



TACOMA HOUSING AUTHORITY

Policy No.	L-01
Policy	Disclosure of Public Records
Date	April 23, 2025

1. Purpose

Tacoma Housing Authority (THA) is an agency under the Washington Public Records Act, Chapter 42.56 RCW (PRA). It is the policy of THA to disclose THA's public records in compliance with the PRA and any other applicable federal or state law.

This policy establishes the procedures THA will follow to provide full access to public records. This policy provides information to individuals requesting access to THA's public records and establishes request processes for requesters and THA staff.

Except where required by statute, the guidelines in this policy are advisory only and do not impose any affirmative duty on THA. THA reserves the right to decide how to interpret and apply this policy and may change it at any time, with or without notice.

This policy shall be available at THA's main office and posted on THA's website.

2. Sources for Policy

- *Chapter 42.56 RCW*
- *Chapter 44-14 WAC*

3. Scope of Policy

This policy applies to all THA Staff.

4. Who is Responsible for Implementing Policy

Who	Responsibilities
Public Records Officer	<p>The Public Records Officer serves as a point of contact for members of the public seeking public records from THA, and to oversee THA's compliance with the requirements of the PRA and this policy.</p> <p>The Public Records Officer may delegate the responsibilities of processing requests to others, including consultants. Accordingly, any reference in this Policy to the "Public Records Officer" means the Public Records Officer or their designee.</p>

5. Definitions		
	<i>Public Record</i>	Includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by THA regardless of physical form or characteristics.
	<i>Writing</i>	Handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.

6. Policy

Tacoma Housing Authority is a public housing authority and local government agency operating pursuant to Chapter 35.82 RCW. THA was established in 1940 to provide high-quality, stable, and sustainable housing and supportive services to people in need. THA develops and manages real estate, provides rental housing, helps families pay their rent in the private rental market, and delivers supportive services to help families succeed as “tenants, parents, students, wage earners and builders of assets who can live without assistance.”

THA’s main office is located at 902 South L Street, Tacoma, WA 98405, and its website is <https://www.tacomahousing.org/>.

6.1 PUBLIC RECORDS OFFICER

The name and contact information of the Public Records Officer will be posted at THA’s main office and on the THA website.

The Public Records Officer will provide the fullest assistance to requesters, ensure that public records are protected from damage, disorganization, and improper disclosure, and prevent the fulfillment of any PRA request from causing excessive interference with THA’s essential functions. The Public Records Officer will be responsible for receiving, tracking, and responding to all public records requests THA receives, regardless of which THA department receives the request and which department holds the requested records. The Public Records Officer may seek assistance as necessary from every THA department.

6.2 AVAILABILITY OF PUBLIC RECORDS

Public records are available for inspection and copying during THA's customary business hours, which are posted at THA's main office and on the THA website. Records must be inspected at THA's main office (902 South L Street, Tacoma, WA 98405) unless the requester pays for copies as provided in this policy and in Chapter 42.56 RCW. Many commonly requested THA documents are available free of charge on THA's website, <https://www.tacomahousing.org/>.

6.3 MAKING A REQUEST FOR PUBLIC RECORDS

PRA requesters, or those seeking assistance in making a PRA request, are directed to contact:

Public Records Officer
Tacoma Housing Authority
902 South L Street
Tacoma, WA 98405
Phone: (253) 207-4400
Website: <https://www.tacomahousing.org/about/public-records-request/>
E-mail: pr@tacomahousing.org

All persons requesting THA's public records are directed to submit their requests to the Public Records Officer. The use of a THA request form is encouraged (though not required), as it will facilitate THA's response to the request. THA's online webform as well as a downloadable form for making requests are available at <https://www.tacomahousing.org/about/public-records-request/>.

In order to aid timely disclosure, requests should be made in writing and include the following information:

- a. The name, address and email address of the requester;
- b. The date of the request;
- c. A statement that records are being requested under the Public Records Act, along with a detailed description of the public records being requested;
- d. Whether the requester wants copies, or wants to inspect the requested records;
- e. If copies are requested, whether the requestor would like copies disclosed in an electronic format;
- f. If hard copies are requested, the address where copies should be mailed;
- g. A statement regarding whether the records requested are for commercial purposes; and
- h. The signature of the requester.

