

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Frederick E. Hennick, Gary
Gentile, and Naugatuck Daily
News,

Complainants

Report of Hearing Officer

against

Docket #FIC79-85

Naugatuck Housing Authority,
Respondents

June 13, 1979

The above captioned matter was heard as a contested case on May 31, 1979, at which time the complainants and the respondent authority appeared, stipulated to certain facts, presented exhibits and argument on the complaint.

After consideration of the entire record, the following facts are found:

1. The respondent authority is a public agency as defined by §1-18a(a), G.S.
2. On April 4, 1979, the complainant Gentile sent a letter to the respondent authority requesting a list of persons admitted in 1978 to elderly housing in Naugatuck.
3. By letter dated April 12, 1979, the respondent authority replied to the aforesaid request by stating that it would wait for an answer from this Commission.
4. From such reply, the complainants filed their letter of complaint with the Commission on April 16, 1979.
5. The respondent authority keeps and maintains a list of persons admitted to elderly housing in 1978.
6. The state of Connecticut provides financial assistance for the housing needs of elderly persons who qualify pursuant to Chapter 128 of the Connecticut General Statutes.
7. In order to qualify for assistance, a person must be sixty-two years of age or over and lack the amount of income which is necessary, as determined by the respondent authority, to enable them to live in decent, safe and sanitary dwellings without financial assistance.
8. The list in question contains the names of persons whom the respondent authority found to qualify for housing assistance in 1978.

9. It is found that §17-83, G.S. does not provide an exemption to mandatory disclosure as contended by the respondent authority. In this regard, §17-83, G.S. is limited to public assistance received pursuant to Chapter 302.

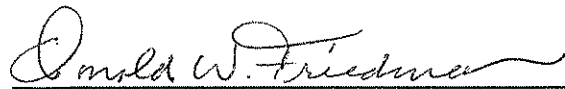
10. Similarly, Chapter 55 of the Connecticut General Statutes, concerning personal data, does not apply to the requested information for the reason that the respondent authority is not an "agency" within the meaning of §4-190(a). Chapter 55 is only applicable to agencies specifically defined therein.

11. In the absence of federal law or state statutes providing a specific exemption to compulsory disclosure, all records maintained or kept on file by any public agency shall be public records, pursuant to §1-19, G.S.

12. Accordingly, the complainants have a right to receive the requested list pursuant to §§1-15 and 1-19(a), G.S.

The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint:

1. The respondents shall, within three days of issuance of Final Decision hereof, provide the complainants with the requested list of persons admitted in 1978 to elderly housing in Naugatuck.



Commissioner Donald Friedman
as Hearing Officer

As approved by Order of the Freedom of Information Commission on
June 27, 1979.



Leslie Ann McGuire
Clerk of the Commission