



**HOUSING AUTHORITY OF GLOUCESTER COUNTY**  
**OPEN PUBLIC RECORDS ACT POLICY**

**ADOPTED:**

**8.22.2018**

**RESOLUTION: # 18-72**



# The Housing Authority of Gloucester County

Open Public Records Act Policy  
Adopted: 8/2018

In accordance with the Open Public Records Act (OPRA), N.J.S.A. 47:1A-1.1 *et. seq.* effective July 8, 2002, The Housing Authority of Gloucester County (HAGC) hereby adopts this Open Public Records Act Policy. The intent of the Policy is to ensure members of the general public are granted access to all records maintained by HAGC unless specifically exempt by OPRA, other state or federal law, regulations or Order. Such access shall be through the custodian of department records. This Policy shall establish procedures for the receipt and processing the requests for access to HAGC records. This Policy is not applicable to any general rules of discovery under New Jersey Rules of Court, Rule 7:7, Pretrial Procedures.

## Definitions

HAGC shall adopt the definitions contained within N.J.S.A. 47:1A-1.1, Definitions, implementing this Policy.

## Custodian of Records

The Administrative Assistant of HAGC shall serve as the custodian of all records maintained by HAGC. The Administrative Assistant shall be assisted by the Administrative Aide and by all staff of HAGC in fulfilling the obligations under this law.

The custodian of records shall have the following responsibilities:

- (1) The custodian shall ensure that the procedures in place so that requests for HAGC records are received, reviewed and filled, if appropriate as required by the law.
- (2) The custodian shall review all requests for access to HAGC records to ensure that requests are appropriate acted upon within the time prescribed by the law.

## Public Request for Records

- 1. Records Request Form:** All requests for access to records shall be in written format on the Records Request Form (Attachment A) provided by HAGC. The Request Form must be completed, signed, dated and delivered, via hand delivery, mail, or electronic transmission, to the Administrative Assistant.
- 2. Times During Which Records May Be Requested:** Any person making a request for HAGC records must do so during regular business hours between 8:00 a.m. and 5:00 p.m. Monday through Friday.
- 3. Redaction of Exempt Information:** HAGC shall be governed by N.J.S.A. 47:1A-1.1 in accessing whether a record is exempt and thereby confidential. Prior to allowing the access to the HAGC records, the records custodian must redact from the records any information which discloses exempt information (social security number; credit card numbers; unlisted telephone numbers; driver's license number, some personnel and pension information, information related to an ongoing criminal investigation, trade secrets, computer security etc.) HAGC shall advise the requester that the information has been redacted

and shall use a visually obvious method that shows the requestor the specific location or any redacted material in the record. HAGC shall maintain a record in its form prior to the redaction.

**4. Delivery of Records:** OPRA requires that immediate access be provided to certain information including documents such as budgets, bills, vouchers, contracts and public employee's salary and overtime information. Immediate access means at once, without delay. Exceptions may include instances in which the requested documents are in use, in storage, or require medium conversion. HAGC shall act reasonably in using its best efforts to comply with this requirement. All other requests that shall be responded to no later than seven (7) business days after receiving the request, provided that the request is currently available and not in storage or archived. The records custodian may seek an extension from the requestor in writing, within the statutorily mandated seven business days, and provide an anticipated deadline date upon which the records will be provided. The length of the extension must be reasonable.

In the event that the custodian fails to respond to the request within seven (7) business days, or any approved extension, after receiving a request, the failure to respond shall be deemed a denial of the request. While a requester may remain anonymous, communication with the requester must be available. In the event HAGC is unable to communicate with the requester, the custodian cannot make the response to the requester.

### **Applicable Fees**

Except as otherwise provided by law or regulation, the fees assessed for the duplication of a printed records shall be: Letter size \$0.05 per page and legal size \$0.07 per page. Other mediums (CD, DVD, etc.) are at the actual cost of materials. HAGC will provide electronic records (records sent via e-mail and fax) free of charge.

HAGC will charge the cost of the actual postage to deliver the records by mail.

Special service charges for extraordinary requests must be reasonable and based on actual direct costs. All special service charges will be provided to requestor prior to being incurred by HAGC.

There is no fee for inspecting a public record during normal business hours.

### **Record Medium**

Generally the records custodian must permit access to the records and provide copy in the medium requested if HAGC maintains the records in that medium. If HAGC does not maintain that medium, then HAGC shall either convert the records to the medium requested or provide a copy in some other meaningful medium. HAGC shall assess a reasonable special charge if the request is for a record in the medium not routinely used by the agency and requires substantial amount of manipulation or programming.

### **Denial of Request for Records**

If the Records Custodian is unable to comply with the request, then the Custodian must indicate the specific basis for the inability to comply on the Records Request Form and return it to the requesters. The custodian must sign and date the form and provide the requester with a copy.

HAGC is not obligated to compile data from various sources to create a new record. HAGC's records custodian is only obligated to provide records that exist at the time of request.

