

## COLUMBUS METROPOLITAN HOUSING AUTHORITY PUBLIC RECORDS POLICY

### I. Purpose:

The Columbus Metropolitan Housing Authority (“CMHA”) acknowledges that it maintains many records that constitute “public records” under Ohio’s Public Records Law. The records maintained by CMHA and the ability to access them are a means to provide trust between the public and CMHA. The purpose of this Public Records Policy (“Policy”) is to set forth the policies and procedures employed by CMHA for receiving and responding to requests for public records.

### II. Scope:

- A. As defined in the Ohio Revised Code and as applicable to CMHA, a “public record” is any “document, device, or item, regardless of physical form or characteristic, including an electronic record” that is kept by CMHA and which “serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of” CMHA. (R.C. 149.011(G); R.C. 149.43(A)(1).)
- B. Certain records are not public records or are exempt from disclosure under the Public Records Law. The following represents a partial list of records maintained by CMHA that may not be inspected or copied:
  - 1. Employee medical records;
  - 2. Social Security numbers;
  - 3. Certain communications between CMHA and its attorney(s), as well as records compiled in anticipation of or in the course of litigation;
  - 4. Records the release of which is prohibited by state or federal law;
- C. Each office, department or function that maintains records has a designated employee who serves as the custodian of all records maintained by the office, department or function. Each records custodian shall have a copy of this Policy.
- D. This Policy shall be placed in CMHA’s policies and procedures manual, and shall be available at CMHA’s central office, located at 880 East 11<sup>th</sup> Avenue, Columbus, Ohio.
- E. A copy of CMHA’s current records retention schedule is available at [www.cmhanet.com](http://www.cmhanet.com) and at CMHA’s central office, located at 880 East 11<sup>th</sup> Avenue, Columbus, Ohio.
- F. CMHA displays a poster, which generally describes this Policy at its central office, located at 880 East 11<sup>th</sup> Avenue, Columbus, Ohio.

### **III. Requests For Records:**

- A. Any person (the “Requester”) may request public records held by CMHA and will be allowed prompt inspection and copies within a reasonable amount of time. “Prompt” and “reasonable” take into account the volume of records requested, the proximity of the location where the records are stored, and the necessity for any legal review of the records requested.
- B. It is CMHA’s policy to request that public records requests be made by submitting a completed Public Records Request Form, which is available at CMHA’s offices. However, a written public records request is not mandatory and the Requester may decline to provide his or her identity or intended use. CMHA may require a written request or disclosure of the identity or intended use where such information would benefit the Requester by enhancing CMHA’s ability to identify, locate, or deliver the public records sought by the Requester.
- C. Although no specific language is required to make a request, the Requester must at least identify the records requested with sufficient clarity to allow CMHA to identify, retrieve and review the records. If CMHA cannot tell from the request what records are being sought, CMHA will contact the Requester for clarification, and will assist the Requester by informing the Requester of the manner in which CMHA keeps its records.
- D. The Requester may choose to have the public record duplicated upon paper, upon the same medium upon which CMHA keeps it, or upon any other medium upon which CMHA determines that it reasonably can be duplicated and, where a Requester makes such a choice, CMHA will provide a copy in accordance with that choice.
- E. In the event CMHA receives a request to inspect and/or obtain a copy of a record maintained by CMHA the release of which may be prohibited or exempted by either state or federal law, the request shall be forwarded to legal counsel for CMHA for research and/or review.
- F. Records, the release of which is prohibited or exempted by either state or federal law, or which are not considered public records as defined in R.C. 149.43, shall NOT be subject to public inspection or copying.

#### **IV. Responses To Public Records Requests:**

- A. If CMHA receives a request for a record that it has never maintained or that it no longer maintains or that it has disposed of pursuant to its records retention schedule, CMHA will notify the Requestor of that fact. CMHA is under no obligation to create records to meet public records requests.
- B. If CMHA receives a request that is ambiguous or overly broad, or if CMHA for any reason cannot reasonably identify what public records are being requested, CMHA may deny the request. CMHA will, however, provide the Requester with an opportunity to revise the request and will inform the Requester of the manner in which records are ordinarily maintained and accessed.
- C. If CMHA receives a request for records the release of which is prohibited or exempted by either state or federal law, or which are not considered public records as defined in R.C. 149.43, CMHA will deny the request.
- D. If CMHA denies a request, in whole or in part, for any of the above reasons, CMHA will provide the requester with an explanation, including legal authority, setting forth why the request was denied. If the initial request was provided in writing, then CMHA will provide the explanation in writing.
- E. If a requested public record contains information that is exempted from disclosure under the Public Records Law, CMHA will make available the information within the public record that is not exempt by redacting the exempt information and providing the record as redacted. "Redaction" means obscuring or deleting any information that is exempt from the duty to permit public inspection or copying from an item that otherwise meets the definition of a "record" in R.C. 149.011. Except where redactions are plainly visible on the document as redacted, CMHA will notify the requestor of any redaction.
- F. If any Requester is aggrieved due to the inability to inspect a public record or due to the inability to receive a copy of a public record, the Requester may contact the Deputy Director. If the Requester is not satisfied after contacting the Deputy Director, R.C. 149.43 provides a legal means for addressing complaints.

**V. Fees:**

CMHA has established the following fees for providing copies or reproductions of public records maintained by CMHA:

- A. For photocopies of either letter or legal size documents, the fees shall be \$.09 per sheet, calculated from the first sheet photocopied, if photocopied in-house by CMHA, or the amount charged to CMHA by a commercial reproduction company. Two-sided photocopies shall be charged at a rate of \$.18 per sheet if photocopied in-house by CMHA, or the amount charged to CMHA by a commercial reproduction company. CMHA shall have complete discretion to determine whether photocopies will be made in-house or will be made by a commercial reproduction company. Advance payment is required before any copies are prepared.
- B. For videotapes, cassette tapes or for any other type of media, the fee shall be the replacement cost or the reproduction (copying) cost. Reproduction costs may only be charged if a commercial or professional service is contracted to provide the copy.
- C. CMHA may also charge for the actual cost of the postage and mailing supplies required to mail requested records.
- D. Where feasible, documents may be e-mailed at no charge.