

MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY  
**COMMUNITY DEVELOPMENT DIVISION**

**Subject: CONFIDENTIALITY**

**Effective Date: September 1, 2015**

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Applicant and recipient confidentiality has been an ongoing concern with the Michigan State Housing Development Authority (MSHDA) as it relates to Community Development Division (CDD) grantees and administrators. There is no good rationale for publicizing or making known specific applicant and/or recipient information to the general public. However, the Michigan Freedom of Information Act (FOIA - MCLA 15.231 et. seq.) provides, among other things, that a person has a right to inspect, copy, or receive copies of the following information held by a locality relative to CDD funds (federal or state):

- Recipients' names
- Recipients' addresses
- The level of CDD assistance provided

As the above stated information can be made public upon written request, the locality has responsibility for informing all applicants of this when they apply for assistance.

A community normally has 5 business days in which to respond to a request. Failure to respond constitutes a denial of the request. A written notice denying the request must indicate why the request is being denied. If a request is denied, the requesting party may sue in Circuit Court to obtain the information. If the party prevails, he/she may also be awarded actual attorney fees, any damages actually sustained, and up to \$500 exemplary damages.

Section 13 of the Freedom of Information Act provides that certain material is exempt from disclosure. The exemption that we are most likely to encounter is for information of a personal nature where the public disclosure of the information would constitute a clearly unwarranted invasion of the individual's privacy.

In no case would it ever be appropriate to release:

- A recipient's source or amount of income
- Any credit-related information

If you have questions, contact your CD Specialist at 517-373-1974.