

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
MAYOR'S OFFICE OF LEGAL COUNSEL
Freedom of Information Act Appeal: 2022-211**

February 1, 2023

VIA ELECTRONIC MAIL ONLY

Mr. Steve
Thompson

RE: FOIA Appeal 2022-211

Dear Mr. Thompson:

This letter responds to the administrative appeal that you have submitted to the Mayor under the District of Columbia Freedom of Information Act, D.C. Code §§ 2-531, *et seq.* (“DC FOIA”). In your appeal, you have challenged the response of the District of Columbia Housing Authority (“DCHA”) to your DC FOIA request.

Background

On July 28, 2022, you submitted a DC FOIA request to DCHA which sought the following:

[A]n electronic copy of the most recent monthly status report to HUD that contains DCHA’s occupancy rate.

Please do not limit responsive information to the report on occupancy rate. Rather, please include all information transmitted to HUD in the monthly status report.

DCHA responded to your request on August 18, 2022, in part, by referring you to the U.S. Department of Housing and Urban Development’s Public Housing Data Dashboard, “which shows a variety of data points and visualizations relevant to the Public Housing program at HUD.”

On August 22, 2022, you filed an appeal with this Office asserting, “[i]n lieu of providing records in possession of DCHA, the agency produced a copy (attached) of a page of HUD’s website. While sending this copy may have been an attempt by DCHA to be helpful, I do not consider it responsive to my request.”

Following your appeal, on August 25, 2022, DCHA provided you with an additional response to your request which stated,

...DCHA thoroughly searched the applicable agency records and found information responsive to your request, and that information is included in the

document, DCHA Occupancy Action Plan Progress Report 7-20-2022.pdf that is attached to this communication.

Because you only challenged DCHA's failure to provide records in its possession, and DCHA has subsequently addressed that issue, we dismiss this appeal as moot.

This constitutes the final decision of this Office. However, you are free to challenge the substantive response received from DCHA by separate appeal to this Office. If you are dissatisfied with this decision, you may commence a civil action against the District of Columbia government in the Superior Court of the District of Columbia.

Respectfully,

Mayor's Office of Legal Counsel

cc: Kimberly J. August, DCHA FOIA Officer (via email only)