



INDIANA  
STATE ETHICS COMMISSION

JUN 9 2022

FILED

**IC 4-2-6-11  
Post-employment waiver**

As the Appointing Authority of the Indiana Housing and Community Development Authority (IHCDA), I am filing this waiver of the application of the Code of Ethics' post-employment restriction as it applies to Annette Richard in her possible future employment with RevTech 360.

I understand that I must file and present this waiver to the State Ethics Commission at their next available meeting. I further understand that this waiver is not final until approved by the State Ethics Commission.

A. This waiver is provided pursuant to IC 4-2-6-11(g) and specifically waives the application of *(Please indicate the specific restriction in 42 IAC 1-5-14 (IC 4-2-6-11) you are waiving):*

- IC 4-2-6-11(b)(1): 365 day required "cooling off" period before serving as a lobbyist.
- IC 4-2-6-11(b)(2): 365 day required "cooling off" period before receiving compensation from an employer for whom the state employee or special state appointee was engaged in the negotiation or administration of a contract and was in a position to make a discretionary decision affecting the outcome of such negotiation or administration.
- IC 4-2-6-11(b)(3): 365 day required "cooling off" period before receiving compensation from an employer for which the former state employee or special state appointee made a directly applicable regulatory or licensing decision.



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EQUAL OPPORTUNITY EMPLOYER AND HOUSING AGENCY

State of Indiana  
Lieutenant Governor  
Suzanne Crouch



IC 4-2-6-11(c): Particular matter restriction prohibiting the former state employee or special state appointee from representing or assisting a person in a particular matter involving the state if the former state officer, employee, or special state appointee personally and substantially participated in the matter as a state worker. *(Please provide a brief description of the specific particular matter(s) to which this waiver applies below):*

- B. IC 4-2-6-11(g)(2) requires that an agency's appointing authority, when authorizing a waiver of the application of the post-employment restrictions in IC 4-2-6-11(b)-(c), also include specific information supporting such authorization. Please provide the requested information in the following five (5) sections to fulfill this requirement.
1. Please explain whether the employee's prior job duties involved substantial decision-making authority over policies, rules, or contracts:

Annette serves as IHCDAs Director of Information Technology. She started in that role in March 2020. In her role Annette provides guidance and assists staff in making IT procurement related decisions. IHCDAs follow the policies of the Indiana Office of Technology as they relate to IT infrastructure and security policies, and also generally as it related to IT procurement. IHCDAs also has its own procurement policies which are approved by the IHCDAs board. Annette helps keep IT contracts on time and on budget, but decisions on those contracts are typically the responsibility of the staff who requested the service.

As it relates to IHCDAs relationship with RevTech 360 (formerly known as Revelant), IHCDAs first engaged with RevTech360 in 2019 to begin an analysis of IHCDAs existing systems and make recommendations on potential paths forward to migrate from existing IHCDAs systems, including an aging custom developed system which needed to be retired. This work was overseen by our prior IT Director and many of these recommendations made the argument for a move to a Salesforce platform based on the work and functions of IHCDAs.

Annette joined IHCDAs in the very early days of the COVID pandemic. Within a few months IHCDAs was tapped to administer 2 rental assistance programs state-wide, necessitating the quick implementation of a software package. We chose speed over everything else and engaged with a product called Submittable. While sufficient and certainly quick to start up, this product was at most serviceable.

Early in 2021 it became apparent that a more robust system was needed for ease of administration and reporting, as IHCDCA was awarded \$371M of additional rental assistance funds from the State Budget Agency. These funds originate from the U.S. Department of Treasury and are commonly referred to as ERAP or Emergency Rental Assistance Program funds or the Indiana Emergency Rental Assistance (IERA) program.

This program is jointly administered by IHCDCA's Deputy Executive Director and Chief Real Estate Development Officer (Matt Rayburn) who oversees the policy and reporting for the program and Chief of Staff and Chief Operating Officer (Kyleen Welling) who oversees the day-to-day program operations and payments. The program also has two directors, one for the Policy side and one on the Operations side. All four work together on the Salesforce application as it supports both the reporting and analytics submitted to the U.S. Treasury department as well as the operations of the program. All four of these staff work with Annette to make sure that the system is providing what is needed programmatically and to propose changes, modifications, etc. that can make the program more efficient.

In consultation with the Indiana Office of Technology (IOT), it was recommended we explore a Salesforce platform to support online applications, staff administrative work, vendor payments and back-end reporting. As both IHCDCA and IOT had prior experience with RevTech360, this seemed a natural partnership. RevTech360 is a Salesforce partner, providing development and support for Salesforce applications.

