Frequently Asked Questions

Question:

How can I submit a FOIA Request?

Answer:

A FOIA Request must be made in writing. FOIA Requests may be made online using LARA's electronic FOIA request system, or by sending a written letter to the mailing address, email address, or fax number below:

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

Email: LARAFOIAINFO@michigan.gov

Fax: 517-335-4037

Question:

Do I have to create an account to use LARA's electronic FOIA request system?

Answer:

Yes. There is no cost to create an account and it only requires the minimal information required to submit a FOIA request. The online system will help you keep track of current and future FOIA requests, as well as provide important communications from LARA regarding your active FOIA requests. You will be prompted to create an account the first time you utilize LARA's electronic FOIA request system.

Question:

What minimum information must I include in my written FOIA request?

Answer:

Effective December 28, 2018, a request from an individual, other than an individual who qualifies as indigent under section 4(2)(a), MCL 15.234(2)(a), must include the requesting person's complete name, address, and contact information, and, if the request is made by a person other than an individual, the complete name, address, and contact information of the person's agent who is an individual. An address must be written in compliance with United States Postal Service addressing standards. Contact information must include a valid telephone number or electronic mail address (e-mail).

For clarity: The request must include the requester's first and last name, physical address, and either a phone number or email address. Additionally, the request must provide enough information to identify

the record being requested, so LARA can locate it. If a request does not include this information, the request will be rejected. Rejected requests will need to be resubmitted.

Question:

What additional information can I provide to ensure I receive the information I am seeking?

Answer:

Please provide as much specific detail about the record being requested. Information such as subject matter, case number, incident date, license number, type of complaint, type of license, or similar identifying information should be supplied with your request. If a request is too vague to identify the record being sought, your request will be denied.

Examples of vague FOIA requests:

- "I am requesting all records for John Doe."
- "I am requesting all records for complaint # XXXXXXX."

Examples of sufficient FOIA requests:

- "I am requesting disciplinary records for Dr. John Doe, license number XXXXXXXX, beginning 2010 to present."
- "Any and all permits filed for the installation of the elevator devices located at the following addresses XXXXXXXXXX, Detroit, MI XXXXX from January 15, 2017 to present."

Question:

What is a fee charge? Are fees charged for processing requests for public records through FOIA?

Answer:

The law permits LARA to charge a fee to process FOIA requests based upon certain factors. A detailed itemization of the costs allowed under the law will be provided if fees are required.

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 non-paper 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. MCL 15.234.

Question:

Will I be notified there is a cost before my request is processed?

Answer:

If the estimated costs to process the requests exceeds $50.00, a 50% good faith deposit will be required. A requester can choose to pay that 50% or withdraw their request. The Department must receive the required deposit within 45 days after the statutorily determined receipt of good faith estimate notice, otherwise the FOIA request is considered abandoned and the Department will not be required to fulfill the request.

Question:

How can I pay my deposit or invoice once I've received it?

Answer:

If you submitted a request through LARA's electronic FOIA request system, then you can pay online at the top of the electronic invoice. If you submitted the request via mail or fax you may choose to pay by mailing in a check or money order to the address below:

US Mail: State of Michigan
Department of Licensing and Regulatory Affairs
P.O. Box 30004
Lansing, MI 48909

For Checks and Money Orders: Make the item payable to the "State of Michigan." If you are mailing in a check or money order you must include the FOIA request reference # on the check or money order to ensure proper credit.

Question:

What if I cannot afford the full cost?

Answer:

A requester can complete an "Affidavit of Indigency" if they are receiving public assistance, or if they are not receiving public assistance stating facts showing an inability to pay the cost due to indigence. The affidavit will waive the first $20.00. The completed affidavit must be notarized.

Question:

How long will it take to process my FOIA request and release the records to me?

Answer:

A requester will receive an initial response within five business days of LARA receiving a FOIA request. LARA's FOIA Office may extend its initial response period by an additional ten business days with a reason provided for the extension. Depending on the records requested, LARA's FOIA Office will make an initial estimate on the time frame to fulfill the request which can vary from as few as five business days to as much as multiple months.

Question:

How will I receive my records?

Answer:

If your request was received by the LARA FOIA Office through the LARA's electronic FOIA request system, a notice will be emailed to you and your records will be available for access in your My Request Center. Often responses are sent in the same form in which they are received. However, when submitting a FOIA Request a requester may communicate a delivery preference such as electronically via Records Center, Fax, or Mail.

Question:

Are there records or information that will not be given out under FOIA?

Answer:

While Michigan's FOIA is a pro-disclosure statute, there are exceptions as to what a public body may provide under the FOIA. Some exemptions can be found in section 13 of Michigan's FOIA, MCL 15.243. Further, information that is confidential, or exempt from the FOIA will not be available under the FOIA. In accordance with the FOIA's pro disclosure nature, LARA's FOIA Office will make records available and redact only that information that is exempted from disclosure.

Question:

Can I obtain Court Records through a FOIA request?

Answer:

The judiciary is not defined under Michigan's FOIA, MCL 15.232(h)(iv), as a public body; therefore, it is not subject to the state's FOIA. Requests for court records should be directed to the court for review if they are able to provide a response.

Question:

Where can I read Michigan's Freedom of Information Act (FOIA)?

Answer:

The Freedom of Information Act (FOIA), 1976 PA 442, can be found on Michigan's legislature website of compiled laws at MCL 15.231-246.