



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

January 5, 2011

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

Re: Pre-Authorization Request – 2010 PAC 10564

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 October 20, 2010 seeking, in part, a list of addresses for each Housing Choice Vouchers (HCV) participant, stating that the format of "9xx Main address will suffice. Redaction of the last two address digits is fine also." 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 "...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 (5 ILCS 140/7(1)(c)) 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." 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 exemption found in Section 7(1)(c) of FOIA to deny disclosure of partial addresses of HCV participants is approved. We have determined that this information is highly personal to the HCV participants and disclosure would be objectionable to a reasonable person. The participants' right to privacy outweighs any legitimate public interest in obtaining the information. In addition, disclosure of this information could lead to the identification of HCV participants. The Public Access Counselor has previously determined that the identify of HCV participants is exempt from disclosure under Section 7(1)(c) of FOIA. 2010 PAC 5900.

Therefore, the Authority has met its initial burden of demonstrating that partial addresses of HCV participants are exempt from disclosure under Section 7(1)(c) of FOIA. Accordingly, the Authority's issuance of a partial denial letter was appropriate. Please note, we offer no advice or opinion as to the Authority's use of any exemption other than Section 7(1)(c) of FOIA.

If you have any questions, please feel free to contact me at (312) 814-1003 or joleary@atg.state.il.us. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By: [REDACTED]

[REDACTED]
Jessica O'Leary
Assistant Attorney General

cc: [REDACTED]