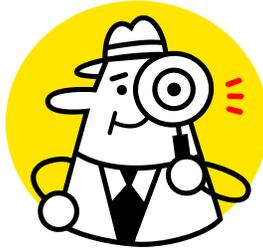


State Tax Commission June 3, 2014
Tip Topic: Public Inspection of
Records



Dear STaCy,

I am a Township Supervisor and we just received the results of our AMAR review. We are confused about the public inspection of records. Our office is open 9 A.M. to 1 P.M. Monday, Tuesday and Thursday. Our assessor is here one hour a week and we have a section of our FOIA policy that deals with obtaining copies of record cards – for a nominal fee of \$7 per card. Why did we fail that question?

Thanks,
J.Q.P Scrutinize

Dear Mr. Scrutinize:

Thank you for your questions. First, MCL 211.10a indicates: All property assessment rolls and property appraisal cards shall be available for inspection and copying during the customary business hours. Customary business hours have been generally defined as 9 A.M. to 5 P.M. Because your office is open such limited hours, the State Tax Commission requires that your Township Board adopt a policy on how the public can inspect records in accordance with MCL 211.10a.

Additionally, your assessor is only in the office one hour a week. In order to be in compliance with the Act, your Township must have a policy on how to obtain access to these records when the assessor is not available.

Finally, while the State Tax Commission understands that sometimes local units seek to recover fees for a request for a large number of record cards, it is not appropriate to charge a fee for a single record card. Also you must be aware of the requirements to charge a reasonable fee under the FOIA Act. MCL 15.234(1), provides:

A public body may charge a fee for a public record search, the necessary copying of a public record for inspection, or for providing a copy of a public record. Subject to subsections (3) and (4), the fee shall be limited to actual mailing costs, and to the actual incremental cost of duplication or publication including labor, the cost of search, examination, review, and the deletion and separation of exempt from nonexempt information.

Sincerely,
STaCy