

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Tadjwid Wilson,

Complainant

against

Docket # FIC 2025-0448

Executive Director, Livable City Initiative,
City of New Haven; Livable City Initiative,
City of New Haven; and City of New
Haven,

Respondents

May 27, 2026

The above-captioned matter was heard as a contested case on December 4, 2025, at which time the complainant and respondents appeared, stipulated to certain facts, and presented testimony, exhibits and argument on the complaint.

Subsequently, the complainant and respondents submitted after-filed exhibits, which have been admitted into evidence, without objection, and marked as follows:

Complainant's Exhibit D (after-filed): Supplemental Notice, dated December 23, 2025, with attachments.

Complainant's Exhibit E (after-filed): Release of Lien, dated December 3, 2025, filed January 13, 2026.

Respondents' Exhibit 2 (after-filed): Affidavit of Raymond Jackson, dated January 16, 2026.

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 email dated May 23, 2025, the complainant requested copies of all records related to the property located at 77 Marvelwood Drive, New Haven, CT 06515 (hereinafter the "subject property"), including:

[a] All liens, fines, property maintenance citations, and assessments issued against the property.

- [b] All correspondence or internal memos between the Livable City Initiative (“LCI”) and any mortgage company, bank, or servicer related to the property (including but not limited to NewRez, Shellpoint Mortgage, or any related parties).
- [c] Any reports, photos, or complaints involving LCI staff or contractors visiting or inspecting the property, including actions taken from 2020 to the present.
- [d] Records of any city department entry into the property, including coordination with the fire department or animal control.

3. By email dated and filed June 11, 2025, the complainant appealed to the Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by failing to provide him with copies of the records described in paragraph 2, above. The complainant also stated that “[t]his request is time-sensitive.”

4. 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.

5. 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.

6. 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.”

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

8. It is found that the respondents provided copies of responsive records to the complainant in the last week of November 2025, approximately a week before the contested case hearing on this matter.

9. At the contested case hearing on this matter, the complainant contended that while the respondents had recently provided copies of some responsive records, the respondents had failed to promptly provide copies of all records responsive to his request, described in paragraph 2, above. The respondents contended that they had provided all responsive records that they possessed and maintained.

10. The respondents' witness testified, and it is found, that they searched for responsive emails and photographs. It is further found, however, the respondents' witness was unaware if any other email accounts were searched for responsive records.

11. The respondents' witness also testified, and it is found, that in early 2025, he received a new cellular telephone and therefore was not sure if copies of all responsive photographs had been located and provided to the complainant. It is found that the witness no longer had access to his previously used cellular telephone, but that it contained photographs of the subject property that would be responsive to the request described in paragraph 2, above.

12. It is found that the respondents did not inquire with any other staff regarding responsive emails, photographs, physical files, or any cloud-based backups that may have contained records responsive to the complainant's request.

13. At the conclusion of the contested case hearing, the undersigned hearing officer ordered the respondents to perform additional searches for copies of records responsive to the complainant's request, described in paragraph 2, above. Specifically, the respondents were ordered to search for: records related to the subject property; records from three specific email accounts; additional physical files; and additional photographs.

14. By affidavit dated January 16, 2026, and filed January 21, 2026 (After-Filed Exhibit 2), the respondents' witness averred, and it is found, that following the hearing on this matter the respondents searched: three different databases for responsive records; for the photographs from the respondents' prior work cell phone; and that the respondents' Information Technology Department searched the three email accounts, described in paragraph 13, above. Thereafter, the respondents provided the complainant with copies of additional records responsive to the complainant's request, described in paragraph 2, above.

15. Thereafter, on February 9, 2026, the complainant filed with the Commission a Supplemental FOIA Submission contending that the respondents had failed to provide a copy of a lien release, dated December 3, 2025, related to the subject property.

