



ATTORNEY GENERAL OF TEXAS

GREG ABBOTT

April 26, 2011

Ms. Jessica C. Eales
Assistant City Attorney
City of Houston
P.O. Box 368
Houston, Texas 77001-0368

OR2011-05696

Dear Ms. Eales:

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# 415381 (GC Nos. 18227 and 18402).

The City of Houston (the "city") received two requests for information pertaining to Park Memorial Condominiums. You claim the submitted information is excepted from disclosure under section 552.103 of the Government Code. We have considered the exception you claim and reviewed the submitted representative sample of information.¹

You inform us the information at issue was the subject of previous requests for information, in response to which this office issued Open Records Letter No. 2009-02386 (2009). In that ruling, we found the city must release any information that existed at the time of the request and was not submitted for review in response to one of the requests at issue and may withhold the remaining information at issue under section 552.103 of the Government Code. You state the law, facts, and circumstances on which the prior ruling was based have not changed. Therefore, we conclude the city may continue to rely on that ruling as a previous determination and withhold or release the information at issue in accordance with Open

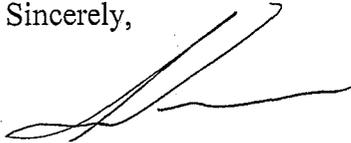
¹We assume the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent those records contain substantially different types of information than that submitted to this office.

Records Letter No. 2009-02386. *See* Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in a prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure).

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,



Ana Carolina Vieira
Assistant Attorney General
Open Records Division

ACV/eeg

Ref: ID# 415381

Enc. Submitted documents

c: 2 Requestors
(w/o enclosures)