



INDIANA  
STATE ETHICS COMMISSION

DEC 12 2019

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 Erika Young in her post-employment discussions with the Indiana Coalition Against Domestic Violence (ICADV). Erika's last day with the IHCDA is December 4, 2019. She is resigning to pursue other opportunities.

I understand that the agency must file and present this waiver to the State Ethics Commission at their next available meeting. Our Ethics Officer, Kyleen Welling, is prepared to attend the next scheduled meeting to present this waiver. 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.
- 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):



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State of Indiana  
Lieutenant Governor  
Suzanne Crouch



EQUAL OPPORTUNITY EMPLOYER AND HOUSING AGENCY

**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:

Erika served as a Grants Analyst overseeing the day to day administration of approximately 30 federal sub-awards, including sub-awards to the ICADV. In her role she provided technical assistance, answered questions from sub-grantees, spot checks claims for reimbursement and provided general guidance on allowable costs and activities, etc. She also is responsible for monitoring and closeouts.

Grants Analysts are supervised by a department manager and department director who are responsible for overall decision and policy making for the programs under their responsibility. The Grants Analyst role makes recommendations on policy but does not directly set policy, rules or award contracts. This particular funding source is actually reviewed by an advisory body who makes recommendations for funding that are ultimately reviewed and approved for awards by the United States Department of Housing and Urban Development (HUD). IHCDA administers the application process, but does not have the final decision making authority on each project.

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

Erika is applying for a position to help administer the sub-awards from IHCDA to ICADV. These are federal dollars from HUD and will ultimately be sub-granted further to local agencies who will provide rental assistance to their clients. ICADV will keep a portion of the federal funds as administrative dollars to oversee the program.

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:

The prospective employment will involve substantial contact with IHCDA as we are ultimately responsible for the oversight of the funds. The program is a federal program, so it is highly regulated at the federal level and all programmatic elements are agreed to before the project starts by the sub-recipient, IHCDA and HUD. There is limited discretion overall due to the restrictive nature of the program. Dollars are to be spent on rental assistance and a few administrative type activities. Projects are reviewed periodically for compliance and are monitored at project end for closeout.

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:

It may ultimately be beneficial to the state and public for Erika to move to ICADV and administer the project. This particular sub-award is new, ICADV is a first time recipient of the HUD funding IHCDA administers. ICADV does not have significant experience working with HUD dollars nor familiarity with the policies and programmatic rules involved with administering this funding source.

HUD programs can be cumbersome to administer and require significant record keeping and familiarity with rules and regulations specific to each funding source. Erika is very familiar not only with the HUD funding for the project, but has a significant background in administration of state and federal programs both from her time with IHCDA and the Indiana State Department of Health. We believe she would be a good asset to ICADV and the state generally in this potential new role.

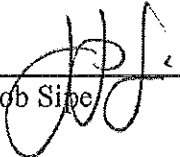
5. Please explain the extent of economic hardship to the employee if the request for a waiver is denied:

There is no immediate economic hardship to the employee.

### C. Signatures

1. Appointing authority/state officer of agency

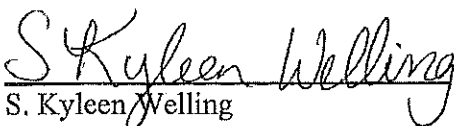
By signing below I authorize the waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(A). In addition, I acknowledge that this waiver is limited to an employee or special state appointee who obtains the waiver before engaging in the conduct that would give rise to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

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

12-3-19  
\_\_\_\_\_  
DATE

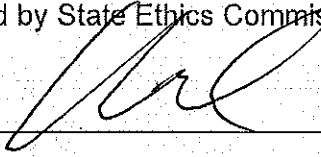
2. Ethics Officer of agency

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

12/3/19  
\_\_\_\_\_  
DATE

D. Approval by State Ethics Commission

<p><b>FOR OFFICE USE ONLY</b> Approved by State Ethics Commission</p>  <hr/>	Date <u>12/12/19</u>
Katherine Noel, Chair, State Ethics Commission	

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

*Upon receipt you will be contacted*