

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Socorro Barron,

Complainant

against

Docket #FIC 2021-0717

Frank Coyle, Chairman, Housing
Authority; Town of Ridgefield; and
Housing Authority, City of Ridgefield,

Respondents

July 13, 2022

The above-captioned matter was heard as a contested case on May 31, 2022, at which time the complainant and the respondents appeared and presented testimony, exhibits and argument on the complaint. The hearing was conducted remotely through the use of electronic equipment, pursuant to §149 of Public Act 21-2 (June Special Session), as amended by §1 of Public Act 22-3.

After consideration of the entire record, the following facts are found and conclusions of law are reached:

1. The respondents are public agencies, within the meaning of §1-200(1), G.S.
2. It is found that, by letter dated October 26, 2021, the complainant requested from the respondents a copy of:
 - (a) the resident rent payment ledgers from 2001 to present;
and
 - (b) the minutes and recordings of the Zoom meetings between the Ridgefield Housing Authority Board, administration, and the residents for [certain dates].

In addition, the complainant requested in her October 26th letter, that the respondents explain to her how the minimum and/or maximum income is calculated.

3. It is found that, by letter dated November 30, 2021, the respondents acknowledged the request, and provided certain responsive records. Regarding the request for recordings, the respondents informed her that because they did not record any Zoom meetings, they do not maintain any such recordings.

4. By letter dated December 18, 2021, and filed December 22, 2021, the complainant appealed to this Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by failing to provide the requested records. The complainant also requested the imposition of a civil penalty against the respondents.

5. Section 1-200(5), G.S., provides:

“[p]ublic records or files” means any recorded data or information relating to the conduct of the public’s business prepared, owned, used, received or retained by a public agency, or to which a public agency is entitled to receive a copy by law or contract under section 1-218, whether such data or information be handwritten, typed, tape-recorded, videotaped, printed, photostated, photographed or recorded by any other method.

6. Section 1-210(a), G.S., provides in relevant part that:

[e]xcept as otherwise provided by any federal law or state statute, all records maintained or kept on file by any public agency, whether or not such records are required by any law or by any rule or regulation, shall be public records and every person shall have the right to . . . (3) receive a copy of such records in accordance with section 1-212.

7. Section 1-212(a), G.S., provides in relevant part that “[a]ny person applying in writing shall receive, promptly upon request, a plain, facsimile, electronic or certified copy of any public record.”

8. It is concluded that the records requested by the complainant are public records within the meaning of §§1-200(5) and 1-210(a), G.S.

9. With regard to the request for resident payment ledgers, it is found that the respondents provided to the complainant a copy of such ledgers from 2013 to the present. At the hearing, the complainant argued that the respondents also should have provided a copy of the ledgers dating back to 2001, as requested. However, it is found that the respondents do not maintain any ledgers for the years prior to 2013.

10. With regard to the request for copies of the minutes, at the hearing in this matter, the complainant acknowledged that the respondents provided such copies and that therefore she was not pursuing this portion of her complaint.

11. With regard to the request for an explanation, it is found that the respondents provided a copy of two documents that explained how the minimum and/or maximum income is calculated. At the hearing, the complainant stated that she did not understand the explanation.

12. It is found that the respondents provided records that they believed answered the question asked by the complainant. It is well established that, under the FOI Act, a public agency is not required to answer questions or explain the information contained in public records.

13. Based on the foregoing, it is concluded that the respondents did not violate §§1-210(a) or 1-212(a). G.S., as alleged.

14. Because the respondents did not violate the FOI Act, consideration of the imposition of a civil penalty is unwarranted.

The following order by the Commission is hereby recommended on the basis of the record concerning the above-captioned complaint:

1. The complaint is dismissed.

Approved by Order of the Freedom of Information Commission at its regular meeting of July 13, 2022.



Cynthia A. Cannata
Acting Clerk of the Commission

PURSUANT TO SECTION 4-180(c), G.S., THE FOLLOWING ARE THE NAMES OF EACH PARTY AND THE MOST RECENT MAILING ADDRESS, PROVIDED TO THE FREEDOM OF INFORMATION COMMISSION, OF THE PARTIES OR THEIR AUTHORIZED REPRESENTATIVE.

THE PARTIES TO THIS CONTESTED CASE ARE:

SOCORRO BARRON, PO Box 127, Ridgefield, CT 06877

FRANK COYLE, CHAIRMAN, HOUSING AUTHORITY, TOWN OF RIDGEFIELD; AND HOUSING AUTHORITY, TOWN OF RIDGEFIELD, c/o Attorney Jeffrey M. Mastrianni, 215 Broad Street, Milford, CT 06460



Cynthia A. Cannata
Acting Clerk of the Commission