

June 3, 2002  
Re: IO-02-68

You inquired whether you may bid on property that will be auctioned at the county's annual tax sale tomorrow, June 4, 2002. According to a previous ethics commission opinion, FO-94-101, a county employee may bid on property at the tax sale unless the employee is in a position to know or have access to information about the property that is not readily available to the members of the public. In that opinion, the ethics commission advised that employees of the Billing and Customer Service Division of the Budget and Finance Office could not bid on property because they had access to non-public information about these properties on their county computers.

Therefore, if you have any access to non-public information pertaining to the properties that will be auctioned at the tax sale, you may not bid on those properties. See the Public Ethics Law, §3-107 If you do not have such access, there is nothing in the ethics law that would prohibit you from participating as a potential buyer at the tax sale.

Thank you for your inquiry.

Sincerely,

Betsy K. Dawson  
Executive Director