



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

December 27, 2022

Ms. Tiffany Bangs
Assistant County Attorney
Harris County
1019 Congress, 15th Floor
Houston, Texas 77002-1700

OR2022-39916

Dear Ms. Bangs:

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# 991922 (HCA File No. 22PIA1072).

The Harris County Budget Management Department (the "county") received a request for thirteen categories of information pertaining to the county's Emergency Rental Assistance Program. The county claims the submitted information is excepted from disclosure under section 552.160 of the Government Code. We have considered the exception the county claims and reviewed the submitted representative sample of information.¹

Section 552.160 of the Government Code provides, in relevant part:

(b) Except as provided by Subsection (c), the following information maintained by a governmental body is confidential:

(1) the name, social security number, house number, street name, and telephone number of an individual or household that applies for state or federal disaster recovery funds;

(2) the name, tax identification number, address, and telephone number of a business entity or an owner of a business entity that applies for state or federal disaster recovery funds; [and]

¹ We assume that the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

(3) any other information the disclosure of which would identify or tend to identify a person or household that applies for state or federal disaster recovery funds.

(c) The street name and census block group of and the amount of disaster recovery funds awarded to a person or household are not confidential after the date on which disaster recovery funds are awarded to the person or household.

Gov't Code § 552.160(b), (c); *see also id.* § 552.160(a); *id.* § 418.004(1) (defining “disaster” for purposes of section 552.160). The county states the information at issue consists of confidential information concerning individuals who applied for disaster recovery assistance. Based on this representation and our review, we find section 552.160 is applicable to some of the information at issue. Accordingly, the county must withhold the information we have marked under section 552.160 of the Government Code. However, the remaining information is either subject to section 552.160(c) or does not identify or tend to identify a business entity, an owner of a business entity, a person, or a household that applied for state or federal disaster recovery funds. Thus, the county may not withhold any portion of the remaining information under section 552.160 of the Government Code, and it must be released.

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,

Gerald A. Arismendez
Assistant Attorney General
Open Records Division

GAA/jxd

Ref: ID# 991922

Enc. Submitted documents

c: Requestor
(w/o enclosures)