

**DISCLOSURE BY NON-ELECTED STATE EMPLOYEE OF FINANCIAL INTEREST
AND DETERMINATION BY APPOINTING AUTHORITY
AS REQUIRED BY G. L. c. 268A, § 6**

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STATE ETHICS COMMISSION

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	STATE EMPLOYEE INFORMATION
Name:	Chrystal Kornegay
Title or Position:	Undersecretary
State Agency:	Massachusetts Department of Housing and Community Development
Agency Address:	100 Cambridge Street, Suite 300, Boston, MA 02114
Office Phone:	617-573-1101
Office E-mail:	chrystal.kornegay@state.ma.us
	My duties require me to participate in a particular matter, and I may not participate because of a financial interest that I am disclosing here. I request a determination from my appointing authority about how I should proceed.
	PARTICULAR MATTER
Particular matter E.g., a judicial or other proceeding, application, submission, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, decision, determination, or finding.	Please describe the particular matter. All particular matters coming before the board of MassHousing.
Your required participation in the particular matter: E.g., approval, disapproval, decision, recommendation, rendering advice, investigation, other.	Please describe the task you are required to perform with respect to the particular matter. One of my duties as Undersecretary is to serve as an ex officio member of the board of MassHousing. This duty is mandated by law, M.G.L. c. 23A App. § 1-3. In that capacity, I am expected to bring the perspective of the Department of Housing and Community Development to the entire range of matters within the purview of the MassHousing board.
	FINANCIAL INTEREST IN THE PARTICULAR MATTER
Write an X by all that apply.	<input checked="" type="checkbox"/> I have a financial interest in the matter. <input type="checkbox"/> My immediate family member has a financial interest in the matter. <input type="checkbox"/> My business partner has a financial interest in the matter. <input type="checkbox"/> I am an officer, director, trustee, partner or employee of a business organization, and the business organization has a financial interest in the matter. <input type="checkbox"/> I am negotiating or have made an arrangement concerning future employment with a person or organization, and the person or organization has a financial interest in the matter.

Financial interest in the matter	<p>Please explain the financial interest and include a dollar amount if you know it.</p> <p>The position of MassHousing executive director is currently vacant. I am an applicant for appointment to that position, which is a matter within the prerogatives of the MassHousing board pursuant to M.G.L. c. 23A App. § 1-4(k). Under § 6 of the Conflict of Interest Law, a candidate for appointment to a position is deemed to have a financial interest in the matter of filling the position. Because I cannot unilaterally remove my statutory ex officio membership on the MassHousing board from my duties as Undersecretary and because, under the circumstances, it is improper for me to delegate my MassHousing board duties to a designee of my choosing, it is appropriate that my appointing official make a determination under § 6 as to whether I should remain on the MassHousing board.</p>
Employee signature:	<i>Chrystal Kornegay</i>
Date:	12/8/17

DETERMINATION BY APPOINTING OFFICIAL

	APPOINTING AUTHORITY INFORMATION
Name of Appointing Authority:	Jay Ash
Title or Position:	Secretary of Housing and Economic Development
Agency/Department:	Executive Office of Housing and Economic Development
Agency Address:	1 Ashburton Place # 2101, Boston, MA 02108
Office Phone:	(617) 788-3610
Office E-mail	jay.ash@state.ma.us
	DETERMINATION
Determination by appointing authority: Write an X by your selection.	<p>As appointing official, as required by G.L. c. 268A, § 6, I have reviewed the particular matter and the financial interest identified above by a state employee.</p> <p><input checked="" type="checkbox"/> I am assigning the particular matter to another employee, or</p> <p><input type="checkbox"/> I am assuming responsibility for the particular matter, or</p> <p><input type="checkbox"/> I have determined that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the Commonwealth may expect from the employee.</p>
Appointing Authority signature:	<i>Jay Ash</i>
Date:	12/8/17
Comment:	Upon consideration of the matters presented by Undersecretary Kornegay's

disclosure, I have determined that it is in the public interest that she no longer serve on the MassHousing board as DHCD's ex officio member, effective immediately, and that Carolyn Kirk, Deputy Secretary, Executive Office of Housing and Economic Development, is hereby designated to serve as DHCD's ex officio member on that board.

In making this determination, I offer the following comments. First, designating another person to serve in this ex officio role on the MassHousing board is not an adverse reflection on Undersecretary Kornegay's integrity and ethical standards. Far from it — her public disclosure is motivated by a high sensitivity to the ethical standards applicable to Massachusetts public servants. In the situation presented, the ordinary and approved course of action is for the board member to resign voluntarily. That course is not possible here, where her membership on the MassHousing board is a function of her statutory duties as Undersecretary of DHCD, and, as her appointing official, the Conflict of Interest Law gives me the authority to adjust her duties when it is appropriate, as here, to do so.

Second, by replacing the Undersecretary Kornegay with Deputy Secretary Kirk, the legislative policy of giving DHCD a seat on the MassHousing board will continue to be ably served by a highly qualified housing specialist. At the same time, Ms. Kornegay will be able to perform her many non-MassHousing duties as Undersecretary and may, should she so choose, pursue an opportunity for employment as MassHousing executive director, consistent with applicable law.

Attach additional pages if necessary.

File copy with:

State Ethics Commission, One Ashburton Place, Room 619, Boston, MA 02108