16. However, because the request that is the subject of this complaint was made on May 23, 2025, such record is not within the scope of the requested records herein. A public agency's obligation under the FOI Act is to provide responsive records it maintains up to the date of the request. See Jennifer Pardus v. Commissioner, State of Connecticut, Department of Social Services, et al., Docket # FIC 2022-0362 (July 26, 2023) (finding that despite the complainant's request for a calendar years' worth of records, the agency's obligation ended at the date of the request). Accordingly, the end date for responsive records relative to the instant request is May

23, 2025. Therefore, the record provided by the complainant, described in paragraph 15, above, is outside of the scope of the request and will not be further addressed herein.

17. Based on all of the foregoing, it is found that the respondents conducted a thorough and diligent search for records responsive to the complainant's request, described in paragraph 2, above, and provided the complainant with a copy of all responsive records.

18. Finally, with respect to the complainant's contention that the respondents failed to provide him with responsive records promptly, the Commission has defined the word "promptly," as used in §§1-210(a) and 1-212(a), G.S., to mean "quickly and without undue delay, taking into account all of the factors presented by a particular request." See FOI Commission Advisory Opinion #51, In the Matter of a Request for Declaratory Ruling, Third Taxing District of the City of Norwalk, Applicant (Notice of Final Decision dated January 11, 1982) (hereinafter "Advisory Opinion #51").

19. Advisory Opinion #51 goes on to describe some of the factors that should be considered in weighing a request for records against other priorities: the volume of records requested; the amount of personnel time necessary to comply with the request; the time by which the requestor needs the information contained in the records; the time constraints under which the agency must complete its other work; the importance of the records to the requestor, if ascertainable; and the importance to the public of completing other agency business without the loss of personnel time involved in complying with the request.

20. Additionally, in Comm'r of Dep't of Emergency Servs. & Pub. Prot. v. Freedom of Info. Comm'n, No. HHBCV186047741, 2020 WL 5540637, at *3 (Conn. Super. Ct. July 2, 2020), the court explained that a public agency should consider its obligation under the FOI Act as a "primary duty" of that agency, "on par with the [agency's] other significant duties, or said another way, that the agency's FOIA duty is not a second-class duty."

21. The respondents testified, and it is found, that they had not started working on the complainant's request until approximately one week before the scheduled contested case hearing on this matter—approximately 185 days after the complainant's original request, described in paragraph 2, above. It is found that between May 23, 2025, and end of November, 2025, the respondents did not provide the complainant with copies of any records responsive to his request.

22. As noted in paragraphs 8 and 14, above, it is found that the respondents ultimately searched for and provided records responsive to the complainant's request: first, a week before the contested case hearing held on December 4, 2025; and second, following the December 4, 2025 hearing and pursuant to the order of the hearing officer. It is therefore found that the respondents' efforts to comply with the request described in paragraph 2, above, cannot be characterized as reacting "quickly" and without "undue delay" to the complainant's "time-sensitive request."

23. Based on the foregoing, it is finally found that the respondents failed to provide the complainant with copies of responsive records "quickly" and without "undue delay."

24. Accordingly, it is concluded that the respondents violated the promptness requirements of §§1-210(a) and 1-212(a), G.S.

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

1. Henceforth, the respondents shall strictly comply with the promptness requirements of §§1-210(a) and 1-212(a), G.S.

Approved by Order of the Freedom of Information Commission at its regular meeting of May 27, 2026.

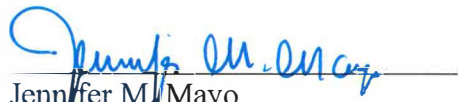

Jennifer M. Mayo
Acting Clerk of the Commission

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:

TADJWID WILSON, 77 Marvelwood Drive, New Haven, CT 06515

**EXECUTIVE DIRECTOR, LIVABLE CITY INITIATIVE, CITY OF NEW HAVEN;
LIVABLE CITY INITIATIVE, CITY OF NEW HAVEN; AND CITY OF NEW HAVEN**, c/o
Attorney Sinclair Williams, 165 Church Street, New Haven, CT 06510



Jennifer M. Mayo
Acting Clerk of the Commission