



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

October 26, 2022

Mr. Michael B. Gary
Chief Legal and Compliance Officer
Fort Bend Central Appraisal District
2801 B.F. Terry Boulevard
Rosenberg, Texas 77471-5600

OR2022-33151

Dear Mr. Gary:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 981121 (Reference No. 2022-61).

The Fort Bend Central Appraisal District (the "district") received a request for sales data pertaining to specified properties. You claim the submitted information is excepted from disclosure under section 552.149 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.149 of the Government Code provides, in relevant part:

(a) Information relating to real property sales prices, descriptions, characteristics, and other related information received from a private entity by the comptroller or the chief appraiser of an appraisal district under Chapter 6, Tax Code, is excepted from the requirements of [the Act].

(b) Notwithstanding Subsection (a), the property owner or the owner's agent may, on request, obtain from the chief appraiser of the applicable appraisal district a copy of each item of information described by Section 41.461(a)(2), Tax Code, and a copy of each item of information that the chief appraiser took into consideration but does not plan to introduce at the hearing on the protest. In addition, the property owner or agent may, on request, obtain from the chief appraiser comparable sales data from a reasonable number of sales that is relevant to any matter to be determined

by the appraisal review board at the hearing on the property owner's protest[.]

Gov't Code § 552.149(a)-(b). You state the information at issue pertains to real property sales prices, descriptions, characteristics, and other related information received from a private entity. You also state the requestor is not an owner or an agent of the properties at issue. Upon review, we find you have demonstrated the applicability of section 552.149 to the information at issue. Thus, the district must withhold the submitted information under section 552.149(a) of the Government Code.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at <https://www.texasattorneygeneral.gov/open-government/members-public/what-expect-after-ruling-issued> or call the OAG's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Public Information Act may be directed to the Cost Rules Administrator of the OAG, toll free, at (888) 672-6787.

Sincerely,

Kimbell Kesling
Assistant Attorney General
Open Records Division

KK/mo

Ref: ID# 981121

Enc. Submitted documents

c: Requestor
(w/o enclosures)