

OPEN RECORDS REQUEST INSTRUCTIONS

**PLEASE READ THESE INSTRUCTIONS CAREFULLY BEFORE SUBMITTING YOUR FORM TO KHC.
FORMS THAT DO NOT COMPLY WITH THESE INSTRUCTIONS MAY BE DEEMED INCOMPLETE.**

KHC will respond to complete submissions within three (3) business days of receiving them. Pursuant to KRS § 61.874(3), KHC may charge a fee for copying nonexempt records not to exceed \$.10 per page or the actual cost of reproduction, whichever is greater. More information can be found in KHC's Open Records Request Manual at www.kyhousing.org.

Instructions for Completing an Open Records Request

Please read the following instructions carefully. Open Records Requests that fail to comply with these instructions may be deemed incomplete.

1. Your application should include all your contact information, including your daytime telephone number and email address. You must include information describing how you are a "resident of the Commonwealth" as that term is defined in KRS § 61.870(10).
2. Your request must specifically identify public records that you want to inspect. KHC is not required to compile information or create records that do not already exist. Failure to specifically identify, documents or other records may be grounds for denial of a request.
3. You must indicate whether your request is for a commercial purpose. Under Kentucky statute, your request is for a commercial purpose if you intend to use any part of the record, in any form, directly or indirectly, for sale, resale, solicitation, rent, or lease of a service, OR for any use by which you expect to make any commission, salary or fee. Requests made by a newspaper, periodical, radio station or television station representative for records to be used in a publication or news broadcast, or records sought as part of litigation are generally not for a commercial purpose. You could be held liable under KRS 81.8745 for misuse of public records for a commercial purpose, so it is critical that you read and understand this requirement.
4. Please consider whether any records you are requesting are exempt from disclosure under KRS 61.878(1). Records that may be exempt from disclosure include records containing an individual's personal/private information; records disclosed confidentially to KHC where open disclosure may permit an unfair advantage to competitors; preliminary notes, drafts, and private correspondence; preliminary recommendations and preliminary opinion/policy documents; records prohibited from disclosure under state or federal law; preliminary procurement records; and communications of a purely personal nature. Requests which seek these types of documents may be wholly or partially denied.

5. KHC is committed to providing the most efficient and "green" option for copies of records. Whenever possible KHC will offer electronic copies (PDF format) as an option for records transmission at no charge (unless there are recoverable costs as set forth in the Open Records Manual). Records shall be made available for review and/or copies within the three-day required response period unless a different timeframe is specified in the response due to the increased time it may take to recover documents from archives, computer record search, the involvement of multiple departments, volume of responsive records, records are in current use, or other designated reason for a response time of greater than three days.

6. When charges are applicable, no copies will be released until KHC has received payment in the form of a check, exact change in cash, or money order. There is no option to "bill" or "invoice" a requestor for copies.