

HOUSING AUTHORITY OF THE COUNTY OF BUTLER ACCESS TO PUBLIC RECORDS POLICY

The purpose of this policy is to ensure compliance with the Pennsylvania Right-to-Know Law. 65 P.S. § 66.1 et seq., as amended, to provide access to all public records of the Housing Authority of the County of Butler, except for those records enumerated as exceptions to the law, to preserve the integrity of the Housing Authority of the County of Butler records, and to minimize the financial impact to the public regarding the resources utilized in the receipt and processing of public record requests and the retrieval and copying of public records. Such records to be included are those in the possession, custody or control of the Housing Authority of the County of Butler, and records within the possession of a party with whom the Housing Authority of the County of Butler has contracted to perform a government function and the record related to that government function. All requests for public documents must be made on the approved form, a sample of which is attached, identified as Standard Right-To-Know Request Form.

It is the policy of the Housing Authority of the County of Butler to require the presence of its designated Open Records Officer, when public records are examined and inspected and to charge reasonable fees for duplication of public records of the Housing Authority of the County of Butler. The Housing Authority of the County of Butler's designated Open Records Officer is responsible for assuring compliance with the Pennsylvania Right-To-Know Law, in accordance with the following guidelines:

1. The Open Records Officer will determine if the record is subject to its possession, custody or control.
2. The Open Records Officer will determine if the record, which is presumed to be a public record, is exempted from disclosure.
3. The Open Records Officer shall make a timely written response to the request.
4. Only written requests will receive statutory protection. Written requests can be submitted by: (i) mail addressed to "Open Records Officer, Housing Authority of the County of Butler, 114 Woody Drive, Butler, PA 16001; (ii) email to bcha@housingauthority.com; or (iii) hand delivery to the Housing Authority of the County of Butler at 114 Woody Drive, Butler, PA 16001.
5. The Open Records Officer or the Authority Solicitor shall respond within five (5) days of the date of receipt of the request.
6. If the Open Records Officer or the Authority Solicitor denies the request, the requestor can file an appeal with the Office of Open Records within fifteen (15) days. The Office of Open Records reviews the request and response and issues a final determination. Either the requestor or the Housing Authority of the County of Butler can appeal the decision of the Offices of Open records to the Butler County of Common Pleas.

7. For criminal records, the requestor is to appeal to the Butler County District Attorney, P.O. Box 1208, Butler, PA 16003-1208.
8. Fees for duplication of public records shall be charged in accordance with the Pennsylvania Office of Open Records Official RTKL Fee Schedule in effect at the time of the request. Certified records shall be charged at a fee of \$4.00 per record.
9. In the event the estimated cost of fulfilling a request submitted under this policy is expected to exceed \$100.00, the Open Records Officer shall obtain fifty percent (50%) of the expected cost in advance of fulfilling the request to avoid an unwarranted impact on the Housing Authority of the County of Butler finances and revenue. Once the request is fulfilled and prepared for release, the Authority will request payment and payment must be made prior to the Authority releasing the record.
10. If the request is granted, the requestor shall be notified by the Open Records Officer or the Authority Solicitor by first class mail.
11. If access to the record requested is denied, pursuant to Section 706 of the Act, the requestor shall be notified by the Open Records Officer or the Authority Solicitor by first class mail.
12. If the request is denied, the requestor may file exceptions with the Office of Open Records within fifteen (15) days of the mailing date of the Housing Authority of the County of Butler's notice of denial, as described in item number 6.
13. If access to the record requested is granted in part and denied in part, pursuant to Section 708 (b) of the Act, the requestor shall be notified by the Open Records Officer or the Authority Solicitor by first class mail. Such granting and denial is subject to an appeal process within fifteen (15) business days of the mailing date of the Housing Authority of the County of Butler's notice of partial denial of information request, as described in item number 6.
14. This policy shall take effect on March 11, 2022.

**Housing Authority of the County of Butler
114 Woody Drive
Butler, PA 16001**

STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: _____

REQUEST SUBMITTED BY: EMAIL U.S. MAIL FAX IN-PERSON

NAME OF REQUESTOR: _____

STREET ADDRESS: _____

CITY/STATE/COUNTY (Required): _____

TELEPHONE (Optional): _____

EMAIL (Optional): _____

RECORDS REQUESTED:

***Proved as much specific detail as possible so the agency can identify the information.**

DO YOU WANT COPIES? YES or NO

DO YOU WANT TO INSPECT THE RECORDS? YES or NO

DO YOU WANT CERTIFIED COPIES OF RECORDS? YES or NO

For Office Use Only

OPEN RECORDS OFFICER: _____

DATE RECEIVED BY THE AGENCY: _____

AGENCY FIVE (5) DAY RESPONSE DUE: _____