



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

July 1, 2014

Ms. Catelyn H. Kostbar
Administrative Technician III
Harris County Appraisal District
P.O. Box 920975
Houston, Texas 77292-0975

OR2014-11281

Dear Ms. Kostbar:

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# 527687 (HCAD Internal Reference No. 14-1866).

The Harris County Appraisal District (the "district") received a request for a list of items being used for the tax base of a specified account. You state you will provide some information to the requestor. You claim some of the responsive information is excepted from disclosure under section 552.130 of the Government Code.¹ We have considered the exception you claim and reviewed the submitted representative sample of information.²

Section 552.130 of the Government Code excepts from disclosure information that relates to a motor vehicle title or registration issued by an agency of this state or another state or

¹We note, and you acknowledge, the district did not comply with the requirements of section 552.301 of Government Code. *See* Gov't Code § 552.301(b), (e). Nonetheless, section 552.130 of the Government Code is a mandatory exception that can provide a compelling reason to overcome the presumption of openness caused by failure to comply with section 552.301. *See id.* §§ 552.007, .302. Thus, we will consider the district's claims.

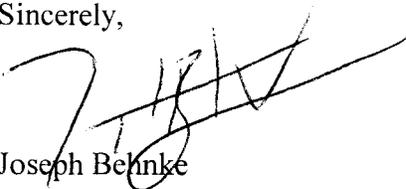
²We assume the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent those records contain substantially different types of information than that submitted to this office.

country. Gov't Code § 552.130(a)(2). Upon review, we find the information you have marked is subject to section 552.130. We note, however, the requestor in this instance may be the authorized agent of the owner of the property at issue and, therefore, may have a right of access to the information that would otherwise be confidential under section 552.130. *See id.* § 552.023(a) (person or person's authorized representative has special right of access, beyond the right of general public, to information held by governmental body that relates to person and is protected from public disclosure by laws intended to protect person's privacy interests); Open Records Decision No. 481 at 4 (1987). As such, we rule conditionally. In the event the requestor is the authorized representative of the owner of the property at issue, the district may not withhold any of the information at issue under section 552.130 of the Government Code and must release the submitted information to this requestor. If the requestor is not the authorized representative of the owner of the property at issue, the district must withhold the information you have marked under section 552.130 of the Government Code and must release the remaining information.

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.texasattorneygeneral.gov/open/orl_ruling_info.shtml, 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 may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Joseph Behnke
Assistant Attorney General
Open Records Division

JB/som

Ref: ID# 527687

Enc. Submitted documents

c: Requestor
(w/o enclosures)