

ALLEGHENY COUNTY HOUSING AUTHORITY

RIGHT-TO-KNOW LAW POLICY

Adopted October 1, 2024 pursuant to 65 P.S. § 67.504(a)

Effective Date: October 1, 2024

I. Authority

The Allegheny County Housing Authority (“ACHA” or “Agency”) adopts this policy pursuant to Section 504(a) of the Right-to-Know Law, 65 P.S. §§ 67.101–67.3104 (“RTKL”). The purpose of this Policy is to ensure compliance with the Pennsylvania Right-To-Know Law, 65 P.S. §66.1 *et seq.*, as amended by Act 3 of 2008, and to provide access to all public records of the ACHA except for those records enumerated as exceptions to the law. The Agency has made this policy available to the public at its administrative office and on its public website along with the OOR’s Standard Right-to-Know Request Form. *See* 65 P.S. § 67.504(b) (relating to agency posting requirements under the RTKL).

II. Definitions

All definitions set forth in the RTKL are incorporated into this policy by reference. *See* 65 P.S. § 67.102.

AORO: The Agency Open Records Officer designated by the Agency pursuant to Section IV of this policy.

Business Day: The regular business hours of the ACHA are Monday through Friday from 8:30 AM to 4:00 PM. Business days exclude Saturday, Sunday, and weekdays on which the Agency is closed for holidays.

III. Agency Website

The Agency maintains a public website at www.achousing.org. Many of the records most commonly requested from the Agency are available on the website. The following information is also posted on the Agency’s website: AORO contact information; contact information for the OOR and any other applicable appeals officer; a form which may be used to file a RTKL request; and a copy of this policy. *See* 65 P.S. § 67.504(b).

IV. Submitting a RTKL Request to the Agency

A. Open Records Officer

The ACHA has designated an Agency Open Records Officer (“AORO”) to respond to RTKL requests.

The contact information for the AORO is:

Luke Lewis, AORO – Executive Operations & HR Officer

Allegheny County Housing Authority

301 Chartiers Avenue

McKees Rocks, PA 15136

Fax: (412) 402-2436

Email: lulewis@achousing.org

B. Request

Requests must be submitted in writing to the ACHA Open Records Officer using the OOR's Standard Right-to-Know Request Form, available at <https://www.openrecords.pa.gov/RTKL/Forms.cfm> and on the Agency website, and must be addressed to the AORO. Requests not submitted on the Standard Right-to-Know Request Form will be considered informal requests and will not be subject to the RTKL, meaning the requester cannot pursue the relief and remedies provided under the RTKL. Written requests will be accepted by regular mail, facsimile, email, or in person. *See* 65 P.S. § 67.703.

To allow the Agency to locate requested records and determine whether those records are public, requests for records should be specific and concise and clearly identify, as precisely as possible, the records sought. Requesters must include their name, address of residence, and a mailing address on the form and should clearly indicate the preferred method of access — paper copies, electronic copies, or inspection. Requesters should retain a copy of the request for their file, as a copy is necessary should a requester appeal the Agency response.

C. Receipt of the Request

For the purpose of calculating the response deadline, the Agency is deemed to have received the request on the business day that the AORO receives the request. *See* 65 P.S. § 67.901. Any request received by the Agency after the close of regular business hours shall be deemed received on the next business day. If the request is received by an Agency employee other than the AORO, the request will be forwarded to the AORO as soon as practical.

D. Verbal Requests

The Agency will not respond to verbal requests for records. All requests must be submitted in writing to the AORO.

E. Anonymous Requests

The Agency will not respond to anonymous requests for records.

F. Response Period Generally

The Agency has 5 business days to respond to a request for records under the RTKL. If the Agency does not respond, the request is considered “deemed denied,” and a requester’s appeal rights commence.

