

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Alexander Grene,

Complainant

against

Docket #FIC 2025-0356

Building Official, Office of Building
Inspection & Enforcement, City of New
Haven; Office of Building Inspection &
Enforcement, City of New Haven; and
City of New Haven,

Respondents

May 13, 2026

The above-captioned matter was heard as a contested case on November 6, 2025, and March 20, 2026, at which times the complainant and the respondents appeared, stipulated to certain facts, and presented testimony, exhibits¹ and argument on the complaint.

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 on March 20, 2025, the complainant, via email, requested from the respondents the following records pertaining to the address 750 Orange Street for the period of January 1, 2024, to the date of the request:

[e]lectronic copies of all construction documents, schedules, applications, application material, proposals, amendments, attachments, correspondence, presentations, reports, inspection schedules, inspection reports, inspection logs, or other records relating to the following permits:

B-24-00566

¹ The hearing officer notes that two exhibits were inadvertently designated as “Complainant’s Exhibit L.” The exhibit containing the May 15, 2025 email from Anthony Cofrancesco shall be redesignated as “Complainant’s Exhibit O”.

B-24-00846

E-24-00488

P-24-00426

M-24-00379

3. It is found that on March 31, 2025, the complainant, having not received a reply from the respondents, followed up regarding the status of the request described in paragraph 2, above. It is found that shortly thereafter, the respondents emailed the complainant indicating that, in order to process his request, he needed “to print, complete, and return a copy of the department’s Freedom of Information Act . . . form, with an original (wet) signature and payment by mail or in-office. . . .”²

4. It is found that on April 11, 2025, the complainant resubmitted his records request to the respondents, on the form described in paragraph 3, above. The complainant hand-delivered such request to the respondents, at their office. It is further found that the respondents charged the complainant a \$40 fee in connection with his records request.³

5. The complainant testified, and it is found, that upon resubmitting his records request described in paragraph 4, above, the respondents informed him that he would only receive documents that were already available for download on the website “CitySquared.” Additionally, it is found that the respondents indicated that the complainant needed to contact the individual inspectors to receive correspondence or emails concerning the subject property of his request described in paragraph 2, above.

6. It is found that on April 11, 2025, the complainant emailed two inspectors, Karl Auer and Anthony Cofrancesco, requesting the correspondence and emails referenced in paragraph 5, above, as directed by the respondents.

² The Commission notes that “[b]oth the Superior Court and the Commission have long interpreted §1-210(a), G.S., to prohibit public agencies from adopting policies that. . . otherwise impose conditions on the right to access public records beyond what is provided for in the FOI Act.” See Docket #FIC 2023-0007, Robert Meehan v. Chief, Police Dep’t., City of Stamford, et al. (December 13, 2023). Although not alleged in the instant complaint, the Commission cautions the respondents that requiring the use of a specific form or that a request be submitted to specific individuals is inconsistent with §§1-210(a) and 1-212(a), G.S., which require *only* that a request for copies of public records be in writing.

³ The basis for such fee is unclear from the administrative record. A payment receipt from the transaction described in paragraph 4, above, indicates that the complainant was charged \$40 to file his records request. The respondents testified that such \$40 fee was the cost of providing certified records. Regardless, such fee is improper. Nothing in §1-212, G.S., permits a public agency to charge a filing fee. Additionally, while §1-212(a), G.S., does permit a requester to seek certified copies of public records, nothing in the complainant’s request described in paragraph 2, above, suggested that he was seeking certified copies.

While the complaint in the instant matter did not raise the issue of fees, the respondents are cautioned to cease charging such fees under similar facts and circumstances described above. Moreover, the Commission strongly urges the respondents to reimburse the complainant the \$40 he was charged as described in paragraph 4, above.

7. It is found that on April 14, 2025, Mr. Auer replied to the complainant indicating “I’m an inspector and don’t handle records. Your request [h]as been [deferred] to the front desk.” It is further found that Mr. Cofrancesco forwarded the complainant’s email to the respondent Building Official, who then asked that the Building Programs and Fiscal Analyst (“BPFA”) assist with responding to the request.

