

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by  
Carol Jensen

Report of Hearing Officer

Complainant

Docket #FIC85-130

against

The City of Norwich, Office  
of Community Development  
and the City of Norwich

November 13, 1985

Respondents

The above captioned matter was heard as a contested case on August 29, 1985 at which time the complainant and the respondent Office of Community Development appeared and presented testimony, exhibits and argument on the complaint.

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

1. The respondent Office of Community Development is a public agency within the meaning of §1-18a(a), G.S.
2. By letter of complaint filed with the Commission on May 31, 1985 the complainant alleged that she had been denied access to records relating to rehabilitation work performed on her house at 72 Boswell Avenue.
3. It is found that in a May 7, 1985 telephone conversation with James S. Barlow, a rehabilitation specialist employed by the Office of Community Development, the complainant made a request for records and was told that the records would be sent to her.
4. Between April 30, 1985 and May 15, 1985 the complainant made several requests for records of the U.S. Department of Housing and Urban Development, which requests were forwarded to the respondent on May 24, 1985.
5. The records requested by the complainant were the following:
  - a. The names and addresses of contractors and dates of payments to them;
  - b. A copy of the contract between the complainant and the respondent, dated April 4, 1984;
  - c. A copy of a letter from James Barlow firing Mr. Hudnal, with attachments;

- d. Copies of lien waivers relating to the complainant's property;
- e. A copy of the agreement hiring Mr. Sophia as a contractor.
- f. A copy of the inventory of the materials left by Mr. Hudnal upon his firing;
- g. A copy of the letter "showing why homeowner breached contract."

6. By letter dated June 11, 1985 the complainant alleged that on June 2, 1985 Donald Shirley, a representative sent by her to the respondent's offices, was denied access to her file.

7. The respondent did not claim that any of the documents listed at paragraph 5(a) - (g), above, were exempted from disclosure by any provision of the Freedom of Information Act, federal law or other state statute.

8. It is found that the respondent violated §1-15, G.S. when it failed to copy the documents specifically requested and either mail them to the complainant or provide them to Mr. Shirley for delivery to the complainant.


9. The respondent claims that it could not provide Mr. Shirley with access to Ms. Jensen's entire file, which would include records other than those specifically requested, because although most of the information in the complainant's file is accessible to the public, some information, such as financial data and credit history, is not released to anyone other than the homeowner.

10. It is found that there is no invasion of privacy where the disclosure of the complainant's file is to someone she has designated as her authorized representative.

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

1. The respondent Office of Community Development shall forthwith provide the complainant with copies, without cost, of the documents listed at paragraphs 5(a) - (g) of the findings, above.

Approved by order of the Freedom of Information Commission at its regular meeting of November 13, 1985.

  
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Karen J. Haggett  
Acting Clerk of the Commission