

**Michigan Department of Licensing and Regulatory Affairs
Written Public Summary of the Department's
Freedom of Information Act Procedures and Guidelines**

A. How to submit written requests.

Michigan Freedom Of Information Act (FOIA) requests to agencies. Bureaus or Commissions within the Department of Licensing and Regulatory Affairs (LARA) can be sent to their central **LARA FOIA Office** by email, US mail, or fax to:

Email: LARAFOIAInfo@michigan.gov

US Mail State of Michigan
 Department of Licensing and Regulatory Affairs
 c/o FOIA Coordinator
 Ottawa Bldg., 4th Floor
 P.O. Box 30004
 Lansing, MI 48909

Fax: 517-335-4037

Requests must be in writing and should include a name, phone number, and mailing address.

The LARA FOIA REQUEST FORM can be used to submit requests electronically, or downloaded to send requests by US mail or fax.

B. How to understand the Department's written responses to FOIA requests.

The **LARA FOIA Office** initially has 5 business days to respond to a written request for public records, and has several options when responding. It can grant the FOIA request, deny the request, grant it in part and deny it in part, or take one additional 10 business day extension. After an extension, the Department has to respond with one of the other options.

If the request is granted or granted in part and denied in part, the Department can also charge a fee to process the request. There is no fee for requests that do not require the Department to incur costs above the threshold set in its Procedures and Guidelines. The Department may require you to pay a good-faith deposit before it processes your request.

After you pay any deposit and final balance due, the Department will produce records in its possession that fall within the scope of your request and that legally may be disclosed to the public. The Department may also notify you that some of the records you have requested are available on its website.

If the request is denied, the Department will inform you of the basis for its denial in a written notice. Reasons the Department may deny a request include:

1. You did not describe the records you have requested well enough and the Department cannot determine what you are asking for;
2. The Department has determined that it does not have records that respond to your request in its possession; or
3. The records or information you have requested are exempt from public disclosure.

If all or part of your request is denied, the Department will inform you of your right to appeal its denial to the head of the Department and/or to take civil action against the Department in its written response.

C. Deposit requirements.

If the LARA FOIA Office estimates a fee to process a FOIA request greater than \$50.00, the Department may require a good-faith deposit from you before providing the public records. The deposit shall not exceed 1/2 of the total estimated fee. Any written notice containing a notice of a deposit shall also contain a best efforts estimate by the Department regarding the time frame after a deposit is received that it will take the Department to provide the public records. The time frame estimate is not binding upon the Department, but the Department shall provide the estimate in good faith and strive to be reasonably accurate and to provide the public records in a manner based on this State's public policy under section 1 of the FOIA, MCL 15.231, and the nature of the request in the particular instance.

D. Fee calculations.

The FOIA permits the Department to charge a fee to process FOIA requests using a form to give you a [detailed itemization](#) of the costs involved. LARA's threshold to charge processing fees is at or above \$25.00 of the estimated costs. The Department may charge for the following costs:

1. the costs of labor for the search, location, and examination of public records;
2. the costs of labor for the review of public records and separation and deletion of exempt from nonexempt material;
3. the cost of nonpaper physical media;
4. the cost of duplication and publication of public records;
5. the costs of labor for the duplication or publication of public records;
6. the actual cost of mailing public records;
7. the cost related to onsite inspection of public records;
8. the cost of CDs, DVDs, flash drives, photographs, etc.

E. Avenues for challenge and appeal.

If the Department charges a fee or denies all or part of a request, you may submit to the head of the Department a written appeal that specifically states the word "appeal" and identifies the basis for which the fee should be reduced or the disclosure determination should be reversed. Written appeals may be sent to the email address or mailing address listed above and will be forwarded to the Director of the Department of Licensing and Regulatory Affairs or the person designated by the Director to respond to written appeals.