8. It is found that later, on April 14, 2025, the BPFA provided the complainant with a single inspection report pertaining to permit E-24-00488. It is further found that in her reply, the BPFA indicated that except for the inspection report, there was no correspondence from Mr. Cofrancesco.

9. It is found that on May 8, 2025, the complainant went to the respondents’ office to inquire as to the status of the request described in paragraph 2, above. The respondents indicated that they were “struggling to respond to the request due to the volume of responsive documents.” It is further found that on May 14, 2025, the complainant again visited the respondents’ office to follow up on the status of the request described in paragraph 2, above. At that time, the respondents informed the complainant that: (i) their office was understaffed; (ii) they had yet to begin processing his request; and (iii) they could not provide a date by which records would be provided.

10. It is found that later on May 14, 2025, the complainant emailed New Haven Corporation Counsel regarding the respondents’ processing of his request, described in paragraph 2, above.

11. By complaint received and filed May 15, 2025, the complainant appealed to this Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by failing to provide all records responsive to the request described in paragraph 2, above.

12. It is found that on May 15, 2025, after filing his complaint with the Commission, the complainant spoke with an attorney from the Office of Corporation Counsel for the City of New Haven, and the respondents’ BPFA, about his request. It is further found that on May 15, 2025, the respondents provided the complainant with: (i) electronic copies of the permits and inspection reports identified in paragraph 2, above; and (ii) two emails from Mr. Cofrancesco regarding the subject property of the complainant’s request described in paragraph 2, above.

13. It is also found that the respondents provided the complainant with paper copies of additional correspondence responsive to the request described in paragraph 2, above, at the November 6, 2025 hearing in this matter.⁴

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

⁴ Pursuant to §1-211(a), G.S., public agencies are required to provide requesters copies of computer-stored records via email, if requested, and the agency can reasonably make such copies available in that format. In his request described in paragraph 2, above, the complainant specifically sought electronic copies of records. The respondents are cautioned that the format in which computer-stored records are provided should be consistent with the requirements of §1-211(a), G.S.

“[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.

15. 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.

16. It is concluded that the records described in paragraph 2, above, to the extent they exist and are maintained by the respondents, are public records within the meaning of §§1-200(5) and 1-210(a), G.S.

17. It is found that at the March 20, 2026 continued hearing in this matter, the complainant testified that the respondents failed to provide: (i) the applications for permits B-24-00566 and B-24-00846; and (ii) other correspondence that would be responsive to the request described in paragraph 2, above.

18. With respect to the applications, it is found that the respondents searched their “CitySquared” website, a publicly accessible database wherein users can, among other things, access permit and application information for parcels of land within the City of New Haven. It is found that as a result of such search, the respondents provided the complainant with the permits and inspection reports described in paragraph 12(i), above.

19. The respondents testified that all records pertaining to a particular parcel are digitally stored in the database for the CitySquared website. However, at the March 20, 2026 continued hearing in this matter, the respondents’ witness indicated that he did not know if the applications for permits B-24-00566 or B-24-00846 were maintained on the CitySquared website.

20. Additionally, the respondents testified and, it is found that, their office uses a permitting system, called “Municipity,” which could maintain records responsive to the complainant’s request described in paragraph 2, above. While it appears that all records in the respondents’ Municipity system are available to the public on the CitySquared website, the respondents did not indicate whether and to what extent they searched their Municipity system and the results of any such search. The respondents, therefore, failed to prove that they conducted a reasonably diligent and thorough search of their Municipity system for responsive records.

21. It is found, therefore, that the respondents failed to prove that they provided the complainant with all applications responsive to the request described in paragraphs 2 and 17(i), above.

22. Accordingly, it is concluded that the respondents violated the disclosure provisions of §§1-210(a) and 1-212(a), G.S., with respect to the permit applications described in paragraphs 2 and 17(i), above.

