

Seattle Social Housing Developer

Resolution 2026-03

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SEATTLE SOCIAL HOUSING DEVELOPER ADOPTING POLICIES AND PROCEDURES IN COMPLIANCE WITH CHAPTER 42.56 RCW, THE PUBLIC RECORDS ACT

The Board of Directors (“Board”) of the Seattle Social Housing Developer (“SSHD”), in Public Session, does hereby find and declare:

WHEREAS, the SSHD is required to make identifiable, non-exempt public records available for inspection and copying upon request and to publish procedures to inform the public how to access public records pursuant to Chapter 42.56 RCW, the Public Records Act; and

WHEREAS, this Resolution adopts policies and procedures for responding to and fulfilling requests for disclosure of public records in accordance with the Public Records Act; and

WHEREAS, the SSHD desires to outline for the public the most efficient and effective manner in which to request public records; and

WHEREAS, the SSHD is a small public agency with only seven full-time employees, which does not include a full-time Public Records Officer; and

WHEREAS, the Public Records Act, RCW 42.56.040 and .100 and WAC 44-14-01002 call for a local agency to adopt and enforce reasonable rules and regulations to provide full public access to public records, to protect public records from damage or disorganization, and to prevent excessive interference with other essential functions of the agency; and

WHEREAS, the Public Records Act, RCW 42.56.070, requires agencies to maintain an index of certain agency records, unless the agency issues a formal order specifying the reasons why and the extent to which making such an index would be unduly burdensome or interfere with agency operations; and

WHEREAS, the Public Records Act, RCW 42.56.120, permits agencies to charge actual costs for copies of records, unless by rule or regulation it declares the reasons it would be unduly burdensome to do so; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Seattle Social Housing Developer as follows:

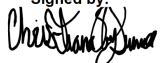
Section 1. Public Records Policy Adopted. Pursuant to RCW 42.56.040 and WAC 44-14-01002, the Public Records Policy attached hereto as Exhibit A is incorporated by reference and hereby adopted.

Section 2. Findings and Determinations under RCW 42.56.070. The Board finds and determines that maintaining an index under RCW 42.56.070 would be unduly burdensome and interfere with essential agency operations. Upon this finding the SSHD is not lawfully required to maintain such index and shall not maintain an index of all of its public records pursuant to RCW 42.56.070(4). To the extent indexes are prepared for use by the SSHD, those indexes shall be made available for public inspection and copying.

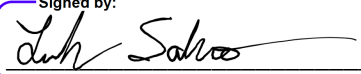
Section 3. Findings and Determinations under RCW 42.56.120. The Board finds and determines that calculating the actual cost of providing public records would be unduly burdensome as the actual cost of paper varies, it is impractical to calculate the per-page cost for the use of SSHD copying equipment, and it is difficult to calculate the actual cost of the electronic production or file transfer of the record and the use of any cloud-based data storage and processing service, given the staff capacity of the SSHD. It is more cost efficient, expeditious, and in the public interest for the Board to adopt the Legislature's approved fees and costs for most of the SSHD's records, as authorized in RCW 42.56.120(2)(b)-(d) and set forth in RCW 42.56.120(2)(b)(i)-(iv); (d).

Section 4. Effective Date. This resolution, including the Public Records Policy attached hereto as Exhibit A, is effective immediately upon its adoption.

ADOPTED by the Board of Directors of the Seattle Social Housing Developer at a regular meeting held on March 12, 2026.

Signed by:

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Christiana ObeySumner, Chair
SSHD Board of Directors

ATTEST:
Signed by:

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Leah Salerno, Secretary
SSHD Board of Directors

EXHIBIT A

SEATTLE SOCIAL HOUSING DEVELOPER PUBLIC RECORDS POLICY

Adopted: March 12, 2026

I. POLICY AND FUTURE AMENDMENTS

It is the policy of the Seattle Social Housing Developer (“SSHD”) to make identifiable, non-exempt public records available for inspection and copying in a manner that is timely and transparent in compliance with the Washington Public Records Act, Chapter 42.56 RCW (“Act”), or as hereinafter amended or recodified. The following policies and procedures will govern the compliance of the SSHD with respect to provisions of the Act. To the extent that the following policies and procedures are in any way inconsistent with the referenced RCW, the RCW will prevail.

