



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

October 18, 2010

Ms. Sharon Jones
City of Highland Park
1150 Half Day Road
Highland Park, IL 60035

Re: FOIA Pre-Authorization Request 10111

Dear Ms. Jones:

We have received written notice from the City of Highland Park (City) of its intention to withhold certain information from disclosure under Section 7(1)(c) of the Freedom of Information Act 5 ILCS 140/1 *et. seq.*, as amended (FOIA).

Specifically, [REDACTED] submitted a FOIA request on September 2, 2010 for a copy of the "waiting list in the Peers building (400 Central, Highland Park) for Senior citizen living in Highland Park."

On October 7, 2010, the City submitted a Pre-Authorization Request with this Office and sought to exempt from disclosure the list in its entirety under Section 7(1)(c) 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 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.*

Specifically, the City explains that the list is comprised of the name and address of the applicants, income levels and respective disability of the individuals on the list and cannot be subject to redactions.

Determination

The City's request for approval to withhold the list in its entirety pursuant to Section 7(1)(c) is approved.

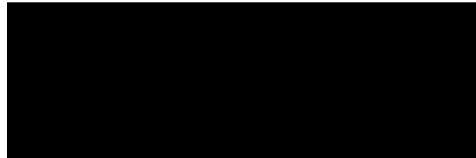
In most circumstances, a name by itself does not constitute an unwarranted invasion of personal privacy under Section 7(1)(c). *Lieber v. Board of Trustees of Southern Illinois University*, 176 Ill.2d 401 (1997). However, the disclosure of the names on a waiting list for public housing for seniors, together with their respective disability, could be seen as highly personal or objectionable to the reasonable person under Section 7(1)(c).

This Office further finds that while not a matter of personal information pursuant to Section 7(1)(c), the City may redact the income level of the individual and their home address pursuant to Section 7(1)(b) which exempts from inspection and copying 'private information.' 5 ILCS 140/7(1)(b).¹

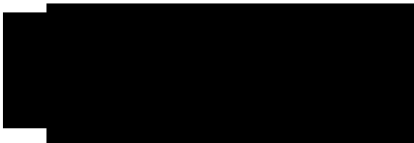
Accordingly, it is the determination of this Office that the City has met its burden and may disclose the list in its entirety.

Sincerely,

Cara Smith
Public Access Counselor



Matthew C. Rogina
Assistant Public Access Counselor
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¹ Section 2(c-5) defines private information as unique identifiers, such as "a person's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal e-mail addresses. Private information also includes home addresses and personal license plates, except as otherwise provided by law or when compiled without the possibility of attribution to any person." 5 ILCs 140/2(c-5).