

Response to Applicant - Partial Access Granted
Form 4B

February 5, 2018



Dear [REDACTED]

Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act* [Our File #:18-01]

On January 10, 2018, the *Town of Conception Bay South* received your request for access to the following records:

A list of properties whose owners have failed to remit payment of municipal taxes, water taxes and/or interest and who owe more than \$10,000 as of December 31, 2017. Request includes amount owing (broken down by type of payment owing), and tax years for which the amounts owing. As per the recommendations in the information and privacy commissioners report A-2017-002, I am not seeking the name of the property owner or the property address.

I am pleased to inform you that a decision has been made by the Town Clerk for the Town of Conception Bay South to provide access to some of the requested information. In particular, access is granted to the following records:

A list of properties whose owners have failed to remit payment of above said taxes and who owe more than \$10,000 as of December 31, 2017. Listing has been broken down by classification and if water and sewer taxes are included in the yearly amount owing.

As per email correspondence of January 25, 2018 where we advised the listing would be broken out for five years with any amount of arrears before 2013 moved into that year's total due to our accounting software.

Access to the remaining records, and/or information contained within the records, has been refused in accordance with the following exceptions to disclosure, as specified in the *Access to Information and Protection of Privacy Act* (the Act):

40. (1) The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party's personal privacy.

As required by 8(2) of the Act, we have severed information that is unable to be disclosed and have provided you with as much information as possible.

In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The appeal may be addressed to the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John's, NL. A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section of the Act has been enclosed for your reference).

If you have any further questions, please contact me by telephone at 834-6500 ext 104 or by email at jfifield@conceptionbaysouth.ca

Sincerely,

TOWN OF CONCEPTION BAY SOUTH


Jody Fifield

ATIPP Coordinator

Enclosures

Access or correction complaint

42.(1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52(1) or 53(1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21;

(b) a decision respecting an extension of time under section 23;

(c) a variation of a procedure under section 24; or

(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45(2).

Roll #	Name	2017	2016	2015	2014	2013	Total	Class	Residential	Commercial	Water/Sewer	Business
		27,319.41	30,831.36	29,537.93	30,173.45	64,926.49	182,788.64	PROC		X		
		9,638.88	10,863.24	41,293.98	45,476.70	9,481.77	116,754.57	BUSZ				X
		4,991.90	5,612.90	5,857.55	6,007.30	58,739.84	81,209.49	PROC		X	X	
		874.01	982.73	948.11	972.19	42,484.33	46,261.37	PROP	X			
		9,069.78	9,027.90	8,709.85	8,521.41	10,731.95	46,060.89	PROC		X	X	
		4,182.11	4,702.31	4,369.69	4,860.21	24,986.63	43,100.95	PROP	X		X	
		3,496.02	3,930.90	3,530.75	3,620.16	26,248.14	40,825.97	PROP	X			
		3,057.14	3,437.42	3,491.30	3,588.60	26,523.93	40,098.39	PROP	X		X	
		2,604.43	2,928.43	3,083.66	3,145.96	25,120.63	36,883.11	PROP	X		X	
		7,141.01	8,048.09	10,715.86	7,869.85	452.92	34,227.73	PROC		X		
		2,004.77	2,254.13	2,177.05	2,216.41	23,193.85	31,846.21	PROP	X		X	
		1,508.50	2,050.01	1,511.73	1,534.14	25,042.24	31,646.62	PROP	X		X	
		2,576.93	2,897.45	2,554.83	2,603.43	20,193.20	30,825.84	PROP	X		X	
		1,882.94	2,117.18	1,948.84	1,982.11	22,592.38	30,523.45	PROP	X		X	
		1,228.39	1,381.15	1,262.42	1,278.52	20,603.09	25,753.57	PROP	X		X	
		3,998.90	4,496.30	5,516.89	5,704.13	5,040.19	24,756.41	PROP	X		X	
		1,700.56	1,912.12	1,667.14	1,693.35	16,096.69	23,069.86	PROP	X		X	
		1,748.14	1,965.58	1,875.69	1,907.49	13,846.79	21,343.69	PROP	X		X	
		964.43	1,084.43	1,032.55	1,058.63	16,921.95	21,061.99	PROP	X			
		1,128.74	1,269.14	1,239.96	1,363.44	16,000.88	21,002.16	BUSZ				X
		2,863.43	3,071.19	2,572.24	2,013.16	8,911.11	19,431.13	PROP	X		X	
		3,042.74	3,438.94	3,460.03	2,662.25	6,611.98	19,215.94	PROP	X		X	
		2,157.28	2,425.60	2,237.79	2,072.98	10,038.23	18,931.88	PROP	X		X	
		1,682.62	1,891.90	1,387.40	1,422.48	12,134.54	18,518.94	PROP	X			
		1,553.48	1,746.68	1,298.60	1,331.40	10,798.28	16,728.44	PROP	X			
		5,208.96	5,870.64	5,181.14	0	0	16,260.74	PROC		X		
		2,160.35	2,429.03	706.08	724.22	10,153.82	16,173.50	PROP	X			
		3,829.65	4,306.05	4,458.34	3,367.35	0	15,961.39	PROC		X	X	
		1,514.88	1,703.28	1,650.40	1,676.67	9,322.26	15,867.49	PROP	X		X	
		1,192.73	1,341.05	1,252.74	1,284.59	10,487.80	15,558.91	PROP	X			
		3,047.33	3,426.41	9,008.88	0	0	15,482.62	PROP	X			
		1,736.81	1,952.81	2,573.21	2,686.29	6,528.15	15,477.27	PROP	X		X	
		4,143.16	2,286.64	2,044.35	2,095.94	4,739.14	15,309.23	PROP	X			
		1,113.26	1,113.26	935.36	872.16	11,218.29	15,252.33	PROP	X			
		1,575.31	1,771.27	1,606.15	1,646.81	7,865.23	14,464.77	PROP	X			
		4,232.53	4,758.97	5,290.49	0	0	14,281.99	PROP	X		X	
		2,150.90	2,418.50	2,485.69	2,103.50	5,011.48	14,170.07	PROP	X		X	
		4,226.76	4,752.48	4,751.75	396.93	0	14,127.92	PROC		X	X	
		2,817.27	3,167.67	2,484.38	2,547.39	2,809.58	13,826.29	PROP	X			
		1,452.66	1,633.38	1,460.20	1,497.10	7,745.35	13,788.69	PROP	X			