II. DEFINITIONS

The following definitions will apply to this policy:

- A. Public Record:** A writing, regardless of physical form, containing information relating to the conduct of government or the performance of any governmental or proprietary function, prepared, owned, used, or retained by the SSHD, pursuant to RCW 42.56.010(3).
- B. Writing:** Handwriting, typewriting, printing, photostating, photographing, and any other means of recording any form of communication, including, but not limited to, letters, words, pictures, sounds or symbols or their combinations; papers, maps, magnetic or paper tapes, photographic film and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated, pursuant to RCW 42.56.010(4).
- C. Office of Record:** The office designated to maintain the record or official copy of a particular record for the SSHD and located at 419 Occidental Avenue South, Suite 403, Seattle, WA 98104.
- D. Identifiable Public Record:** A public record in existence at the time the records request is made, and the SSHD staff can reasonably locate, pursuant to RCW 42.56.080.
- E. Exempt Public Record:** All SSHD records exempt from disclosure pursuant to Chapter 42.56, RCW, or other statutes. The Municipal Research and Services Center maintains an up-to-date list of current exemptions and prohibitions on their website, available at <https://mrsc.org/getmedia/796a2402-9ad4-4bde-a221-0d6814ef6edc/Public-Records-Act.pdf?ext=.pdf> (scroll to Appendix C) as does the

Public Records Exemptions Accountability Committee (“Sunshine Committee”) as published by the Office of the Code Reviser, available at <https://www.atg.wa.gov/sunshine-committee> (scroll to Public Disclosure Exemptions).

- F. Business Day:** The SSHD business day is from 8 a.m. to 5 p.m. Monday through Friday, excluding SSHD-observed holidays.

III. PROCEDURE

A. Public Records Officer

Any person wishing to request access to public records or seeking assistance in making a request should contact the SSHD’s Public Records Officer. The Chief Executive Officer shall designate the SSHD’s Public Records Officer, who shall oversee compliance with the Act, and may further designate other SSHD staff members to assist the Public Records Officer and/or fulfill such duties in their absence. The Public Records Officer shall be responsible for implementing the SSHD’s rules and regulations regarding the release of public records, coordinating with SSHD staff to respond to requests, and generally ensure compliance by staff with the requirements of the Act. To ensure that public records request processing does not excessively interfere with the essential functions of the SSHD, which does not include a full-time Public Records Officer, the designated Public Records Officer for the SSHD will spend a maximum of 8 hours per month responding to public records requests.

B. Public Records Index

Pursuant to Resolution 2026-03, the SSHD Board of Directors has found that maintaining an index of public records pursuant to RCW 42.56.070(3) would be unduly burdensome due to fiscal and personnel limitations and would interfere with SSHD operations given the high volume, various locations, and types of public records received, generated, and otherwise acquired by the SSHD. Notwithstanding the foregoing, the SSHD will maintain its records in a reasonably organized manner and take reasonable actions to protect records from damage and disorganization and will make available for public inspection and copying any index that is maintained by the SSHD for SSHD use.

C. Public Records Log

Pursuant to RCW 40.14.026(4), the SSHD shall retain a log of all public records requests submitted to and processed by the SSHD. This log shall include for each request the identify and contact information of the requester; the date the request was received; the text of the original request; a description of the records produced in response to the request; a description of the records redacted or withheld, and the reasons for redaction or withholding; and the date of the

final disposition of the request. The log shall be a record subject to public disclosure, including the personal contact information of the requestor.

D. Public Records Procedures

- 1. Provide “Fullest Assistance”:** The following procedures identify how the SSHD will provide full access to public records, protect records from damage or disorganization, prevent excessive interference with other essential functions of the agency, provide fullest assistance to requestors and provide the timeliest response possible to public records requests.

