has a value over \$50.00.

The following shall not be deemed a violation of the limitations this Policy imposes as it relates to gifts and gratuities over \$50.00:

- a. Legitimate salary, benefits, fees, commissions, or expenses associated with a public officer's or employee's non-public business;

- b. An award, plaque, certificate, memento, or similar item given in recognition of the public officer's or employee's civic, charitable, political, professional, or public service;
 - c. Food, beverages, and registration at group events to which all similarly situated employees or public officers are invited;
 - d. Actual and reasonable expenses, as set out in the Authority travel policy, for food, beverages, travel, lodging, and registration for a meeting which are provided to a public officer or employee so that he or she may participate in or speak at a meeting or conference or similar event;
 - e. A commercially reasonable loan offered to the public at large and made in the ordinary course of business;
 - f. Promotional items generally distributed free to public officers or employees by Authority vendors;
 - g. Gifts from a relative (father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law) of the appointed officer or employee.
8. Gift Reports. All public officers and Reporting Employees who receive a gift shall report that gift if required by and in the manner provided by Section 112.3148, Florida Statutes.
9. Outside Employment. Authority employees may engage in outside employment if approved by the Executive Director (or, with respect to outside employment of the Executive Director, if approved by the Chair of the Board), subject to the following restrictions:
- a. Authority employees may not render services for outside interests or conduct a private business when such employment, service, or business creates a conflict with or impairs the proper discharge of their duties; and
 - b. Authority employees may not use Authority property or resources to assist or promote the outside employment, service

or business; and

- c. Authority employees may not use any portion of time spent working for the Authority to assist or promote such outside employment, service, or business.

Furthermore, all Authority employees seeking to engage in private employment must complete the certification form (attached to this policy) that: 1) discloses the identity of the private employment, service, or business, 2) discloses the nature of the private employment, service, or business, and the job duties of the position that the Authority employee seeks, and 3) discloses whether, to the employee's knowledge, the private employer, service, or business is a vendor or contractor for the Authority. This certification form, declaring such outside employment, must be filed with and approved by the Executive Director (or, with respect to outside employment of the Executive Director, filed with and approved by the Chair of the Board), prior to the engagement by the employee in outside employment. A copy of the certification form will be maintained in the employee's official personnel file. A new certification form shall be provided for consideration of approval of the Executive Director at the time of the employee's annual reviews for so long as such outside employment continues.

- 10. Prohibited Investments. No appointed public officer or employee over the course of his or her employment shall be allowed to have any personal investment which in any way would create a substantial conflict of interest between his or her private interests and the Authority's interest. Additionally, no appointed public officer or employee who reviews applications for permits or approvals shall enter into any contractual relationship with a person or entity who must obtain an Authority permit or approval for the property (real or personal) that is the subject of the contract.

Furthermore, no Authority employee may enter into any joint business or joint investment with a Board member or an elected County officer while the officer is serving his or her term of office. If the employee has any joint business or joint investment, with a Board member that existed prior to their being employed by the Authority or prior to the appointment of the officer, the employee must make full disclosure of the business or investment prior to accepting employment with the Authority or immediately upon the appointment of the public officer, as applicable.

11. Miscellaneous Malfeasance or Misfeasance. Any Authority public officer or employee, who breaches the public trust for private gain, shall be liable to the Authority for repayment of all financial benefits obtained by such a breach. It also shall be unlawful and a violation of this policy for any Authority public officer or employee to threaten or intimidate or otherwise impede any witness, investigation, administration of law, the conduct of any public meeting, or any other act that would interfere with the lawful functioning of the Authority.
12. Improper Use of Position. No Authority public officer or employee shall use or attempt to use his or her official position or any property or resource which may be within his or her trust, to secure a special privilege, benefit, or exemption for himself, herself, or others.
13. Converting Authority Property. An Authority public officer or employee is prohibited from converting or embezzling any real or personal property for which that public officer or employee is required to possess or control in the execution of his or her Authority duties. Upon a conviction and adjudication of guilt by a court of competent jurisdiction, whether civil or criminal, the Authority shall request that the court require proper restitution to the Authority.
14. Political Activity. Any Authority public officer or employee is prohibited from conducting political activities while on Authority time. No such political activities will be undertaken by any person who disadvantages the functioning of the programs or governance of the Authority. An Authority public officer or employee is prohibited from using Authority resources to aid or boost the political campaign of any elected public officer. This policy shall not be interpreted to violate the protected constitutional rights of the First Amendment or the impairment of any public officer or employee's civil rights to vote and to take part in political campaigns.

