ELLEN F. ROSENBLUM
ATTORNEY GENERAL

FREDERICK M. BOSS
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE

Justice Building
1162 Court Street NE
Salem, Oregon 97301-4096
Telephone: (503) 378-4400

September 22, 2016

VIA EMAIL ONLY: njaquiss@wweek.com

Nigel Jaquiss, Reporter
Willamette Week
2220 NW Quimby
Portland, OR 97210

Re: Petition for Public Records Disclosure Order
Oregon Housing & Community Services Department
DOJ File No. 914700-GA0113-16

Dear Mr. Jaquiss:

This letter is the Attorney General's order on your petition for public records disclosure under the Oregon Public Records Law, ORS 192.410 to 192.505. Your petition, which we received on September 15, asks the Attorney General to order the Housing & Community Services Department (OHCS) to produce various records related to developer fees on the 85 Stories project and on preservation projects.

We respectfully deny your petition because OHCS has not denied your records request. Nor is it responsible for the delay in disclosing these records to you: it gathered the records in a timely manner and provided them to DOJ for legal review to determine whether any of the information is exempt from disclosure. Specifically, on July 26, OHCS provided DOJ with 293 e-mails responsive to your request for correspondence with Home Forward relating to 85 Stories developer fees. On August 12, OHCS provided DOJ with 134 e-mails possibly responsive to your request for correspondence with nonprofit developers regarding fees on preservation projects.

DOJ has not yet completed review of either of these sets of e-mails. We are embarrassed by this delay, and apologize to both you and OHCS. DOJ will finish the review and return the e-mails to OHCS for disclosure of nonexempt information as quickly as it can.

Sincerely,

Frederick M. Boss
Deputy Attorney General

FMB:nog/DM7719741
c via email only: Sandy McDonnell, OHCS
Remmal Nivens, OHCS