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August 13, 2002

Joyce Boles
2830 N. Williams, #301
Portland, OR 97227

Re: Public Records Disclosure Order: *Oregon Housing and Community Services Department*

Dear Ms Boles:

This letter is the Attorney General's order on your petition for disclosure of records under the Oregon Public Records Law, ORS 192.410 to 192.505. Your petition, which we received on August 9, 2002, asks the Attorney General to direct the Oregon Housing and Community Services Department (Department) to make available a copy of the June 28, 2002 Management and Occupancy Review Report for St. Vincent DePaul Plaza (report). For the reasons that follow, we respectfully deny your petition.

The Public Records Law confers a right to inspect any public records of a public body in Oregon, subject to certain exemptions and limitations. *See* ORS 192.420. Any person who is denied the right to inspect or to receive a copy of any public record of a state agency may petition the Attorney General to review the record and determine if it may be withheld from disclosure. ORS 192.450(1). The Attorney General may order a state agency to disclose records only when the agency has denied a request for the records. *See* ORS 192.450(1).

Attached to your petition is the Department's August 1st denial of your request for the report, signed by Sharon Dahle, the Department's Manager for HUD Contract Administration. After receiving your petition we contacted Ms. Dahle. She told us that the Department is rescinding its denial of your request and will send you a copy of the requested report.

The Attorney General may order a state agency to disclose records only when the agency has denied a request for those records. *See* ORS 192.450(1). Because the Department is providing you with the requested report, we respectfully deny your petition as moot.

Sincerely,

Peter D. Shepherd

PETER D. SHEPHERD
Deputy Attorney General

AGS10800