



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

July 8, 2011

Ms. Pamela Cotten
Assistant General Counsel
Chicago Housing Authority
60 East Van Buren Street, 12th Floor
Chicago, Illinois 60605

RE: FOIA Pre-Authorization Request - 2011 PAC 14825

Dear Ms. Cotten:

We have received and reviewed the written notice from the Chicago Housing Authority (CHA) of its intention to deny disclosure of certain information under section 7(1)(c) of the Freedom of Information Act (FOIA) (5 ILCS 140/7(1)(c) (West 2010). Mr. Alan Mills, on behalf of the Uptown People's Law Center, submitted a FOIA request to CHA seeking the following:

1. A list of buildings with Tenant or Resident Associations or Boards; [and]
2. The names and contact information of the president and any other officials of such aforementioned Associations or Boards.

CHA seeks to withhold the names and contact information of these individuals under section 7(1)(c) of FOIA, which exempts from inspection and copying "[p]ersonal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information." The exemption defines "unwarranted invasion of personal privacy" as "the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information."

DETERMINATION

CHA's request to use the exemption in section 7(1)(c) to withhold the names of resident association and board officials is **denied**. We recognize that disclosure of the requested

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names will reveal the identity of individuals who are receiving public aid. We agree with CHA that the receipt of public aid is highly personal, and that recipients have a right to privacy in that information. However, in this instance, the subjects' right to privacy does not outweigh the public interest in disclosure.

The Uptown People's Law Center is a public interest law organization serving CHA residents. Releasing the identities of elected representatives of CHA residents to the Center will allow the Center to better serve the residents by allowing the Center to solicit input from residents regarding a lease agreement currently pending before the Chicago Housing Authority Board. There is no indication that the requested information will be used for any other purpose. Further, granting this request will not reveal the identity of all individuals receiving public housing assistance; rather, only the names of those individuals who volunteered to take a leadership position within CHA housing associations will be revealed. For these reasons, we conclude that CHA has not met its initial burden of demonstrating that the disclosure of the requested names would constitute a clearly unwarranted invasion of personal privacy.

CHA has indicated that it intends to withhold contact information. Please note that home addresses, personal telephone numbers, and personal email addresses are exempt under section 7(1)(b) of FOIA (5 ILCS 140/7(1)(b) (West 2010), which exempts "private information" as defined by section 2(c-5) (5 ILCS 140/2(c-5) (West 2010). Because advance approval by the Public Access Counselor is not required for the assertion of exemptions other than sections 7(1)(c) and 7(1)(f) (5 ILCS 140/7(1)(f) (West 2010), we make no determination at this time regarding the applicability of any other exemptions.

If you have any questions, please contact me at (312) 814-2086. This correspondence shall serve to close this matter.

Very truly yours,



SARAH KAPLAN
Assistant Attorney General
Public Access Bureau

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SK:jh

cc: Mr. Alan Mills
Director
The Uptown People's Law Center
4413 North Sheridan Road
Chicago, Illinois 60640