Where a legal determination must be made as to whether the records are "public records" as provided by the law, the request will be reviewed by HAGC's counsel.

In accordance with N.J.S.A. 47:1A-2.2 HAGC will also restrict access to certain information where it appears that a person who is convicted of any indictable offense under the laws of the State of New Jersey, or any other state in the United States is seeking governmental records containing personal information pertaining to the person's victim or the victim's family, including but not limited to a victim's home address, home telephone number, work or school address, work telephone number, social security account number, medical history or any other identifying information.

### **Right to Appeal a Denial of Access**

HAGC shall post in public view a public statement that sets forth a requester's right to appeal a denial or failure to provide access to a government records. Any person who is denied, in whole or in part, access to any records may appeal the denial through the filing of an action in Gloucester County Superior Court or by filing a complaint with the New Jersey Government Records Counsel.

Attachment "A"

The Housing Authority of Gloucester County Public Record Request Form



# THE HOUSING AUTHORITY OF GLOUCESTER COUNTY PUBLIC RECORD REQUEST FORM

100 Pop Moylan Blvd, Deptford NJ 08096

P: 856-8445-4959

[www.hagc.org](http://www.hagc.org)

## Information Requested: PLEASE PRINT

|   |              |                         |
|---|--------------|-------------------------|
| FIRST NAME: _____   | MI _____     | LAST NAME: _____        |
| COMPANY _____   |              |                         |
| ADDRESS: _____  |              |                         |
| CITY: _____   | STATE: _____ | ZIP: _____ EMAIL: _____ |
| BUSINESS HOURS TELEPHONE #: AREA CODE: _____ NUMBER _____ EXTENSION _____   |              |                         |
| PREFERRED DELIVERY: PICK UP _____ US MAIL _____ ON SITE INSPECTION _____ FAX _____ EMAIL _____  |              |                         |
| <b>CIRCLE ONE:</b> UNDER PENALTY OF <u>N.J.S.A., 2C:28-3</u> , I CERTIFY THAT I <b>HAVE / HAVE NOT</b> BEEN CONVICTED OF ANY INDICTABLE OFFENSE UNDER THE LAWS OF NEW JERSEY OR ANY OTHER STATE OF THE UNITED STATES. |              |                         |
| SIGNATURE: _____  |              | DATE: _____             |

## Payment Information

|                                      |   |
|--------------------------------------|---|
| Select Payment Method                | Fee Information:  |
| CASH <input type="checkbox"/>        | Letter size: \$0.05 (five cents per page)   |
| CHECK <input type="checkbox"/>       | Legal size: \$0.07 (seven cents per page)   |
| MONEY ORDER <input type="checkbox"/> | Other Materials: (ex. CD, DVD) actual cost of materials   |
|                                      | Delivery: Delivery/postage fees depending upon delivery type  |
|                                      | Extras: Special service charge dependent upon request   |
|                                      | Electronic records: shall be provided free of charge, but HAGC may charge for cost of media, programming, clerical, supervisory assistance and/or substantial use of information technology.  |
|                                      | Maximum Authorized Cost: _____  |
|                                      | Please note that if the actual costs to produce paper copies exceed the fees specified above, HAGC may charge the actual cost of duplication.   |
|                                      | DEPOSITS The custodian may require a deposit against costs for reproducing documents sought through an anonymous request whenever the custodian anticipates that the documents requested will cost in excess of \$5 to reproduce. Where a special service charge is warranted under OPRA, that amount will be communicated to you as required under the statute. You have the opportunity to review and object to the charge prior to it being incurred. If, however, you approve of the fact and amount of the special service charge, you may be required to pay a deposit or pay in full prior to reproduction of the documents. |

**Record Request Information:** Please be as specific as possible in describing the records being requested. Also, please indicate the type of access requested (copying or inspection) and if data, the medium requested.

**HOUSING AUTHORITY OF GLOUCESTER COUNTY**  
**GOVERNMENT RECORDS REQUEST RESPONSE**

TO: \_\_\_\_\_ DATE: \_\_\_\_\_

\_\_\_\_\_ **Denied:** The record(s) listed below are not being provided because they are not public records. The specific reason for the denial is:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ **Redacted:** The record(s) listed below were redacted. The general description of the information redacted is as follows:

\_\_\_\_\_  
\_\_\_\_\_

You have a right to appeal the denial or redaction of the records you requested. You may take your appeal to the Government Records Council or to the New Jersey Superior Court, as provided by N.J.S.A. 47:1A et seq. If your request has been denied, or subject to redaction, a statement of the procedures for the appeal will be attached to this notification.

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**HAGC Records Custodian**

\_\_\_\_\_ **Approved:**

I hereby acknowledge that I have received the records requested, except for the records subject to the above described denial. If any records have not been provided or have been redacted, I have received information on the procedures for any appeal of the determination.

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Requester**