15. Professional Services. No Authority public officer or employee may recommend the services of any lawyer or other professional to assist any person in a transaction involving the Authority unless such recommendation is a part of that person's official duties. No attorney employed by the Authority or other employee shall represent a private individual or entity before the Authority.
16. Ethics Officer. Initially, the Executive Director will serve as the Authority Ethics Officer. At her discretion, she may appoint another person to serve in such capacity and to assume the duties set forth herein. The Ethics Officer may receive complaints from the public or Authority personnel involving alleged ethical violations by the Authority's appointed public officers or employees. The Ethics Officer will review any such allegation to determine whether or not it appears to be factually grounded. The Ethics Officer shall also report the allegation to the Chair of the Board and shall review the factual basis for the allegation with the General Counsel for the Authority. Should the complaint involve the Executive Director or any Board Member the complaint shall be referred to General Counsel for the Authority. After such review, the Ethics Officer may initiate an investigation or refer the complainant to the State Commission on Ethics (COE) as appropriate. If the complaint involves the Executive Director, the decision to initiate an investigation or to make a referral to the COE is subject to approval by the Chair of the Board. The Ethics Officer's completed report will be submitted to the Chair of the Board.
17. Disclosure of Criminal Records Required. Any person applying for employment with the Authority will disclose any criminal convictions and the failure to do so may result in dismissal from any such employment.
18. Prohibition against Misuse of Code. Individuals covered by this policy shall not use its provisions to further false or frivolous claims against another. False claims shall be those forwarded with knowledge that the claim contains one or more false allegations or with reckless disregard for whether the complaint contains false allegations of material fact. The filing of a false complaint shall be a violation of this policy.
19. Enforcement and Penalty. Pursuant to Subsection 112.317(3)(b), Florida Statutes, the Board finds that an efficient and effective method for the

determination of violations of the ethical standards set forth in this Policy is through local enforcement as provided herein. This Policy may be enforced in any manner allowed, authorized, or otherwise provided by law.

- a. For Board members, the Board may censure that Member for a policy violation and/or may refer the matter to the State Commission on Ethics for investigation.
- b. For Authority employees, such employees may be subject to employment sanctions for a policy violation, including but not limited to, reduction in pay, reprimand, suspension, or termination in accordance with the personnel procedures which are currently established allowing for Authority employees to be disciplined or the referral of the matter to the State Commission on Ethics for investigation.

20. Training, Administration and Records. The Ethics Officer shall be responsible for training, administration and record keeping associated with the Authority's Ethics Program. All Authority employees are required to attend no less than two (2) hours of ethics training on an annual basis. The Ethics Officer shall be responsible for scheduling an adequate number of training sessions and shall provide adequate notice of the training sessions. "Ethics Training" includes any training on the provisions, application, and enforcement of this policy, on the provisions, application, and enforcement of the State Code of Ethics, and any other ethics-based training for public officers and employees approved by the Ethics Officer. Failure to attend the minimum requirements for ethics training annually shall constitute a basis for disciplinary action.
21. Priority. If any provisions of this policy are inconsistent with the Authority's Personnel and Policy Manual, the provisions of this policy will control, but only to the extent of such inconsistency. Otherwise, the PPM shall remain in full force and effect unless and until amended by the Board.

This policy shall be effective upon adoption by the Board. This policy was duly adopted in public meeting on this 11th day of February, 2025.

[SEAL]



ATTEST:

**ESCAMBIA COUNTY HOUSING FINANCE
AUTHORITY**

By: _____

Name: Robert Ward

Title: Chair

By: _____

Frederick J. Gant, Secretary/Treasurer

ACKNOWLEDGEMENT OF RECEIPT

I have received and read the Escambia County Housing Finance Authority Ethics Policy and agree to abide by its provisions and uphold its policies.

Name: _____ Job Title: _____

Signature: _____ Date: _____

CERTIFICATION OF OUTSIDE EMPLOYMENT

I, _____ (name) do hereby state under oath that I engage in non-Authority employment.

This employment is conducted entirely in my off-duty hours, and I do not use or take advantage of any resources or equipment of the Escambia County Housing Finance Authority in its performance. I understand and agree that such employment is secondary to my Authority employment in all respects. Specifics regarding my outside employment follow:

1. Name and address of company/organization:

2. Nature of Business or operations:

3. My Duties:

4. To the best of your knowledge, do any of the companies/organizations listed above have a business relationship with the Authority?

If yes, please describe nature of business transactions: _____

For purposes of this question, a "business relationship" may be ongoing, may have been conducted within the past 18 months, or may be intended to begin within the next 18 months.

I, by my signature below, certify that my outside employment does not now pose a conflict of interest with my current Authority employment nor will such outside employment create such a conflict in the future. Should I discover that such outside employment does indeed create such a conflict in the future, I will cease such outside employment, or I will resign my current Authority employment.

Also, I will promptly advise my supervisor and the Executive Director when there is a change or addition to my outside employment listed above.

I understand and agree that for the purposes of this certification "conflict of interest" shall mean those conflicts set out in Part III of Chapter 112, Florida Statutes and the Authority Code of Ethics Policy.

I understand and agree that violation of this certification in any aspect shall be grounds for disciplinary action up to and including termination of my employment.

Name: _____ Job Title: _____ Signature: _____
Date: _____

STATE OF
FLORIDA
COUNTY OF
ESCAMBIA

Subscribed and sworn to (or affirmed) before me this _____ day of _____ by
_____ who is personally known to me or has produced
as identification. _____ (type of identification)

SEAL

Notary Public

Approved by: _____
Executive Director or Chair, as applicable

Date: _____

I