Section 40 exception

	591.58	665.14	566.56	622.96	11,189.85	13,636.09	BUSZ				X
	1,349.93	1,274.63	1,195.83	1,104.78	8,486.61	13,411.78	PROP	X		X	
	5,044.42	4,928.27	3,333.37	0	0	13,306.06	PROC		X	X	
	3,675.34	3,942.04	3,314.94	2,295.19	0	13,227.51	PROP	X		X	
	2,108.88	1,963.68	1,656.25	1,534.09	5,930.94	13,193.84	PROP	X		X	
	1,837.73	2,066.33	1,807.38	1,625.43	5,772.30	13,109.17	PROP	X		X	
	2,431.61	2,734.13	2,665.99	2,526.95	2,658.08	13,016.76	PROP	X			
	3,485.77	3,919.33	3,915.16	1,683.54	0	13,003.80	PROP	X		X	
	3,929.15	4,417.91	4,592.40	0	0	12,939.46	PROP	X		X	
	3,353.38	3,654.84	3,317.40	2,531.56	0	12,857.18	PROP	X		X	
	2,776.31	2,699.99	2,076.25	1,925.71	3,232.13	12,710.39	PROP	X		X	
	3,979.54	4,474.54	3,586.56	0	0	12,040.64	PROP	X		X	
	2,721.96	2,903.04	2,529.75	2,287.71	1,325.05	11,767.51	PROP	X		X	
	2,447.79	2,749.98	2,447.66	1,991.81	2,094.19	11,731.43	PROP	X		X	
	3,420.95	3,848.27	3,490.86	943.84	0	11,703.92	PROP	X		X	
	3,098.03	3,491.51	5,071.92	0	0	11,661.46	BUSZ				X
	3,256.51	3,661.63	3,734.18	921.13	0	11,573.45	PROP	X		X	
	1,605.30	1,605.30	1,313.72	1,214.82	5,816.92	11,556.06	PROP	X		X	
	3,273.40	3,571.53	3,585.40	900.26	0	11,330.59	PROP	X		X	
	3,560.71	3,923.51	3,740.09	0	0	11,224.31	PROP	X		X	
	1,775.40	1,996.20	2,146.62	2,200.69	3,056.25	11,175.16	PROP	X			
	3,441.98	3,870.14	3,786.55	0	0	11,098.67	BUSZ				X
	2,173.84	2,173.84	2,119.75	2,130.91	2,274.28	10,872.62	PROP	X		X	
	561.66	631.5	455.68	467.44	8,750.73	10,867.01	PROP	X			
	1,971.58	2,450.07	2,190.30	2,245.65	1,956.00	10,813.60	PROP	X			
	1,003.97	1,128.89	1,016.90	1,042.64	6,533.36	10,725.76	PROP	X			
	2,581.83	4,107.49	3,935.59	0	0	10,624.91	WWWW				X
	3,101.52	3,487.32	3,579.01	0	0	10,167.85	PROP	X		X	
	3,810.88	3,810.88	2,471.71	0	0	10,093.47	PROP	X		X	
	4,201.00	4,535.96	1,329.31	0	0	10,066.27	PROP	X		X	
	9,705.37	336.3	0	0	0	10,041.67	PROC		X	X	
	2,254.91	2,535.35	2,598.51	2,648.39	0	10,037.16	PROP	X		X	