

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
John B. Harris; The Hartford
Courant
Complainant

FINAL DECISION
Docket #FIC81-142

vs.

March 25, 1982

Town of Stratford; Stratford
Housing Authority

Respondents

The above captioned matter was heard as a contested case on December 1, 1981, at which time the complainant and the respondent housing authority appeared, stipulated to certain facts, and presented testimony and argument on the complaint.

After consideration of the entire record, the following facts are found:

1. The respondent authority is a public agency as defined by § 1-18a(a), G.S.

2. On July 15, 1981, the complainant Harris sent a letter to the respondent authority requesting the "waiting list" for public housing in Stratford.

3. No response to the letter referred to in paragraph 2, above, was ever received by the complainant.

4. On August 10, 1981, the complainant filed a letter of complaint with the Commission, alleging that the failure of the respondent authority to comply with his July 15, 1981 request constituted a violation of § 1-19, G.S.

5. It is found that the respondent authority keeps and maintains a list of people waiting for state and federally subsidized housing in Stratford.

6. It is found that the failure of the respondent authority to disclose the requested information is based on its belief that to do so would constitute an invasion of privacy as to those whose names appear on the requested "waiting list."

7. In the absence of federal law or state statutes providing a specific exemption to compulsory disclosure, all records maintained or kept on file by any public agency shall be public records, pursuant to § 1-19, G.S.

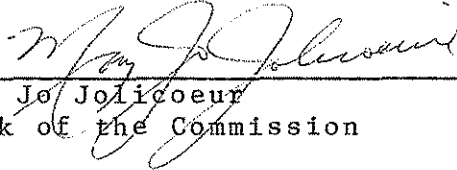
8. It is found that the respondent authority failed to prove that the requested information is exempted from disclosure by the provisions of the Freedom of Information Act, or by federal law or other state statutes.

9. It is, therefore, concluded that the failure of the respondent authority to provide the complainant with the information referred to in paragraph 2, constituted a violation of §§ 1-15 and 1-19(a), G.S.

The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint:

1. The respondent authority shall forthwith provide the complainant with the requested list of persons waiting for public housing in Stratford, as set forth in his letter of July 15, 1981.

Approved by order of the Freedom of Information Commission at its regular meeting of March 24, 1982.



Mary Jo Jolicœur
Clerk of the Commission