

**HOUSING AUTHORITY OF THE CITY OF PASCO AND FRANKLIN COUNTY
(HACPFC)**

PUBLIC RECORDS POLICY

AUTHORITY AND PURPOSE

This policy establishes procedures the Housing Authority of the City of Pasco and Franklin County (HACPFC) will follow in order to provide full access to public records. This policy provides information to persons wishing to request access to HACPFC's public records and establishes processes for both requestors and HACPFC staff.

To carry out its responsibilities under the Washington Public Records Act (RCW 42.56), HACPFC will be guided by the provisions of the act describing its purposes and interpretation.

AGENCY DESCRIPTION

HACPFC is a public housing authority that provides low-rent Public Housing, Housing Choice Vouchers (famaliarly known as Section 8), and other affordable housing programs in Franklin County, Washington.

PUBLIC RECORDS OFFICER

HACPFC's Executive Director is the Public Records Officer.

Requests for public records, or those who seek assistance to make such a request, should contact:

Kathy Jones, Executive Director/Public Records Officer

Housing Authority of the City of Pasco and Franklin County

2505 W. Lewis Street

Pasco, WA 99301

Telephone: (509) 547-3581

Fax: (509) 547-4997

E-mail: info@hacpfc.org

www.hacpfc.org/about-us/#PublicRecords.

The Public Records Officer will oversee compliance with the Public Records Act but another HACPFC staff member may process public records requests.

The Public Records Officer will:

- provide the fullest assistance possible to requestors;
- ensure that public records are protected from damage or disorganization; and,
- prevent the fulfillment of public records requests from causing excessive interference with essential functions of HACPFC.

AVAILABILITY OF PUBLIC RECORDS

Public records are available for inspection and copying during HACPFC's regular business hours: Monday through Thursday, 9:00 a.m. to 11:30 a.m. and 12:30 p.m. to 5:30 p.m., excluding most legal holidays.

Records must be inspected at HACPFC's Administrative Offices at 2505 Lewis Street, Pasco, WA.

If the requestor acts in a manner that will damage or substantially disorganize the records, or if the requestor's actions interfere with other essential functions of the housing authority, further inspection of the records will be denied and the Public Records Officer (or their designee) will remove the records from the requestor.

PUBLIC RECORDS REQUESTS

Any person that requests public records from HACPFC should make the request in writing on the Request for Public Records Disclosure form. The form is available at HACPFC's Lewis Street office and on-line at our website: www.hacpfc.org/about-us/#PublicRecords. Requests should be made to the Public Records Officer listed on page 1 and should include the following information:

- Date of the request;
- Name and address of the requestor;
- A detailed description of the public record(s) being requested;
- Whether the requestor wants to inspect the records or wants copies to be made;
- If copies are requested, the address where copies should be mailed must be provided;
- There must be a response to the question on the Request for Public Records Disclosure regarding the use of any requested information for commercial purposes;
- Requestor's signature.

Should a request be made orally (in person or by telephone), the Public Records Officer will confirm receipt of the information and put the substance of the request in writing.

EXEMPTIONS

The Public Records Act provides that a number of types of documents are exempt from public inspection and copying. In addition, documents are exempt from disclosure if any other statute exempts or prohibits disclosure. Requestors should be aware of exemptions outside the Public Records Act that restrict the availability of some documents held by HACPFC. Those exemptions are described in Appendix A. HACPFC is prohibited by statute from disclosing lists of individuals for commercial purposes.

PROCESSING OF PUBLIC RECORDS REQUESTS

Response to Records Request

Within five (5) business days of receipt of a request, the Public Records Officer will do one or more of the following:

- Make the records available for inspection or copying;
- Send copies to requestor if payment has been received or waived;
- Provide a reasonable estimate of when records will be available; or
- If the request is unclear or does not sufficiently identify the requested records, request clarification from the requestor; or,
- Deny the request.

If HACPFC does not respond in writing within five (5) business days of receipt of the request for disclosure, the requestor should contact the Public Records Officer to determine the reason for the failure to respond.

Protecting Rights of Others

In the event that the requested records contain information that may affect the rights of others and may be exempt from disclosure, the Public Records Officer may, prior to providing the records, give notice to such others whose rights may be affected by the disclosure. The notice will be given to make it possible for those other persons to contact the requestor and ask him or her to revise the request, or, if necessary, seek an order from a court to prevent or limit the disclosure. The notice to the affected persons will include a copy of the request.

Records Exempt from Disclosure

Some records are exempt from disclosure, in whole or in part (see Appendix A). If HACPFC believes that a record is exempt from disclosure and should be withheld, the Public Records Officer will state the specific exemption and provide a brief explanation of why the record or a portion of the record is being withheld. If only a portion of a record is exempt from disclosure, but the remainder is not exempt, the Public Records Officer will redact the exempt portions, provide the nonexempt portions, and indicate to the requestor why portions of the record are being redacted.

Electronic Records Provision

When records are requested in an electronic format, the Public Records Officer will provide the nonexempt records, or portions of such records that are reasonably locatable, in an electronic format that is used by HACPFC and is generally commercially available, or in a format that is reasonably translatable from the format in which HACPFC keeps the record. An hourly fee will be charged for transferring and translating the format of electronic documents.

Customized access to data bases

With the consent of the requestor, HACPFC may provide customized access under RCW 43.105.280 if the record is not reasonably locatable or not reasonably translatable into the format requested. HACPFC may charge a fee consistent with RCW 43.105.280 for such customized access.

