

# Memorandum

To : Nancy Conzett

Date : December 29, 1977

From : FAIR POLITICAL PRACTICES COMMISSION  
Dwight Dickerson

Subject: Phone Advice

M 77-269

I received a call December 28, 1977, from City Attorney Michael Miller of Gardena, California concerning the following question: In light of Section 82033, is a Councilman required to report on a Schedule 720 property that is currently being held in escrow?

The facts as I understand them were that the Councilman was in the process of purchasing the property but it was still being held in escrow near the time his Schedule 720 Statement was due.

I advised the City Attorney that the Councilman should report the property but describe on the form that it was still being held in escrow. It was the opinion of various members of the staff that the Councilman had a beneficial interest in the property, and that if a vote came up that would have an impact on the property, the Councilman would be sufficiently interested in the property in that his ability to be free from bias could be impaired.

The City Attorney agreed with the analysis and our conclusion.

DD:ma