The Public Records Officer will confirm in writing (e-mail allowed) all oral requests made in person or by telephone, indicating receipt of the information and the substance of the request.

6.4 PROCESSING PUBLIC RECORDS REQUESTS

A. Initial Response

Within five (5) business days of receipt of the request, the Public Records Officer will do one or more of the following:

1. Notify the requester in writing that the documents are available;

2. Send copies of responsive records to the requester upon receipt or waiver of copying fees, with a letter acknowledging or closing the request as appropriate;
3. Send a written communication acknowledging the request and providing a reasonable estimate of when records or an installment of records will be available (the Public Records Officer may later revise this estimate as needed by notifying the requester);
4. Send a written communication acknowledging the request and asking the requester to provide clarification for a request that is unclear, and provide, to the greatest extent possible, a reasonable estimate of time THA will require to respond to the request if it is not clarified; or
5. Send a letter denying the request, including, if responsive records exist, an exemption log or similar document describing any record or information withheld and the basis for doing so.

Response letters that close a request will include closing language consistent with this policy and the PRA.

THA reserves the right to direct requesters to THA's website for commonly requested documents. The Public Records Officer will assist any requester who cannot easily access the internet.

If THA does not respond to a public records request in writing within five business days of receipt of the request, the requester should contact the Public Records Officer.

B. Reasons for Additional Time to Respond

THA may require additional time to respond to a request based on the need to do any of the following:

1. Clarify what documents are being sought in the request;
2. Locate and assemble the requested records;
3. Notify third parties affected by the request;
4. Determine whether any of the records requested are exempt, in full or in part, from public disclosure;
5. Redact records and/or prepare exemption logs or exemption explanations;
or

6. Any other appropriate purpose identified by the Public Records Officer and authorized by law.

THA has limited resources, and the Public Record Officer serves in other capacities in addition to processing requests and overseeing THA's PRA compliance. THA will respond within five (5) business days of receiving requests for THA records. However, the production of records in response to a request may be delayed due to the extent of the request and limitations on staff time. THA may respond to later requests before earlier requests for records if the later-requested records can be more easily located and made available. This may also mean that responses to requests for THA records may be done in multiple installments and extend over a period of time. The above list and procedures are not exhaustive, and THA reserves the right to require additional time as permitted by the PRA or other applicable federal or state law.

C. Unclear or Invalid Requests

In acknowledging receipt of a request that is unclear or ambiguous, THA may ask the requester to clarify what records the requester is seeking. Such clarification may be requested and provided by telephone but will then be confirmed in writing by the Public Records Officer. If the requester fails to clarify the request, and the entire request is unclear, THA may deem the request abandoned and need not respond to it. THA will respond to any portions of the request that are clear.

Requests must be for identifiable public records. A request for information or all or substantially all THA records will not be considered a valid request for identifiable records.

D. Notice to Third Parties

If the requested records contain personal information that identifies an individual or organization, or other information that may affect the rights of others, the Public Records Officer may provide notice to those individuals or organizations or such others whose rights may be affected by disclosure. The notice to the affected parties will include a copy of the records request, the date THA intends to release the record, and a deadline by which THA must receive a court order preventing the disclosure, and an instruction to name the requestor as a party to any action to enjoin disclosure. THA will release such records by the specified date if no one objects or the contacted party does not respond by the specified date. This procedure does not create any rights to third parties to such notice.

E. Records Exempt From Disclosure

Some records are exempt from disclosure, in whole or in part, based on the PRA, the laws and regulations identified in Appendix A, or under other state or federal law or regulation. If only a portion of a record is exempt from disclosure, but the remainder is not exempt, the Public Records Officer will redact the exempt portions and provide the nonexempt portions. When applying an exemption to redact or withhold a record, the Public Records Officer will include a statement of the specific exemption(s) authorizing the redaction or withholding of the record and a brief explanation of how the exemption(s) applies to the information redacted or the record withheld. An exemption log may be provided to the requester to assist the requester in identifying and explaining the basis for specific redactions or withholdings.