- 2. Request for Public Records:** In accordance with the requirements of the Act, public records may be inspected or copied, or copies of such records may be obtained by members of the public, upon compliance with the following procedures. Requests to inspect or copy any records maintained by the SSHD must be made in writing to the Public Records Officer at:

Public Records Officer
Seattle Social Housing Developer
419 Occidental Avenue South
Suite 403
Seattle, WA 98104

E-mail: info@socialhousingseattle.org

Website Submission: <https://www.socialhousingseattle.org/prs-request>

Any request must include the following information:

- a. Name of requestor;
- b. Other contact information, including mailing address, email address and/or telephone number;
- c. Identification of the requested records adequate for the Public Records Officer to locate the records;
- d. If the request is for a list of individuals, a statement that the list will not be used for commercial purposes;
- e. Whether the person making the request would like to inspect the requested records or have copies provided; and
- f. The date and time of day of the request.

Requests made for SSHD records that are solely directed to persons who are not employees of the SSHD (including, but not limited to, the SSHD’s consultants,

contractors, and outside legal counsel) shall not be considered valid requests for public records.

Many records are also available on the SSHD's online Document Center. Requestors are encouraged to view the documents available online prior to submitting a public records request.

- 3. Response to Request for Records:** Pursuant to the requirements of RCW 42.56.520, the SSHD shall respond to all requests for public records within five (5) business days by:
 - a. Making the record(s) available for inspection or copying;
 - b. If copies are requested and payment of a deposit for the copies, if any, is made or terms of payment are agreed upon, sending the copies to the requestor;
 - c. Acknowledging the request and providing an estimate of the time necessary to respond and/or requesting clarification from the requestor; or
 - d. Denying the request with a stated reason pursuant to RCW 42.56.520(4).

Requests received after the time defined herein as a "Business Day" are considered received on the next business day.

- 4. Requests for Clarification:** If the SSHD receives a request for public records that is unclear, the SSHD will request clarification from the requestor as to the records sought, pursuant to RCW 42.56.520(3)(a). If the requestor fails to respond within thirty (30) days of the SSHD's request for clarification, the Public Records Officer may consider the request abandoned and send a letter to the requestor closing the response, pursuant to RCW 42.56.520(3)(b).
- 5. Records Exempt from Disclosure:** Some records are exempt from disclosure, in whole or in part. See definition of "Exempt Public Record" herein.

If the SSHD believes a record is exempt from disclosure and should be withheld, the Public Records Officer will state the specific exemption and provide a brief explanation of why the record or a portion of the record is being withheld, pursuant to RCW 42.56.520(4).

If only a part of the record is determined to be exempt, the Public Records Officer will redact the exempt portions and provide the non-exempt portions to the requestor.

- 6. Copying of Records:** The SSHD shall not charge any fee for the inspection or locating of public records. The SSHD finds it is unduly burdensome to charge the actual costs for providing copies of public records as the actual cost of paper varies, it is impractical to calculate the per-page cost for the use of SSHD copying equipment in copying public records, and it is difficult to calculate the actual cost of the electronic production or file transfer of the record and the use of any cloud-based data storage and processing service, given the limited resources of the SSHD.

Accordingly, the SSHD adopts the following statutory fee schedule pursuant to RCW 42.56.120(2)(b)(i)-(iv):

- a. Fifteen cents (\$0.15) per page for photocopies of public records and printed copies of electronic public records;
- b. Ten cents (\$0.10) per page for public records scanned into an electronic format;
- c. Five cents (\$0.05) per each four electronic files or attachment uploaded to email, cloud-based data storage service, or other means of electronic delivery; and
- d. Ten cents (\$0.10) per gigabyte for the transmission of public records in an electronic format.

Before beginning to make copies, the Public Records officer may require a deposit of up to ten percent (10%) of the estimated costs of copying or scanning all the records selected by the requestor. The Public Records Officer may also require the payment of the remainder of the copying and/or scanning costs before providing all the records, or the payment of the costs of copying and/or scanning an installment before providing that installment.

The SSHD may elect to charge a flat fee of up to two dollars (\$2) per request as an alternative to using the above fee schedule, provided the Public Records Officer reasonably estimates and documents that the cost of responding to the request clearly equals or exceeds that amount pursuant to RCW 42.56.120(2)(d).

Additionally, the SSHD shall charge the actual cost of any digital storage media or device, such as a CD or thumb drive, or any container or envelope used to deliver the copies to the requestor, and any postage or delivery charges incurred, pursuant to RCW 42.56.120(b)(v).