V. Agency Response

A. Extension of Time for Response

The Agency is permitted to take an additional 30 calendar days to respond to any request for the reasons set forth in Section 902 of the RTKL. *See* 65 P.S. § 67.902. If the Agency invokes an extension, it will inform the requester in writing, in accordance with Section 902(b)(2) of the RTKL, including the reason for the extension, a reasonable date on which a response is expected, and any fees that may be owed when the records become available.

B. Requester’s Agreement to Extend the Response Period

The requester may agree, in writing, to extend the Agency response period beyond 30 days. *See* 65 P.S. § 67.902(b)(2). Any such agreement must occur during the initial 5-business-day response period or the extended 30-calendar-day response period, if the Agency has invoked one.

C. Trade Secrets

If a request involves records provided to the Agency by a third party who previously provided a written statement that the record contains a trade secret or confidential proprietary information, the Agency shall provide notice to the third party. *See* 65 P.S. § 67.707(b).

D. Final Response

The Agency may grant a request, partially grant and partially deny a request, or deny a request in its entirety. The final response of the Agency will be in writing. Should the Agency fail to issue a response within the applicable response period, the request is deemed denied. *See* 65 P.S. § 67.901.

1. Granting Access to Records: The Agency may grant a request for records by: (1) granting access to inspect Agency records during regular business hours at the ACHA’s main office, 301 Chartiers Avenue, McKees Rocks, PA 15136; (2) mailing copies of the records to the name and address provided on the request form; or (3) by notifying the requester that the records are available on the Agency website or other publicly accessible electronic means. If the requester asks that the response be returned via facsimile, the ACHA will fax the response to the fax number provided. *See* 65 P.S. §§ 67.701(a), 704.

2. Denying or Partially Denying Access to Records: Should the Agency deny or partially deny a request through redaction or otherwise, the Agency will inform the requester in writing. The response will describe the requested records, inform the requester that the Agency does not possess the responsive records or, if the records are exempt from public access, provide a citation to the relevant legal basis for withholding the requested records. *See* 65 P.S. § 67.903. Additionally, the response will provide the name, signature, title, business address, and telephone number of the Open Records Officer who denied the request, the date of the response, and the procedure to appeal the denial. *See* 65 P.S. § 67.903.

E. Fees

The Agency will charge fees consistent with the RTKL Fee Structure. All fees must be paid at or before the time copies of requested records are delivered. All fees must be paid by corporate check or money order, made payable to the “Allegheny County Housing Authority.” Personal checks or cash will not be accepted. The Agency may, in its discretion, choose to waive some or all fees on a case-by-case basis and will waive fees of less than \$5.00.

Record Type	Fee
Certified Copy	\$5.00 per record
Black & White Photocopy	25¢ per page
Specialized Documents (e.g., blueprints, color copies, non-standard sized documents)	Actual Cost
Facsimile / Microfiche / Other Media	Actual Cost
Conversion to Paper (electronic or non-paper records)	25¢ per page unless requester asks for more expensive medium (§1307(e))
Postage	Actual Cost of Mailing

VI. RTKL Appeals

A. Generally

To challenge the denial, partial denial, or deemed denial of a request for Agency records, an appeal may be filed using the OOR appeal form, available at <http://www.openrecords.pa.gov/Appeals/AppealForm.cfm>, or by contacting the OOR at:

Office of Open Records | Commonwealth of Pennsylvania
 555 Walnut Street, Suite 605
 Harrisburg, PA 17101
 openrecords@pa.gov

Criminal Investigative Records: To challenge the denial of a request on the basis that records were withheld because they relate to criminal investigative records, an appeal should be directed to:

Allegheny County District Attorney's RTKL Chapter 11 Appeals Officer
436 Grant Street, 303 Courthouse
Pittsburgh, PA 15219

B. Requirements of an Appeal

All appeals must be filed within 15 business days of the mailing date of the Agency's denial, partial denial, or deemed denial of the request. All appeals must be in writing; must state the grounds upon which the requester asserts that the requested records are public records; must address any grounds stated by the Agency for denying the request; and must include a copy of the request and the Agency's response, if any. *See* 65 P.S. § 67.1101(a)(1).