F. Providing Electronic Records

When records are requested in an electronic format, the Public Records Officer will provide the nonexempt records, or portions of the records that are reasonably locatable, in an electronic format that is used by THA, or in a format that is reasonably translatable from the format in which THA keeps the records. Fees associated with electronic records are addressed in Section 10.

G. Customized Service Charges

THA may charge a customized service charge for the actual costs incurred for requests requiring information technology expertise to prepare data compilations or incurred to provide customized electronic access services when such compilations and customized access services are not used by the agency for other agency purposes.

In the event THA believes the request requires such expertise or customization, THA will notify the requester of the customized service charge, explain why the charge applies, describe the specific expertise needed, and provide a reasonable estimate of the cost of the charge. The notice will provide the requester an opportunity to amend the request to avoid the customized service charge.

H. Failure to Claim or Inspect Records

The requester must claim or inspect assembled records within thirty (30) days of THA's notification to the requester that the records are available. Where records are being provided to the requester electronically through a file-sharing platform or records request portal, the records are "claimed" when the requester downloads the records. THA will notify the requester in writing of this requirement to download, inspect, or otherwise claim the records as applicable and, in the case of inspection, direct the requester to contact THA to make arrangements to review the records. If the requester fails to claim or review the records within the 30-day period or seek an extension of the 30-day period, THA may consider the request abandoned and close the request.

I. Protection of Records

To protect THA's public records from damage or disorganization, THA shall use the following procedures and practices:

1. No public records may be removed from THA's main office without the Public Records Officer's permission;
2. Inspection of any public records will be conducted in the presence of the Public Records Officer or designated staff;
3. No public record may be marked, defaced, torn, damaged, destroyed, unreasonably disorganized or removed from its proper location or order by a member of the public;

4. Public records maintained in a file jacket or binders, or in chronological order, may not be dismantled except for the purpose of copying, and then only by THA staff;
5. Public records may be copied only under arrangements made or approved by the Public Records Officer; and
6. THA will deny and terminate a requester's inspection and withdraw the requested records if the Public Records Officer determines that a requester, when reviewing the records, acts in a manner that will damage or substantially disorganize the records or interfere with other essential THA functions.

J. Large or Complex Requests – Providing Records in Installments

When the request is for a large volume or complex set of records, or where some records are more readily available or require no redaction, the Public Records Officer may elect to provide records on an installment basis. In such cases, the Public Records Officer will provide a reasonable estimate in the initial response as to when the first installment will be available. The Public Records Officer will send additional written notice as installments become available and provide an estimated date for the next installment. If a requester does not claim or review an installment or make other arrangements with THA within 30 days of any notification that an installment is available, THA may deem the request abandoned and stop fulfilling the remainder of the request.

K. Closure of Requests

THA will close requests under any of the following circumstances: THA has provided copies, or made available for inspection if applicable, all requested records and has identified and explained any records that have been redacted or withheld as exempt; THA has denied the request and explained the basis for the denial, including identification of any records withheld as exempt; THA has informed the requester that, despite a thorough and diligent search, responsive records do not exist; the requester withdraws the request; the requester fails to clarify an entirely unclear request; or the requester fails to fulfill their obligations to timely inspect or claim available records, pay a requested deposit, pay the fees imposed for an installment, and/or make final payment for the request.

Any communication to a requester that closes a records request will be sent in writing (letter or email acceptable) and provide the following statements.

1. Clearly state that the request is closed.
2. Explain how the request was fulfilled and why THA is now closing the request. Some examples might include: (a) explaining that all responsive records have been produced and the request is now closed; (b) explaining that, due to nonpayment of copy charges for the previous installment, the request is now closed; (c) explaining that the requester failed to timely claim an installment or inspect records, so the request is now closed; or (d)

explaining that, because the requested record is entirely exempt from public disclosure, the request is being denied and closed.¹ These are only examples; other plain language explanations of how the request was fulfilled and why the request is being closed may be provided.

3. Inform the requester that, because the request is being closed and THA does not intend to address the request further, the PRA's one-year statute of limitations to seek judicial review has started to run as of the date of the closing communication.
4. Invite the requester to ask any follow-up questions within 30 days of the closing communication.

