



OHIO ETHICS COMMISSION  
8 EAST LONG STREET  
COLUMBUS 43215  
(614) 466-7090

Advisory Opinion No. : 81-007  
October 15, 1981

Syllabus by the Commission:

Division (D) of Section 102.03 of the Revised Code prohibits an employee of a county recorder's office from receiving compensation from private individuals for conducting title searches.

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You asked whether the Ohio Ethics Law prohibits an employee of a county recorder's office from receiving compensation from private individuals for conducting title searches.

You stated, by way of history, that employees of the office of the county recorder are often asked by private individuals to conduct title searches. The employees are compensated for this service, and the searches are conducted either during working hours or lunch breaks.

Division (D) of Section 102.03 of the Revised Code prohibits a public official or employee, including an employee of a county recorder's office, from using or attempting to use his official position for personal gain or benefit. The Commission believes that receipt of compensation for the performance of services that are a part of a public employee's duties constitutes improper use of position for purposes of this provision. (See: Ohio Ethics Commission Advisory opinion No. 79-006)

This arrangement is prohibited even if the services are performed on the employee's own time, such as a lunch break.

The Commission cautions that its advisory opinions are based on the facts presented, and are rendered only with regard to questions arising under Chapter 102. and Section 2921.42 of the Revised Code.

Therefore, it is the opinion of the Ohio Ethics Commission, and you are so advised, that Division (D) of Section 102.03 of the Revised Code prohibits an employee of a county recorder's office from receiving compensation from private individuals for conducting title searches.

  
JOHN BENSON, CHAIRMAN  
OHIO ETHICS COMMISSION