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## Inspections and Copying of Public Records Policy

### Purpose

This Policy sets forth the policies and procedures of the Housing Authority of the City of San Buenaventura (“HACSB”) regarding requests for inspection of Public Records. It is designed to be in compliance with existing law. If any provision of this Policy conflicts with State or federal law, the applicable law shall take precedence over this Policy.

### Definitions

As used in this Policy, the following terms shall have the following meanings:

- a. “HACSB” shall mean the Housing Authority of the City of San Buenaventura.
- b. “Person” shall mean any natural person, corporation, partnership, limited liability company, firm, or association.
- c. “Writing” means handwriting, typewriting, printing, photo stating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or a combination thereof, and any record thereby created, regardless of the manner in which the record has been stored.
- d. “Public Records” includes any writing containing information relating to the conduct of HACSB's business prepared, owned, used, or retained by HACSB regardless of physical form or characteristics.
- e. “Requestor” shall mean a Person, or representative of a Person, who has submitted a request to inspect and/or copy HACSB records.

### Right to Inspect

To the extent required by law, and except as otherwise provided herein, all Public Records of HACSB are open to inspection by any Person pursuant to this Policy. Copies of Public Records may be obtained by any Person, subject to compliance with the procedures set forth in this Policy. Any reasonably segregable portion of a record shall be available for inspection by any Person requesting the record after deletion of the portions that are exempted by law.

### Records Exempt from Disclosure

Records that are exempt from disclosure under applicable law include, but are not limited to, the following:

- a. Preliminary drafts, notes, interagency, or intra-agency memoranda that are not retained by HACSB in the ordinary course of business, if the public interest in withholding those records clearly outweigh the public interest in disclosure.



MAIN OFFICE Phone/Fax  
995 Riverside St (805) 648-5008  
Ventura CA 93001 (805) 643-7984

SECTION 8 Phone/Fax  
11122 Snapdragon St (805) 647-5990  
Ventura CA 93004 (805) 647-4691

TDD/TDY  
ENG: 1-800-735-2929  
ESP: 1-800-855-3000

- b. Records pertaining to pending litigation to which HACSB is a party, or to claims made pursuant to Division 3.6 (commencing with Section 810) of Title 1 of the Government Code until the pending litigation or claim has been finally adjudicated or otherwise settled.
- c. Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy.
- d. The contents of real estate appraisals or engineering or feasibility estimates and evaluations made for or by HACSB relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property, has been acquired or all of the contract agreements are obtained. However, the law of eminent domain shall not be affected by this provision.
- e. The records made, if any, of closed sessions, pursuant to Government Code Section 54957.2, are not Public Records subject to inspection.
- f. Records the disclosure of which is exempted or prohibited pursuant to federal or state law (i.e., attorney-client privilege under the California Evidence Code).
- g. HACSB leases and lists of rosters of tenants. (Health & Safety Code Section 34283.)
- h. HACSB applications for eligibility and occupancy by prospective or current tenants. (Health & Safety Code Section 34332, subdivision (c).)

This partial list of exemptions is subject to applicable law, and any changes in the law are automatically incorporated into this Policy.

### **Requests to Inspect and/or Make Copies**

Any Person desiring to inspect or receive copies of records of HACSB is encouraged to submit their request in writing on the form attached as Exhibit "A" to the Custodial of Public Records. HACSB will not deny records requests that are not submitted in writing but will encourage Requestors to use the Exhibit "A" form for all records requests. Requestors shall provide sufficient detail to enable HACSB to identify the particular records. If the request is ambiguous or unfocused, HACSB shall make a reasonable effort to elicit additional clarifying information from the Requestor that will help identify the record(s). Pursuant to Government Code Section 6253.1, HACSB shall do all of the following, to the extent reasonable under the circumstances:

- Assist the Requestor to identify records and information that are responsive to the request or to the purpose of the request, if stated;
- Describe the information technology and physical location in which the records exist; and
- Provide suggestions for overcoming any practical basis for denying access to the records or information sought.