The scope of work for this engagement were vetted by both IHCDCA program staff and IOT and this contract was entered into under IOT's MSP program, using an intermediary firm called Knowledge Services. RevTech360 contracts with Knowledge Services to perform the work, Knowledge Services bills IOT for the work, IOT pays Knowledge Services and then IHCDCA reimburses IOT. IHCDCA oversees the day to day work of the contract and helps refine the work, timelines and deliverables and prioritize the order the work is completed in. IHCDCA has an IOT contact person we can escalate issues to if they arise with the contract.

IHCDCA's original scope of work has been completed with RevTech360, though we are in the process of developing one for the next set of work needed to continue to upgrade the IERA system. IHCDCA

earlier this year was awarded an additional \$234M for a second round of the IERA program which necessitates some changes to the platform and the reporting structure.

2. Please describe the nature of the duties to be performed by the employee for the prospective employer:

RevTech360 has offered Annette a position as a Service Delivery manager, responsible for delivering client applications on time and to the agreed upon specifications for Salesforce applications. This position works with private and public sector clients. It is hoped Annette will be allowed to work on future scopes of work for IHCDA.

3. Please explain whether the prospective employment is likely to involve substantial contact with the employee's former agency and the extent to which any such contact is likely to involve matters where the agency has the discretion to make decisions based on the work product of the employee:

It is likely this employment would include substantial contact with IHCDA as we do need to make some modifications to the current application and also need to build out a new, statutorily mandated Landlord application portal by August 30, 2022. Annette has irreplaceable knowledge of our rental assistance program and the standard operating procedures we use to approve files in the system. The loss of this knowledge would set this project back substantially and jeopardize our ability to launch the landlord application portal on time.

4. Please explain whether the prospective employment may be beneficial to the state or the public, specifically stating how the intended employment is consistent with the public interest:

This employment would be consistent with the public interest as it would provide much needed continuity for the Indiana Emergency Rental Assistance program, which provides much needed housing stability to low income Hoosier families. This program is currently set to continue through the 2024-2025 time frame and new policy changes implemented by the federal funding agency need to be incorporated quickly into our processes. We often need to make updates to questions in the application, add new fields and new workflows to implement these changes.

Additionally, the Landlord portal that was passed into law as a requirement during the 2021-22 legislative session is a heavy lift for both RevTech360 and IHCDA requiring substantial back end mapping to link the landlord and tenant files and which will require substantial testing before it's August 30, 2022 launch date to ensure it is functioning properly.

5. Please explain the extent of economic hardship to the employee if the request for a waiver is denied:

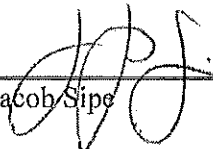
Annette is seeking this waiver so she can move to Kentucky where her husband's work has relocated him. He oversees construction of new steel plants and is required to be on-site 6 days per week, and he and most of the staff are actually living on site as this location.

As RevTech is a totally remote workplace, Annette can work for them from anywhere the internet exists. This move is important to Annette and her husband as she has just finished 4 months of 5 times weekly radiation treatments for cancer. As these treatments were Monday-Friday each week and the treatments left her worn down physically she was not able to see her husband during this time period. IHCDA is very supportive of this move and wishes to be supportive of our employee by granting this waiver.

C. Signatures

1. Appointing authority/state officer of agency

By signing below I authorize the waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(A). In addition, I acknowledge that this waiver is limited to an employee or special state appointee who obtains the waiver before engaging in the conduct that would give rise to a violation.

  
\_\_\_\_\_  
J. Jacob Sipe

5-11-2022  
\_\_\_\_\_  
DATE

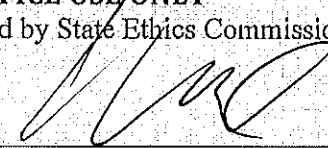
2. Ethics Officer of agency

By signing below I attest to the form of this waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(B).

  
\_\_\_\_\_  
S. Kyleen Welling

5/12/2022  
\_\_\_\_\_  
DATE

D. Approval by State Ethics Commission

<b>FOR OFFICE USE ONLY</b>	
Approved by State Ethics Commission	
 _____ Katherine Noel, Chair, State Ethics Commission	<u>6-9-22</u> _____ Date

**Mail to:**  
Office of Inspector General  
315 West Ohio Street, Room 104  
Indianapolis, IN 46202  
OR  
**Email scanned copy to:**  
[info@ig.in.gov](mailto:info@ig.in.gov)

*Upon receipt you will be contacted with details regarding the presentation of this waiver to the State Ethics Commission.*