Payment may be made by cash, check, or money order to the “Seattle Social Housing Developer.”

The Public Records officer has discretion to waive any charge authorized under this policy.

- 7. Inspection of Records:** If a requestor requests to inspect the records, the Public Records Officer will identify the date and time when the records will be available for viewing at the SSHD offices. At that time, the requestor can identify the records to be copied. If the request for copies is minimal, SSHD staff will make the copies at that time. If the request is more than five (5) copies of individual records, the SSHD staff will make the copies within five (5) business days, unless otherwise notified. The Public Records Officer will notify the requestor when the copies are ready to be picked up. The Public Records Officer must be present during the requestor’s inspection of the records. The Public Records Officer’s role during the requestor’s inspection is not to answer questions or provide clarifications regarding the record.
- 8. Protection of Public Records:** No records shall be removed from SSHD property to fulfill a public records request. No record may be marked, folded, or damaged in any way, nor may any record be removed from any file to which it is attached, nor may the records filing order be altered in any way.
- 9. Providing Records in Installments:** When the request is for a large number of records, the Public Records Officer will provide access for inspection and copying in installments if it is reasonably determined that it would be practical to provide the records in that way. If an order of preference for receiving records in installments is indicated by the requestor, the SSHD will reasonably attempt to accommodate the stated preference. If the requestor fails to inspect the entire set of records or one or more of the installments within thirty (30) days, the SSHD will deem the request abandoned.

In the event the SSHD elects to charge the flat two dollar (\$2) fee to recover costs associated with responding to a request in installments, such fee shall only be charged for the initial installment and the SSHD shall not charge any additional fees for subsequent installments responsive to the same underlying request pursuant to the requirements of RCW 42.56.120(2)(d).

- 10. Order of Processing Requests:** The Public Records Officer will process requests in the order that allows the most requests to be processed in the most efficient manner.

- 11. Closing Withdrawn or Abandoned Requests:** If the requestor withdraws the request, fails to fulfill their obligations to inspect the records (or an installment of records) within thirty (30) days, or fails to pay the deposit or final payment of the requested copies, the Public Records Officer will notify the requestor in writing that the SSHD has deemed the request abandoned and has closed the request. The Public Records Officer will document closure of the request and the conditions that led to the disclosure.
- 12. No Duty to Create Records:** The SSHD is under no obligation to create a new record to satisfy a request.
- 13. No Duty to Supplement Response:** The SSHD is not obligated to hold current records requests open to respond to requests for records that may be created in the future. Public records that are created or come into possession of the SSHD after the date that a request has been received by the SSHD are not responsive to the request and will not be provided. Requestors must submit a new request to obtain public records that are created or come into the possession of the SSHD after the date of a prior records request.
- 14. Notification of Affected Persons:** The SSHD may notify persons to whom the record pertains that release of the record has been requested. The SSHD, or a person to whom the record applies, may ask a court of competent jurisdiction to prevent an inspection of the record pursuant to RCW 42.56.540. If a court order preventing disclosure is sought, the processing of the records request shall be tolled until further order of a court of competent jurisdiction.
- 15. Closing Requests for Records and Statute of Limitations:** The SSHD shall provide a notice of closure of the request for public records to the requestor. The one-year statute of limitations for a requestor to seek judicial review pursuant to RCW 42.56.550 shall commence from the date of notice of closure of the request. Unless the notice of closure specifies otherwise, the requestor shall have fifteen (15) business days from the date of the notice to submit questions or seek further clarification from the SSHD. The SSHD shall respond to timely submitted questions or clarification requests, although the SSHD reserves the right to determine that the request remains closed as of the date of the notice of closure.

E. Disclaimer of Liability

Neither the SSHD nor any officer, employee, official or custodian shall be liable, nor shall a cause of action exist, for any loss or damage based upon a release of public records if the

person releasing the records acted in good faith in attempting to comply with this policy. This policy is not intended to expand or restrict the rights of disclosure or privacy as they exist under state and federal law. Nothing in this policy is intended to impose mandatory duties on the SSHD beyond those duties imposed by state law.