



California Fair Political Practices Commission

September 27, 1989

Andrew Getz
1355 Ocean Avenue
Emeryville, CA 94608

Re: Letter No. 89-551

Dear Mr. Getz:

We received your letter requesting confirmation of advice under the Political Reform Act on September 21, 1989. Your letter has been assigned to Jill Stecher for response. If you have any questions, you may contact her directly at (916) 322-5901.

If the letter is appropriate for confirmation without further analysis, we will attempt to expedite our response. A confirming response will be released after it has gone through our approval process. If the letter is not appropriate for this treatment, the staff person assigned to prepare the response will contact you shortly to advise you. In such cases, the normal analysis, review and approval process will be followed.

You should be aware that your letter and our response are public records which may be disclosed to any interested person upon receipt of a proper request for disclosure.

Sincerely,

A handwritten signature in cursive script that reads "Kathryn E. Donovan".

Kathryn E. Donovan
General Counsel

KED:plh:confadv1

FPPC
SEP 21 1 40 PM '89

Andrew Getz
1355 Ocean Avenue
Emeryville, California 94608
(415) 652-4191

September 20, 1989

T-89-551

Ms. Jill Stecher
Fair Political Practices Commission
428 J Street, Suite 800
Sacramento, California 95814

Dear Ms. Stecher,

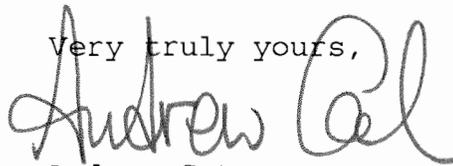
Thank you for taking the time to discuss and research the question of whether or not an official's residence is exempt from the conflict of interest restrictions which apply to other real property equity.

As I understand your interpretation, an official can have "financial interest" in his or her primary residence under Political Reform Act §87103.

The exception contained in §87206(f) applies only to Form 721 disclosure, and does not exempt one's residence from being "financial interest" capable of creating a conflict of interest.

Please let me know if the above does not accurately reflect your interpretation of the Act. Again, thank you for researching this question for me.

Very truly yours,



Andrew Getz