

Legal Opinion: GMP-0132

Index: 7.220
Subject: FOIA Appeal: Non-Commercial Use Requester

November 24, 1992

Evan G. Lewis, Esquire
Staff Attorney
Virginia Poverty Law Center, Inc.
9 West Main Street
Richmond, Virginia 23220

Dear Mr. Lewis:

This is in response to your letter dated October 22, 1992, appealing the September 25, 1992 Freedom of Information Act (FOIA) denial by the Richmond Office of your request for a waiver of fees related to the reproduction of materials involving Glen Garden Apartments.

Pursuant to HUD's regulation at 24 C.F.R. Section 15.14(e), the Department is required to provide the first 100 pages of duplication and the first two hours search time free of charge for FOIA requesters seeking documents for non-commercial use. The Virginia Poverty Law Center, Inc. is a public interest organization whose purposes are non-profit in nature. Since the information requested is for non-commercial use and is approximately seventy-nine pages in length, you should not have been assessed the \$7.90 duplication costs.

I have determined to reverse the initial denial of your request for waiver of reproduction cost. The Richmond Office has been advised of this determination.

Very sincerely yours,

George L. Weidenfeller
Deputy General Counsel (Operations)

cc: Yvette Magruder
Peter Campanella, 3G
Irene Deneau, 3.4G