

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR**



Mayor's Office of Legal Counsel

March 1, 2018

VIA ELECTRONIC MAIL

Mr. Shuntay Brown

RE: FOIA Appeal 2018-79

Dear Mr. Brown:

This letter responds to the administrative appeal you submitted to the Mayor under the District of Columbia Freedom of Information Act, D.C. Official Code § 2-537 ("DC FOIA"), on the grounds that the District of Columbia Housing Authority ("DCHA") failed to respond to your January 10, 2018 request for the payment history of a specified address.

This Office contacted DCHA on February 14, 2018, and notified the agency of your appeal. DCHA responded on February 22, 2018, advising us that it had not responded to your original request because the request had not been received by the agency's FOIA Officer, due to it being caught in an automated spam filter. DCHA further informed this Office that it has since conducted a search and provided you with documents responsive to your request.¹

Because your appeal was based on DCHA's failure to respond to your request, and the agency has now responded, we consider your appeal to be moot. Your appeal is hereby dismissed; however, the dismissal shall be without prejudice. You are free to assert any challenge, by separate appeal to this Office, to the substantive response DCHA sent you.

If you are dissatisfied with this decision, you may commence a civil action against the District of Columbia government in the Superior Court of the District of Columbia in accordance with DC FOIA.

Respectfully,

Mayor's Office of Legal Counsel

cc: Mario Cuahutle, Associate General Counsel, DCHA (via email)

¹ A copy of DCHA's response is attached.