

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by Report of Hearing Officer

Shirley Bergert and Ed Dale,  
Connecticut Legal Service, Inc.

Docket #FIC81-50

Complainant(s)

June 23, 1982

against

the Department of Income  
Maintenance of the State of  
Connecticut

Respondent(s)

The above captioned matter was heard as a contested case on June 18, 1981, at which time complainant Dale and the respondents appeared, stipulated to certain facts, and presented evidence and argument on the complaint.

After consideration of the entire record the following facts are found:

1. The respondent is a public agency within the meaning of §1-18a(a), G.S.
2. On March 9, 1981 the complainants requested copies of a list of addresses of non-vulnerable housing used in administering the Connecticut Low Income Energy Assistance Program (CLIEAP hereinafter).
3. The complainants sought the list in order to evaluate its accuracy inasmuch as it appeared that several or possibly many errors had been made in compiling the list.
4. The complainants were denied access to the list on March 26, 1981 and their complaint was filed April 2, 1981.
5. The respondent claimed that the list was exempt under §17-83(b), G.S. and under 42 U.S.C. §602(a)(9), under 45 C.F.R. §205.50(a)(2)(i)A, and also under Appendix B of the regulations published in the Federal Register, Tuesday October 7, 1980 at p. 66702.
6. The list of "non-vulnerable housing" is a list of addresses for housing of individuals who receive subsidies from HUD.
7. The list was compiled by the respondent from numerous sources and is used by the respondent to determine eligibility for assistance from CLIEAP.

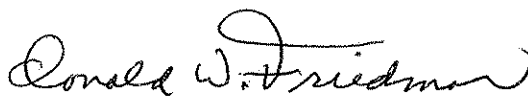
8. The respondent treated persons whose addresses coincided with the addresses on the list as ineligible for assistance.

9. Inasmuch as the list is a list of addresses of persons not eligible to receive the benefits of the program, neither the state statute relied upon by the respondent nor the federal statute and the regulations cited by the respondent prohibit its disclosure.

10. It is therefore concluded that the list is subject to disclosure under §1-19(a) and §1-15, G.S.

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

1. The respondents shall provide the complainants with a copy of the list which they have requested.



Commissioner Donald W. Friedman  
as Hearing Officer

Approved by order of the Freedom of Information Commission at its regular meeting of August 25, 1982.



Mary Jo Jolicœur  
Clerk of the Commission