23. With respect to the complainant's request for correspondence, as found in paragraphs 12 and 13, above, the respondents provided the complainant with email correspondence from Mr. Cofrancesco on May 15, 2025, and other correspondence at the November 6, 2025 hearing in the instant matter.

24. At the March 20, 2026 continued hearing in this matter, the complainant testified that he believed the respondents maintained additional correspondence responsive to his request which had not been provided to him. Neither party offered the additional correspondence that had been provided to the complainant, described in paragraph 13, above, as evidence in this matter.

25. At the March 20, 2026 continued hearing in this matter, the respondents also indicated that they had worked with their Information Technology department to search for emails responsive to the complainant's request. However, the respondents could not provide specific information as to the scope of that search (i.e., accounts searched and search terms used). At the conclusion of the continued hearing, the undersigned Hearing Officer ordered the respondents to submit an affidavit describing their search for email correspondence. The respondents failed to comply with such order.⁵

26. It is found, therefore, that the respondents failed to prove that they conducted a reasonably diligent and thorough search for records responsive to the complainant's request for correspondence described in paragraphs 2 and 17(ii), above.

27. It is found, therefore, that the respondents failed to prove that they provided the complainant with all records responsive to his request for correspondence, as described in paragraphs 2 and 17(ii), above.

28. Accordingly, it is concluded that the respondents violated the disclosure provisions of §§1-210(a) and 1-212(a), G.S., with respect to the complainant's request for correspondence described in paragraphs 2 and 17(ii), above.

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

1. Within thirty (30) days of the date of the Notice of Final Decision in this matter, the respondents shall conduct a search of all email accounts maintained by the respondent Office of Building Inspection & Enforcement for the period of January 1, 2024 through March 20, 2025 containing *any* of the following keywords: "750 Orange", "B-24-00566", "B-24-00846", "E-24-00488", "P-24-00426", or "M-24-00379".

2. Within thirty (30) days of the date of the Notice of Final Decision in this matter, the respondents shall search their Municipality database for records containing *any* of the following

⁵ Such affidavit was due three weeks after the date of the continued hearing (i.e., April 10, 2026).

keywords: “750 Orange”, “B-24-00566”, “B-24-00846”, “E-24-00488”, “P-24-00426”, or “M-24-00379”.

3. Within forty five (45) days of the date of the Notice of Final Decision in this matter, the respondents shall provide the complainant with electronic copies of any records located as part of the searches described in paragraphs 1 and 2 of this order, above, unredacted and free of charge, that have not already been provided electronically.

4. Within thirty (30) days of the date of the Notice of Final Decision in this matter, the respondents shall provide the complainant with electronic copies of any records stored within their CitySquared database: (i) pertaining to the address “750 Orange;” and (ii) that were not already provided to the complainant electronically. Such records shall be provided to the complainant unredacted and free of charge.

5. Within fourteen (14) days of the date of the Notice of Final Decision in this matter, the respondents shall contact the Commission’s public education officer to schedule training regarding the requirements of the FOI Act. Such training shall be mandatory for all employees or officials of the respondent Office of Building Inspection & Enforcement.

6. Within thirty (30) days of the date of the Notice of Final Decision in this matter, the respondents shall submit to the Commission, via email at foi@ct.gov, with copy to the complainant, an affidavit sworn to or attested by a person with the requisite knowledge detailing their compliance with paragraphs 1 through 5 of the Commission’s order, above.

Approved by Order of the Freedom of Information Commission at its regular meeting of May 13, 2026.


Jennifer M. Mayo
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:

ALEXANDER GRENE, 115 Foster Street, 1st Floor, New Haven, CT 06511

BUILDING OFFICIAL, OFFICE OF BUILDING INSPECTION & ENFORCEMENT, CITY OF NEW HAVEN; OFFICE OF BUILDING INSPECTION & ENFORCEMENT, CITY OF NEW HAVEN, 200 Orange Street, Room 501, New Haven, CT 06510; **AND CITY OF NEW HAVEN**, 165 Church Street, New Haven, CT 06510


Jennifer M. Mayo
Acting Clerk of the Commission