Immediately upon HACSB receiving a request for inspection or for copies of records, a HACSB staff member in receipt of such request shall forward the request to the Custodial of Public Records. Within ten (10) days from receipt of the request, the Custodial of Public Records or their designee shall determine whether the request, in whole or in part, seeks inspection of or copies of disclosable Public Records in the possession of HACSB and shall promptly notify the Person making the request of the determination and the reasons therefore. In unusual circumstances, the time limit prescribed in this section may be extended by written notice by the Custodial of Public Records or their designee, to the Person making the request, setting forth the reasons for the extension and the date on which a determination is expected to be dispatched. No notice shall specify a date that would result in an extension for more than

fourteen (14) days. A response to a written request for inspection or copies of Public Records that includes a determination that the request is denied, in whole or in part, shall be in writing. As used in this section, “unusual circumstances” means the following, but only to the extent reasonably necessary to the proper processing of the particular request:

1. The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request.
2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request.
3. The need for consultation, which shall be conducted with all practicable speed, with another agency having substantial interest in the determination of the request or among two or more components of HACSB having substantial subject matter interest therein.
4. The need to compile data, write programming language or a computer program, or to construct a computer report to extract data.

### **Participant Files**

A participant in a program operated by HACSB may review and/or copy the contents of their participant file as provided in Section 5(a) of this Policy. The participant file contains both public records and confidential information regarding the participant and the participant’s household. In the event, the participant seeks to authorize a third party (their representative or lawyer, for example) to review and/or copy the contents of the participant’s file, the participant shall submit an authorization for the release of participant information substantially in the form as attached to this policy as Exhibit “B”.

### **Procedures for Approved Requests for Inspection and/or Copies**

Approved requests for inspection and/or copies will be handled as follows:

- a. *Mail Requests:* The Custodial of Public Records or their designee will notify the Requestor of the fees to be paid to HACSB for copies of such records. Upon receipt of such fees, the Custodial of Public Records, or their designee, shall prepare and mail copies or certified copies of such records to the Person requesting them.
- b. *In-Person Requests:* HACSB will provide copies of the request form (Exhibit “A”) to Requestors who make records requests in Person. The request form shall be directed to the Custodial of Public Records. The Custodial of Public Records or their designee will provide copies of requested documents after payment of fees in accordance with the established fee schedule (Exhibit “C”).
- c. *Telephone Requests:* In response to a telephone request for copies of HACSB records, HACSB will explain the records request procedure (including established fees) as outlined in subsections (1) and (2) above. Payment of fees is required before copies may be prepared. The HACSB staff member receiving the telephone request shall promptly inform the Custodial of Public Records of such request.
- d. *Fax Requests:* In response to a fax request for copies of HACSB records, HACSB will transmit to the Requestor an explanation of the procedures (including established fees) as outlined in subsections (1) and (2) above, and will transmit Exhibits “A”, “B” (if applicable), and “C” to the Requestor. Payment of fees is required before copies may be

prepared. The HACSB staff member receiving the fax request shall promptly deliver a copy of the fax request to the Custodial of Public Records.

- e. *E-Mail Requests:* In response to an e-mail request for copies of HACSB records, HACSB will transmit to the Requestor, with a copy to the Custodial of Public Records, an explanation of the procedures (including established fees) as outlined in subsections (1) and (2) above, and transmit Exhibits “A”, “B” (if applicable) and “C” to the Requestor. Payment of fees for hard copies of records is required before copies may be prepared. There are no fees associated with electronically transmitted material.

Any Person in attendance at an inspection of HACSB records may request a copy of any record being inspected. HACSB will provide copies of the request form (Exhibit “A”) to Persons inspecting HACSB records. Upon payment of the applicable copying fees, HACSB will prepare copies or certified copies of such records for the Requestor. The HACSB is not required nor will it prepare new records in response to a request, nor will it compile, synthesize, summarize, or index information or records in a form that does not exist at the time of the request.

HACSB shall charge fees for copies or certified copies of identifiable Public Records or information as set forth in Exhibit “C”.

