



Office of the Attorney General

State of Texas

August 14, 1992

DAN MORALES

ATTORNEY GENERAL

Ms. Helen M. Gros
Assistant City Attorney
City of Houston
Legal Department
P. O. Box 1562
Houston, Texas 77251-1562

OR92-492

Dear Ms. Gros:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 16665.

The City of Houston Health Department, Bureau of Air Quality Control, has received a request for certain information relating to the demolition of a certain building. Specifically, the requestor seeks:

1. A copy of the laboratory test report which determined whether or not any environmentally hazardous materials were found on the cleared site of the historic Brasher Building located at either 902, 904, 906 or 910 Preston Street or 401, 403 or 405 Travis Street . . .
2. Copies of any written documents outlining how the City of Houston plans to address the issue of non-compliance with the owners, the Pappas'.

You advise us that some of the requested information has been made available to the requestor. You have submitted to us for review, however, three memorandums and accompanying attachments. You claim that this information is excepted from required public disclosure by section 3(a)(7) of the Open Records Act.

Section 3(a)(7) excepts from required public disclosure:

matters in which the duty of the Attorney General of Texas or an attorney of a political subdivision, to his client, pursuant to the Rules and Canons of Ethics of the State Bar of Texas are prohibited from disclosure, or which by order of a court are prohibited from disclosure. [Footnote omitted.]

V.T.C.S. art. 6252-17a, § 3(a)(7). In Open Records Decision No. 574 (1990), this office held that section 3(a)(7) protected information that revealed client confidences to an attorney or that revealed the attorney's legal advice. We have examined the documents submitted to us for review and conclude that they may be withheld from required public disclosure in its entirety under section 3(a)(7) of the Open Records Act.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR92-492.

Yours very truly,



Celeste A. Baker
Assistant Attorney General
Opinion Committee

CAB/GCK/lmm

Ref.: ID# 16665

cc: Ms. Minnette Boesel, Director
Market Square Historic District Project
300 Fannin, Suite 210
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