If the requester submits any timely follow-up questions, the Public Records Officer will respond to the requester in a manner consistent with this policy, which may include conducting additional searches for responsive records. To the extent THA does not intend to further address the request, the Public Records Officer will respond to the requester that THA is not taking any further action with respect to the request and reiterate that the statute of limitations started to run from the date of THA's prior closing communication.

L. Log of Records Requests

THA will maintain a log of public records requests submitted to and processed by THA, which shall include the identity of the requester (if provided), the date the request was received, the text of the request, a description of the records produced, a description of the records redacted or withheld, the reasons for redaction or withholding, and the date of the final disposition of the request.

6.5 SEARCHES AND RECORDS ON PERSONAL DEVICES

All THA employees, officials, and volunteers must retain, diligently and thoroughly search for, and produce public records within their control consistent with the PRA, including any public records located on personal (non-THA) devices such as laptop computers, tablets, phones, and other devices. THA employees, officials, and volunteers may be asked to attest to their search efforts.

THA employees, officials, and volunteers should refer to THA's Records Retention Policy for matters concerning the retention, storage, and disposal of THA records, including requirements for the use of THA systems to generate and receive records related to THA business.

No record on a personal device that is potentially subject to a pending PRA request may be destroyed until after the Public Records Officer informs the records custodian that the request has been closed, and the applicable statute of limitations has run. Upon review, the Public Records Officer may determine that the record (a) is not a responsive public record, or (b) is a responsive public record and either (i) produce the record consistent with the PRA, or (ii) withhold or redact the record with an appropriate exemption log or similar explanation consistent with the PRA.

THA bears no responsibility for a record custodian's failure to comply with the PRA that subjects the custodian to remedies under the PRA or other applicable law. An intentional violation of the PRA or this policy may also result in the denial of THA defense and/or indemnification of the records custodian under THA's policies.

6.6 EXEMPTIONS

The PRA provides that several types of documents and information are exempt from public inspection and copying. In addition, documents are exempt from disclosure if any other statute exempts or prohibits disclosure. Requesters should be aware of PRA exemptions and exemptions outside of the PRA that may restrict or prohibit THA's ability to disclose certain documents. Some of these exemptions are described in Appendix A. THA's processes for applying exemptions to requested records are described in Section 6.4.

THA is prohibited by statute from disclosing lists of individuals for commercial purposes. If THA receives a request for a list of individuals, the Public Records Officer will ask the requester to complete a sworn declaration regarding the purposes for the records request.

6.7 COSTS OF PROVIDING COPIES OF PUBLIC RECORDS

There is no fee for inspecting public records in person or for records maintained on THA's website downloaded by the requester. For records requests requiring copies of documents, the requester shall pay the appropriate reproduction and mailing costs listed below. THA has concluded that calculating the actual costs of providing public records, including electronic records, would be unduly burdensome. Accordingly, THA adopts the fee schedule authorized by RCW 42.56.120. The Public Records Officer may elect to waive these fees.

A. Reproduction Costs

Black and white copies (per side), including printed copies of electronic records when requested	\$0.15 per page
Color copies (8½ x 11)	Actual cost
Scanning (to supply electronic copies of hard copy records)	\$0.10 per page
Records uploaded to email, or cloud-based data storage service, or other means of electronic delivery	\$0.05 per 4 electronic files
Records transmitted in an electronic format	\$0.10 per gigabyte
CD-ROM, DVD, thumb drive, or other digital storage media or device	Actual cost, not inclusive of scanning, PDF, or electronic document transfer fees
Postage or delivery charges	Actual cost of postage or delivery and mailing materials

The above charges may be combined to the extent that more than one type of charge applies to copies produced in response to a particular request.

Depending on the size, nature, or number of requested copies, document copying may be contracted to another provider, and the actual cost of the copies shall be the responsibility of the requester.

For larger requests, THA may require a deposit of up to ten percent (10%) of the estimated costs of copying all the records. The Public Records Officer or designee may also require the payment of the remainder of the copying costs before providing all the records, or the payment of the costs of copying an installment before providing that installment.

THA may, in lieu of calculating the fee based on the above schedule, charge a flat fee of \$2.00 when the above costs clearly equal or exceed \$2.00. If the request is being fulfilled in installments, no additional flat fee will be charged for any installment after the first installment.

The Public Records Officer may elect to waive the fees for a request for purposes of administrative convenience or based on other reasonable grounds. Additionally, THA may agree to an alternative fee arrangement with a requester.

B. Payment

Payment may be made by cash, check, or money order to Tacoma Housing Authority.

6.8 PUBLIC RECORDS INDEX

THA finds that it would be unduly burdensome and would interfere with THA operations to maintain an index of records. THA will make available for public disclosure all indices which may at a future time be developed for THA use.

6.9 REVIEW OF PUBLIC RECORDS REQUEST DENIALS

Any person who objects to the initial denial or partial denial of a records request may petition in writing (email allowed) to the Public Records Officer for a review of that decision. The petition must include a copy of, or reasonably identify, the written statement by the Public Records Officer denying the request.

The Public Records Officer shall promptly provide the petition and any other relevant information to THA's Executive Director. The Executive Director will consider the petition and either affirm or reverse the denial within five (5) business days following the Executive Director's receipt of the petition, or within such other time as THA and the requester mutually agree.

Any person may obtain court review of any THA records decision pursuant to RCW 42.56.550 at the conclusion of five (5) business days after the initial denial regardless of any internal administrative appeal.

6.10 DISCLAIMER OF LIABILITY

Neither THA nor any of its employees, officials, officers, volunteers, or custodians shall be liable, nor shall cause of action exist, for any loss or damage based upon release of public

records if the person releasing the records acted in good faith in attempting to comply with this policy.

This policy is not intended to expand or restrict the rights of privacy or the rights to inspect and copy public records as they exist under state and federal law. Despite the use of any mandatory terms such as “shall,” nothing in this policy is intended to impose mandatory duties on THA beyond those imposed by state and federal law.

APPENDIX A

Partial List of Exemption and Prohibition Statutes Pertaining to THA Public Records

The following statutes are listed in addition to any exemptions contained in Chapter 42.56 RCW. This list is for informational purposes and is not intended to be exclusive or exhaustive. Public records may be exempt from disclosure under other laws.

Washington State Statutes

RCW 4.24.550	Information on sex offenders to public
RCW 5.60.060	Attorney-client communications
RCW 5.60.070	Court-ordered mediation records
RCW 9.02.100	Reproductive privacy
RCW 18.19.180	Confidential communications with counselors
RCW 19.34.240(3)	Private digital signature keys
RCW 19.108.020	Misappropriation of trade secrets
RCW 26.44.030	Reports of child abuse/neglect
RCW 42.23.070(4)	Municipal officer disclosure of confidential information prohibited
RCW 42.41.030(7)	Identity of local government whistleblower
RCW 42.41.045	Non-disclosure of protected information (whistleblower)
RCW 48.62.101	Local government insurance transactions – access to information
RCW 50.13.060	Access to employment security records by local government agencies
RCW 50A.05.020(4)	Information pertaining to employees regarding family and medical leave
RCW 50A.20.030(2)(b)	Information obtained under the Family Medical Leave Act from employer records
RCW 51.28.070	Worker's compensation records
RCW 51.36.060	Physician information on injured workers
RCW 70.123.075	Client records of domestic violence programs
Ch. 70.02 RCW	Medical records – access and disclosure
RCW 70.58.055	Birth certificates
RCW 70.96A.150	Alcohol and drug abuse treatment programs
RCW 70.123.075	Client records of domestic violence programs
RCW 71.05.390	Information about mental health consumers
RCW 71.05.395	Ch. 70.02 RCW applies to mental health records
RCW 71.05.630	Release of mental health treatment records
RCW 71.05.640	Access to treatment records
RCW 71.34.200	Mental health treatment of minors

Federal Statutes

5 U.S.C. § 552a	Federal Privacy Act
42 U.S.C. § 290dd-2	Confidentiality of substance abuse records
42 U.S.C. § 405(c)(2)(vii)(I)	Limits on Use and Disclosure of Social Security Numbers