VII. Agency Notification of Third Parties on Appeal

If records affect a legal or security interest of an Agency employee; contain confidential, proprietary, or trademarked records of a person or business entity; or are held by a contractor or vendor, the Agency must notify such parties of the appeal immediately and provide proof of that notice to the OOR within 7 business days from the date of the OOR's Official Notice of Appeal. Such notice must be made by (1) providing a copy of all documents included with the appeal to the OOR; and (2) advising that interested persons may request to participate in the appeal. *See* 65 P.S. § 67.1101(c).

VIII. Mediation

The RTKL requires the OOR to establish an informal mediation process to resolve disputes under the RTKL. 65 P.S. § 67.1310(a)(6). This is a voluntary process to help parties reach a mutually agreeable settlement on records disputes before the OOR. Mediation can save time and expense. When appropriate, the Agency is open to resolving RTKL disputes through the OOR's mediation process.

IX. Record Retention

The Agency's record retention policy is available at the ACHA's Central Office, 301 Chartiers Avenue, McKees Rocks, PA 15136, and on the Agency's public website.

Notwithstanding any other existing record retention policy, once a RTKL request is received, the Agency shall maintain, preserve, retain, protect, and not destroy any and all records, both

electronic and hard copy, that are potentially responsive to the request until such time as the request is fulfilled and all associated appeals are resolved.

X. Additional Information about the RTKL

Additional information about the RTKL, the request process, and the appeal process is available on the OOR website at <https://www.openrecords.pa.gov>.



Standard Right-to-Know Law Request Form

Please read carefully. Complete this form and retain a copy of **both** pages; this copy may be required if an appeal is filed. You have 15 business days to appeal after a request is denied or deemed denied. More information about the RTKL is available at <https://www.openrecords.pa.gov>. In most cases, a completed RTKL request form is a public record.

SUBMITTED TO AGENCY NAME: _____ (Attn: AORO)

Date Request Submitted: _____ Submitted via: Email U.S. Mail Fax In Person

PERSON MAKING REQUEST:

Full Name: _____

Company (if applicable): _____

Please send response via: Email U.S. Mail

If you wish to obtain records that only exist in hard copy, or must be provided on an electronic storage device, you may be required to provide a mailing address to the agency. See Section 703.

Email: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____ Telephone: _____

How do you prefer to be contacted if the agency has questions? Telephone Email U.S. Mail

By checking this box, I affirm that my full name and contact information is true and correct, and that I am a legal resident of the United States. I understand that failure to check this box may result in the denial of my request and the dismissal of any appeal filed with the Office of Open Records.

RECORDS REQUESTED: Provide as much detail as possible, including subject matter, time frame, and type of record sought. RTKL requests must seek records, not ask questions. Use additional pages if necessary.

Form continues on page 2. Retain a copy of both pages.

RECORDS REQUESTED (continued):

DO YOU WANT COPIES? Yes, printed Yes, electronic No, in-person inspection

Records shall be provided in the medium requested if they exist in that medium; otherwise, they shall be provided in the medium in which they exist. See Section 701. Your request may require payment or prepayment of fees. View the [Official RTKL Fee Schedule](#) for more details.

I understand that my request may incur fees. Notify me before further processing if fees will be more than \$100 (or) \$_____.

Do you want [certified copies](#)? Yes (may be subject to additional costs) No

ITEMS BELOW THIS LINE FOR AGENCY USE ONLY

Tracking: _____ Date Received: _____ Response Due (5 bus. days): _____

30-Day Ext.? Yes No (If Yes, Final Due Date: _____) Actual Response Date: _____

Request was: Granted Partially Granted & Denied Denied Cost to Requester: \$_____

Appropriate third parties notified and given an opportunity to object to the release of requested records.

Retain a copy of both pages of this Form.