



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

October 6, 2010

Jennifer K. Soule
Soule, Bradtke & Lambert
115 N. Michigan Avenue, Suite 504
Chicago, Illinois 60601

Re: Pre-Authorization Request – 2010 PAC 9920

Dear Ms. Soule:

We have received and reviewed the written notice from the Aurora Housing Authority (Authority) of its intention to deny certain information as exempt from disclosure under Section 7(1)(c) of the Freedom of Information Act, 5 ILCS 140/1 *et seq.*, as amended (FOIA).

██████████ submitted a FOIA request on September 20, 2010 seeking, in part, a “[c]opy of current HVC waiting list.” In its written notice, the Authority asserted that records sought are exempt from disclosure, in part, under Section 7(1)(c) of FOIA.

The Authority advised that the responsive documents would reveal the identity of Section 8 participants. It further advised that “...it is a long-recognized tenet and aspect of the regulatory scheme governing the Section 8 program that the identity and location of families receiving housing assistance certificates or vouchers not be disclosed to the public. This is to prevent stigmatization and to allow participant families to most appropriately and beneficially interface with and coexist in their surrounding neighborhoods and communities.”

Section 7(1)(c) of FOIA 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 disclosure is consented to in writing by the individual subjects of the information.” 5 ILCS 140/7(1)(c). The exemption defines “[u]nwarranted 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.” *Id.*

Determination

The Authority’s proposed application of the Section 7(1)(c) exemption to deny disclosure of a “copy of the current HVC waiting list” is approved. We have determined that the disclosure of

this information would constitute a clearly unwarranted invasion of personal privacy and disclosure would be objectionable to a reasonable person. This type of information is highly personal by its very nature and the participants' right to privacy outweighs any legitimate public interest in disclosing this information.

Accordingly, the Authority's issuance of a partial denial letter was appropriate.

If you have any questions, please feel free to contact me at (312) 814-1003. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor


Assistant Attorney General

cc:

