



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

December 2, 2010

Mr. Dick H. Gregg, III
Gregg & Gregg P.C.
16055 Space Center Boulevard, Suite 150
Houston, Texas 77062

OR2010-18040

Dear Mr. Gregg:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 402441.

The City of Brookside Village (the "city"), which you represent, received a request for a specified insurance certificate. You claim the requested information is excepted from disclosure under sections 552.101, 552.110, and 552.136 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

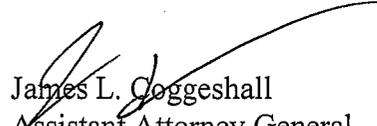
Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." This section encompasses the doctrine of common-law privacy, which protects information that (1) contains highly intimate or embarrassing facts, the publication of which would be highly objectionable to a reasonable person and (2) is not of legitimate concern to the public. *Indus. Found. v. Tex. Indus. Accident Bd.*, 540 S.W.2d 668, 685 (Tex. 1976). This office has found that personal financial information not relating to the financial transaction between an individual and a governmental body is generally intimate and embarrassing. *See* Open Records Decision No. 545 (1990). You inform us the submitted information is a homeowner's insurance policy that a homeowner submitted to the city with an application for an electrical permit. Upon review, we find the homeowner's insurance policy is personal financial information not relating to a financial transaction between an individual and a governmental body and thus is intimate and embarrassing. We also find the information is not of legitimate concern to the public in this instance. Therefore, the city must withhold the

submitted information under section 552.101 of the Government Code in conjunction with common-law privacy.¹

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at http://www.oag.state.tx.us/open/index_orl.php, or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act must be directed to the Cost Rules Administrator of the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



James L. Coggeshall
Assistant Attorney General
Open Records Division

JLC/bs

Ref: ID# 402441

Enc. Submitted documents

c: Requestor
(w/o enclosures)

¹ As our ruling is dispositive, we do not address your other arguments to withhold this information.