

THE HOUSING AUTHORITY OF THE CITY AND COUNTY OF DENVER

Policy and Procedures Regarding Public Review of Records Under the Colorado Open Records Act

Policy Name:

Public Review of Records Policy Under the Colorado Open Records Act (Section 24-72-201 *et seq.*, Colorado Revised Statutes) (“CORA”), as amended.

Objectives:

1. To provide the public with timely, orderly, and efficient access to all public records maintained by the Housing Authority of the City and County of Denver (“DHA”), in accordance with CORA and applicable federal regulations.
2. To ensure that all requests are handled uniformly under the law.
3. To provide procedures that ensure the integrity and safety of the records.
4. To define the process for public review requests.

Procedures:

1. Review of public records will generally be scheduled during the business hours of 9:30 a.m. to 3:00 p.m. Monday through Friday. DHA is closed for business on the following holidays: New Year’s Day, Martin Luther King Jr.’s Birthday, George Washington’s Birthday, Memorial Day, Juneteenth, Independence Day, Labor Day, Veteran’s Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve, and Christmas Day.
2. Each request to review public records maintained by DHA shall be in writing and delivered via U.S. mail, electronic mail, or hand-delivery to Open Records Request, Legal Department for DHA, 1035 Osage Street, Denver, Colorado 80204, or to 720-932-3009, or emailed to LegalDepartment@denverhousing.org. Telephone or verbal requests will not be accepted as valid requests. All requests must include the following information: date, requestor’s name, company name, if applicable, address, telephone number, any reasonable accommodation the requestor needs, and the records requested. Requests must be specific as to the information requested. An e-mail address and fax number may be provided, if requestor desires.
3. Upon receipt of the request, DHA staff will take the following actions:

- a. Review DHA records for the information requested. In order to aid the requestor's review, DHA staff may ask relevant questions related to the information requested in order to further define the search; however, DHA staff will not define specific searches for the requestor.
 - b. Determine whether all records are available and contact the staff necessary to coordinate access to any records they may have related to the request.
 - c. Gather all records in DHA's possession for review.
 - d. Contact the requestor to schedule an appointment for review and determine the type of reasonable accommodation needed, if applicable.
4. DHA staff will respond to all public review requests within three (3) working days unless the request for records is voluminous, overly broad and/or the records are not otherwise readily available within three (3) working days. In that case, DHA will advise the requestor, in writing, within three (3) working days, that the records are not readily available and DHA will have an additional seven (7) working days to produce the records or will make arrangements with the requestor to produce the documents as soon as is reasonable and practical.
5. Electronic Records. If a public record is available in a digital format, DHA shall upon request transmit a digital copy of the public record in a digital format by electronic mail or by another mutually-agreed upon transmission method if the size of the record prevents transmission by electronic communication.
6. Paper Records. Records must be reviewed on DHA premises and will be viewed only in the room designated by DHA.
7. No records are to be removed from or added to the records.
8. All copies of records must be made by DHA staff. The requestor must complete his/her records review before any copies will be made. Upon completion of the review the requestor must mark the pages he/she wishes to have copied with post-it notes and multiple pages must be clipped together. Copies will be made at a later date by DHA staff or by a third party vendor, depending upon the volume.
9. The requestor shall not bring and shall not use photocopiers, fax machines, or any other copying, scanning or reproduction devices to copy DHA records. Requestor shall not take pictures of DHA records.
10. A DHA employee must be present in the room at all times during the requestor's review of the records.
11. Charges for copying will be \$0.25 per page, unless the actual cost exceeds that amount, except that DHA shall not charge a per-page fee for providing records in a digital or electronic format (when those records are already stored in a digital format). All copying

services must be prepaid by cash, cashier's check, or money order made payable to the "Housing Authority of the City and County of Denver" **before** DHA staff will copy the records. No credit cards are accepted and no billing of third party vendor's services will be done by DHA. The requestor will be notified when the copies are available for pick up.

12. DHA will hold copies for the requestor for ten (10) business days. After that, the copies will be destroyed and the requestor will have to pay for a new set of copies to be made.
13. Requests will be reviewed to determine the volume of the request, the staff time required to produce the record, and the type of format in which to deliver the record, before setting a fee for production. Once the fee has been determined, it must be paid in cash, cashier's check or money order made payable to the "Housing Authority of the City and County of Denver" **before** DHA staff will assemble the records. No credit cards are accepted and no billing of third party vendor's services will be done by DHA. The requestor will be notified when the information is available for pick-up.
14. If DHA is required to generate a record in a form not used by DHA, including an electronic format if not already available, a reasonable fee may be charged to the requestor. Such fee shall not exceed the actual cost to DHA. Such fees shall include but may not be limited to the hourly fee allowed pursuant to C.R.S. 24-72-205(6).
15. Certified copies of records will be made upon written request for an additional fee of \$1.00 per page; however, an additional five (5) working days is needed to provide certified copies of records. Requestor must also pay for copying services, in accordance with paragraph 12 above, except as otherwise provided in CORA.
16. Information requests will not take priority over previously scheduled work activities of DHA.
17. DHA reserves the right, in its sole and absolute discretion, to levy a reasonable fee for research and retrieval services in accordance with CORA.
18. DHA reserves the right to waive any, part or all of the requirements outlined above, in its sole and absolute discretion, for requests made by governmental entities.

UNDER COLORADO LAW, §18-8-114 C.R.S. (2003), IT IS A CLASS 1 MISDEMEANOR FOR ANY PERSON TO KNOWINGLY MAKE A FALSE ENTRY OR ALTER ANY PUBLIC RECORD OR TO DESTROY, MUTILATE, CONCEAL, REMOVE, OR IMPAIR THE AVAILABILITY OF ANY PUBLIC RECORD. "PUBLIC RECORD" IS DEFINED AS ALL OFFICIAL BOOKS, PAPERS, OR RECORDS CREATED, RECEIVED, OR USED BY OR IN ANY GOVERNMENTAL OFFICE OR AGENCY.

ATTACHMENT A

REQUEST FOR PUBLIC RECORDS

The Housing Authority of the City and County of Denver

I request that the Housing Authority of the City and County of Denver make the following public records available for my review:

I understand that I am financially responsible for payment of all the costs for producing records, for researching and retrieving records or for copying these public records, by cash, cashier's check or money order, made payable to the "Housing Authority for the City and County of Denver" **before** DHA staff will assemble or copy the records, as appropriate.

Requestor:

Print Name (required)

Signature:

Sign Name (required)

Address:

(required):

City/State/Zip:

(required)

Phone Number:

(required)

E-Mail Address:

(optional)

Date:

(required)