Public Records Request may be submitted in person, by mail, or by email:  
Housing Authority of the City of San Buenaventura  
ATTN: Public Records Request  
995 Riverside St, Ventura, CA. 93001  
[RecordsRequest@hacityventura.org](mailto:RecordsRequest@hacityventura.org)



EXHIBIT "A"

Public Records Request Form

Date: \_\_\_\_\_

In accordance with the California Public Records Act (Gov. Code §§. 6250-6276.48), I am requesting to (check one):

- Inspect the following public records
 Receive copies of the following public records

Please describe in detail the public records you are requesting:

Multiple horizontal lines for describing the requested records.

By signing this document, I acknowledge that the Housing Authority of the City of San Buenaventura (HACSB) can deny this request based on local, state, or federal exceptions. I also acknowledge that the HACSB has up to ten (10) days to respond to the request. If provided, the information requested will be provided in a digital format; typically by delivered by email in a .pdf format. For any footage/ file that is larger than four (4) gigabytes in size, the requesting party will be required to provide its own equipment to store the information; the HACSB retains complete discretion as to whether it will connect a requestor provided storage device to its system. Alternatively, the HACSB will provide, and charge for, a storage device. The HACSB will not be responsible for any damage, malfunction, or loss of any equipment.

Print Name of Requestor

Signature of Requestor

Address

City, State, Zip

Phone Number

Email Address

Public Records Request may be submitted in person, by mail, or by email:

Housing Authority of the City of San Buenaventura

ATTN: Public Records Request

995 Riverside St., Ventura, CA 93001

RecordsRequest@hacityventura.org



## EXHIBIT "A"

### FOR HACSB STAFF USE ONLY:

<b>Date Request Completed:</b>			
Copy/ Copies Provided?			
List any requested document that is exempt from public disclosure and was not copied (i.e., personnel files, attorney/client privilege documents, preliminary drafts, pending litigation or claims, etc.):			
Estimated Copy Charges:			
Amount of Deposit (If required):			
Refund/Additional Payment:			
Total Payment Received:			



# EXHIBIT "B"

## Authorization for Release of Participant Information

I, \_\_\_\_\_, am/have been a participant in a housing assistance program operated by the Housing Authority of the City of San Buenaventura ("HACSB").

I hereby authorize HACSB to furnish records to \_\_\_\_\_, my representative ("Representative"):

- My entire participant file including, but not limited to, all information contained therein, within HACSB's possession.
- Only the following items from my participant file specifically described as follows:

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This authorization shall become effective immediately and shall remain in effect for sixty (60) days unless terminated sooner by the undersigned participant in writing.

I understand that the above authorization waives rights to confidentiality and other rights that might otherwise be available. Nevertheless, I have provided my consent willingly, and without reservation. In so doing, I further agree to waive any and all claims or causes of action, state or federal, legal or equitable, against the HACSB, its officials, officers, employees, agents, consultants, attorneys, administrators, and volunteers, arising out of or in connection with HACSB's compliance with this authorization and/or HACSB's disclosure of information, as authorized herein.

I hereby declare under penalty of perjury that I have the authority to enter into an Authorization for Release of Participant Information and that I have read and understand the authorizations, releases, and waivers contained herein.

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Participant Name	Participant Signature	Date
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Address	City, State, Zip
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Social Security Number number:	Phone
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## EXHIBIT "C"

### Public Records Request – Schedule of Fees

(Note: Payment is required in advance of delivery of any requested records.)

Description	Price
Copy Price per Page- Standard Letter Size (8 ½" x 11")  <i>A request of ten (10) copies or less, will be free of charge. A request for more than 10 copies will be charged a full fee.</i>	\$.25
Copy Price per Page- Legal Size (8 ½" x 14")	\$.25
Color Copies	\$.35
Copy charges for oversized documents that must be outsourced for duplication/ reproduction	Actual Cost
Price for Public Records in electronic format, including video and/or audio tapes of Board of Commissioners meetings, when requested in electronic format, shall be calculated by HACSB in accordance with Government Code Section 6253.9, as it may be amended from time to time.	Per Gov. Code Section 6253.9
Storage Device provided by HACSB	At cost