Records Inspection

The requestor must claim or review the assembled records within thirty (30) days of HACPFC's notification that the records are available for inspection or copying. The agency will notify the requestor in writing of this requirement and inform the requestor that he or she should contact the agency to make arrangements to claim or review the records. If the requestor or a representative of the requestor fails to claim or review the records within the thirty-day (30) period or make other arrangements, HACPFC may close the request and re-file the assembled records.

Provision of Records in Installments

When the request is for a large number of records, the Public Records Officer or designee will provide access for inspection and copying in installments, if he or she reasonably determines that it would be practical to provide the records in that way. If, within fifteen (15) days, the requestor fails to arrange for the inspection of the entire set of records or one or more of the installments, the Public Records Officer or designee may discontinue the search for remaining records and close the request.

Completion of Inspection

When the inspection of the requested records is complete and all requested copies are provided, the Public Records Officer or designee will indicate that HACPFC has completed a diligent search for the requested records and made any located nonexempt records available for inspection.

Closing Withdrawn or Abandoned Request

When the requestor withdraws the records request or fails to fulfill his or her obligations to inspect the records; or if the requestor fails to pay the deposit* (if a deposit is required) or make the final payment for the requested copies, the Public Records Officer will close the request and notify the requestor via U. S. Mail that HACPFC has closed the request.

*The deposit may be 10% of all estimated copying costs.

Documents Discovered Later

If HACPFC becomes aware of additional responsive documents that existed at the time of the request *after* the requestor has been informed that all available records have been provided, HACPFC will promptly inform the requestor of the additional documents and provide them on an expedited basis.

COST OF PROVIDING COPIES OF PUBLIC RECORDS

There is no fee to inspect public records. For records requests that require copies of documents, the requestor will indicate which record(s) they want copied and pay appropriate reproduction and mailing costs. The Public Records Officer may elect to waive these fees.

Reproduction Costs

Black & White Copies	15¢ per side (double-sided = 30¢)
Color Copies (8½ x 11)	15¢ per side (double-sided = 30¢)
Scanning & PDFs (to supply electronic copies)	10¢ per page
Other Electronic Documents	\$24.00 per hour
CD-ROM or DVD	\$1.00 per disc - This does not include scanning, PDF creation, or electronic document transfer fees.
Mailing	Actual cost of postage and mailing materials
Other Media	Actual cost of production

An outside vendor may be used for large reproduction requests. The requestor will be billed for actual costs and HACPFC may require a deposit of up to 10% of estimated copying costs. The Public Records Officer or designee may require the payment of the remainder of the copying costs before all the records are provided. If the scope of the request is so large that the records are provided in installments, the Public Records Officer may require payment of each installment's copying costs before providing that installment.

Payment

Payment may be made by cash, check, or money order to the Housing Authority of the City of Pasco and Franklin County.

REVIEW OF DENIALS OF PUBLIC RECORDS

Petition for Internal Administrative Review of Denial of Access

Any person who objects to the initial denial or partial denial of a records request may petition the Public Records Officer in writing (including e-mail) to review the decision. The petition should include a copy of the written statement by the Public Records Officer or their designee that denies the request or the petition should reasonably identify the written statement.

Consideration of Petition for Review

The Public Records Officer shall promptly provide the petition and any other relevant information to HACPFC's Executive Director. If the Public Records Officer and the Executive Director are the same person, a designee will be appointed to consider the Petition for Review. Within two (2) business days following the receipt of the petition, or within another mutually agreed to timeframe between the designee and the requestor, the designee will consider the petition and either affirm or reverse the denial.

DISCLAIMER OF LIABILITY

Neither the Housing Authority of the City of Pasco and Franklin County nor any officer, employee, official, or custodian shall be liable, nor shall cause of action exist, for any loss or damage based upon release of Public Records if the person releasing the records acted in good faith in the effort to comply with this policy.

This policy is not intended to expand or restrict the rights of disclosure or privacy as they exist under state and federal law. Despite the use of any mandatory terms such as "shall," nothing in this policy is intended to impose mandatory duties on the Housing Authority of the City of Pasco and Franklin County beyond those imposed by state and federal law.

APPENDIX A

Exemption and Prohibition Statutes Pertaining to Public Records Disclosure

(Not Listed in Chapter 42.56 RCW)

Washington State Statutes

Citation Records

RCW 4.24.550	Information on sex offenders to public
RCW 5.60.070	Court-ordered mediation records
RCW 19.215.020	Destruction of personal health and financial information
RCW 19.34.240(3)	Private digital signature keys
RCW 19.215.030	Compliance with federal rules
RCW 26.44.030	Reports of child abuse/neglect
RCW 27.53.070	Records identifying the location of archaeological sites
RCW 42.23.070(4)	Municipal officer disclosure of confidential information prohibited
RCW 42.41.030(7)	Identity of local government whistleblower
RCW 42.41.045	Non-disclosure of protected information (whistleblower)
RCW 42.56.230	Personal Information
RCW 48.62.101	Local government insurance transactions – access to information
RCW 50.13.060	Access to employment security records by local government agencies
RCW 51.28.070	Worker's compensation records
RCW 51.36.060	Physician information on injured workers
RCW 70.123.075	Client records of domestic violence programs

Federal Confidentiality Statutes and Rules

42 USC 405(c)(2)(vii)(I)	Limits on Use and Disclosure of Social Security Numbers.
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