



**Michigan Association of Planning
A Chapter of the American Planning Association**

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Conflict of Interest

*Definition: A **conflict of interest** is a situation in which someone in a position of trust, has competing professional or personal interests. Such competing interests can make it difficult to fulfill his or her duties impartially. A conflict of interest exists even if no unethical or improper act results from it. A conflict of interest can create an appearance of impropriety that can undermine confidence in the person, profession, or court system.*

Do I Face a Conflict of Interest?

From time to time, planning commissioners may need to ask themselves this question. The correct answer is often difficult to determine but the wrong answer can be a problem. A planning commissioner's integrity is at stake as is the reputation of the commission on which you serve. As active and involved community members, you will probably face conflict of interest issues at some point in your planning commission appointment. At times, the issue may be clear-cut, such as a financial issue or having a family member as an applicant. At other times, it may not be as clear.

You probably have a conflict of interest if –

- ◆ You are the applicant
- ◆ A close relative is the applicant
- ◆ A business associate, lender or renter is the applicant
- ◆ The applicant is a party with whom you have a close tie
- ◆ The proposal could allow you, a relative, or a business associate to receive a financial gain or benefit.

If you have to ask yourself whether or not you have a conflict, chances are others are asking as well. It is better to avoid the perception of a conflict, even though you may conclude that a conflict does not exist. Ultimately, the decision is a personal one. If you feel that you can honestly make an objective decision, and the presence of a conflict is not clear, take the action with which you are most comfortable. If you are uncertain, it is most appropriate to openly discuss the issue during the commission meeting and allow the entire commission to assist in the determination.

What to Do if You Have a Conflict of Interest

In order to maintain public trust and ensure fairness, it is critical to follow some simple steps if you have or are legitimately perceived to have a conflict of interest. When reviewing these steps, keep in mind that the perception of a conflict is just as important as reality. In any case, the commission's bylaws should address conflicts of interest.

- ◆ Declare your apparent conflict of interest
- ◆ Abstain from voting and do not participate in deliberations, either as a member of the board or commission, or as a "citizen."
- ◆ Once the conflict is declared, leave the room. Although you cannot be prohibited from speaking as a "citizen," remember that the audience likely will be influenced by your comments, and this could have the appearance of bias. This can ultimately undermine the public trust in the planning process.

If you have a conflict of interest, don't discuss the proposal, either formally or informally, with any member of a board or commission who might have to act. Don't use inside knowledge and contacts. If you are the applicant, or otherwise involved in the proposal, make sure that you obtain minutes, staff materials, etc., through the same procedures as any other applicant. If you are the applicant, don't represent yourself; make sure you have someone else represent you.