



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

March 3, 2011

Chicago Housing Authority  
Office of the General Counsel  
Pamela Cotten, Assistant General Counsel  
60 E. Van Buren St.  
12<sup>th</sup> Floor  
Chicago, IL 60605-1207

Re: Pre-authorization request – 2011 PAC 12633

Dear Ms. Cotten:

We have received from the Chicago Housing Authority a notice of intention to deny disclosure of information requested by Marissa Saltzman under the Freedom of Information Act (FOIA), 5 ILCS 140/1 *et seq.*, as amended. Ms. Saltzman requested a list of tenants who currently participate in any CHA subsidized housing program at two specific properties. CHA requested pre-authorization to withhold that information pursuant to Section 7(1)(c) of FOIA (5 ILCS 140/7(1)(c)).

**Determination**

Information in public records is exempt if disclosure would “constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information.” 5 ILCS 140/7(1)(c). An “[u]nwarranted invasion of personal privacy” is 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.*

The request for pre-authorization to withhold the tenant list under Section 7(1)(c) is **approved**. We previously determined in 2010 PAC 9920 that disclosure of a waiting list for a subsidized housing program would constitute a clearly unwarranted invasion of personal privacy which would be highly objectionable to a reasonable person. The same would be true of the disclosure of a list of individuals currently participating in a subsidized housing program. An individual's right to privacy outweighs any legitimate public interest in the disclosure of information confirming his or her participation in a subsidized housing program. Accordingly, CHA has sustained its initial burden of demonstrating that the information is exempt from disclosure under Section 7(1)(c).

This letter shall serve to close this matter. If you have any questions, please feel free to contact me at 312-814-6756 or [ssilverman@atg.state.il.us](mailto:ssilverman@atg.state.il.us).

Sincerely,

A solid black rectangular box redacting the signature of Steve Silverman.

Steve Silverman  
Assistant Public Access Counselor

cc: Marrison Saltzman  
Pokorny & Marks, LLC  
6 W. Hubbard St., Ste. 700  
Chicago, IL 60654