

VANCOUVER HOUSING AUTHORITY

PUBLIC RECORDS POLICY

AUTHORITY AND PURPOSE

This policy establishes the procedures Vancouver Housing Authority (VHA) will follow in order to provide full access to public records. This policy provides information to persons wishing to request access to public records of the VHA and establishes processes for both requestors and VHA staff.

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

AGENCY DESCRIPTION

The Vancouver Housing Authority is a public housing authority providing low-rent public housing, Section 8 Housing Choice Vouchers, and other affordable housing and related programs in Clark County, Washington.

The VHA's central office is located at 2500 Main Street, Suite 200, Vancouver, WA 98660. The VHA has field offices at 500 Omaha Way, Vancouver, WA 98661.

PUBLIC RECORDS OFFICER

The Executive Director of the VHA shall designate a Public Records Officer.

Requests for public records of the VHA, or those seeking assistance in making such a request should contact:

Steven L. Towell, Public Records Officer
Vancouver Housing Authority
2500 Main Street, Suite 200
Vancouver, WA 98660
Telephone: (360) 993-9563
Fax (360) 993-9569
E-mail: publicrecordsofficer@vhausa.com

Information is also available at the VHA's web site at www.vhausa.com/publicrecords.

The public records officer will oversee compliance with the Public Records Act but another VHA staff member may process the request.

The Public Records Officer will provide the “fullest assistance” to requestors, ensure that public records are protected from damage or disorganization, and prevent fulfilling public records requests from causing excessive interference with essential functions of the VHA.

AVAILABILITY OF PUBLIC RECORDS

Public records are available for inspection and copying during normal business hours of the VHA, Monday through Friday, 8:00 a.m. to 5:00 p.m., excluding legal holidays. Records must be inspected at the 2500 Main Street offices of the VHA.

Inspection will be denied and the records withdrawn by the Public Records Officer if the requestor, when reviewing records, acts in a manner which will damage or substantially disorganize the records or interfere with other essential functions of the Vancouver Housing Authority.

MAKING A REQUEST FOR PUBLIC RECORDS

Any person requesting public records of the VHA should make the request in writing on the VHA’s request form. The form is available for use by requestors at the office of the public records officer and on-line at web site: www.vhausa.com/publicrecords. Requests should be made to the Public Records Officer listed on page 1 and should include the following information:

- a. Name and address of the requestor
- b. Date of the request
- c. A detailed description of the public record being requested
- d. Whether the requestor wants copies, or wants to inspect the requested records
- e. If copies are requested, address where copies should be mailed
- f. A statement regarding whether the records requested are for commercial purposes
- g. Signature of the requestor

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

PROCESSING OF PUBLIC RECORDS REQUESTS

Response to Records Request

Within five business days of receipt of the request, the public records officer will do one or more of the following:

- a. Make the records available for inspection or copying;

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

If the VHA does not respond in writing within five business days of receipt of the request for disclosure, the requestor should consider contacting 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 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. Such notice will be given so as 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 the VHA 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.

Providing Electronic Records.

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 the VHA and is generally commercially available, or in a format that is reasonably translatable from the format in which the VHA 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, the VHA may provide customized access under RCW 43.105.280 if the record is not reasonably locatable or not reasonably translatable into the format requested. The VHA may charge a fee consistent with RCW 43.105.280 for such customized access.

Inspection of Records

The requestor must claim or review the assembled records within thirty (30) days of the VHA's notification to him or her 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 period or make other arrangements, the VHA may close the request and re-file the assembled records.

Providing 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 stop searching for the 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 the VHA 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 either withdraws the request or fails to fulfill his or her obligations to inspect the records or pay the deposit or final payment for the requested copies, the public records officer will close the request and indicate to the requestor that the VHA has closed the request.

Later Discovered Documents

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

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 the VHA for inspection and copying. Those exemptions are described in Appendix A.

The VHA is prohibited by statute from disclosing lists of individuals for commercial purposes.

COSTS OF PROVIDING COPIES OF PUBLIC RECORDS

There is no fee for inspecting public records. For records requests requiring copies of documents, the requestor will pay the appropriate reproduction and mailing costs. The Public Records Officer may elect to waive these fees.

Reproduction Costs

Black & White Copies (per side)	\$0.15 per page
Color Copies (8½ x 11)	\$0.15 per page
Scanning & PDFs (to supply electronic copies)	\$.10 per page
Other Electronic Documents	\$24.00 per hour
CD-ROM or DVD	\$1.00 per disc, not inclusive of scanning, PDF, or electronic document transfer fees.
Mailing	Actual cost of postage and mailing materials
Other Media	Actual cost of production

For large reproduction requests, an outside vendor may be used and requestor will be billed for actual costs.

For larger requests, VHA may require a deposit of up to ten percent of the estimated costs of copying all the records. The public records officer or designee may also require the payment of the remainder of the copying costs before providing all the records, or the payment of the costs of copying an installment before providing that installment.

Payment

Payment may be made by cash, check, or money order to the Vancouver Housing Authority.

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 in writing (including e-mail) to the public records officer for a review of that decision. The petition should include a copy of or reasonably identify the written statement by the public records officer or designee denying the request.

Consideration of Petition for Review

The public records officer shall promptly provide the petition and any other relevant information to the Executive Director of the VHA or designee. That person will immediately consider the petition and either affirm or reverse the denial within two business days following the VHA's receipt of the petition, or within such other time as VHA and the requestor mutually agree to.

DISCLAIMER OF LIABILITY

Neither the Vancouver Housing Authority 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 attempting 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 Vancouver Housing Authority beyond those imposed by state and federal law.

Appendix A

Exemption and Prohibition Statutes Pertaining to the 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)(1)	Limits on Use and Disclosure of Social Security Numbers.
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