

**SAMPLE FREEDOM OF INFORMATION ACT (FOIA)
REQUEST (RENT INCREASE)**

Date:

To: Freedom of Information Officer
HUD Area Office
Anytown, Anystate

RE: Freedom of Information Act Request¹

On behalf of my client, _____, and the tenants' organization, and pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and HUD regulations, 24 C.F.R. § 15, I hereby request to see copies of the documents listed below and any other materials that are currently on file with HUD concerning expenses or physical conditions that pertain to _____ Apartments, FHA Project No. _____. *[This approach works only if the HUD field office is close by; you could also just ask that specific documents be copied and sent, if you agree to the cost or get a waiver. You could also request that records be sent to you electronically via e-mail.]* Upon review of the materials, I shall designate, if necessary, that certain items be photocopied. If the number of documents that I seek to copy exceeds 100 pages, I will seek a waiver of any fees assessed in accordance with 24 C.F.R. § 15.110(h) (2003). *[Depending on local practice, you may or may not have to pay for the documents. See Green Book § 13.1.]*

Items sought to be reviewed include but are not limited to *[You may already have access to some of this information because the owner must make it available under 24 C.F.R. § 245.315, in which case you should not request it again from HUD.]*:

1. All documents, including the Budget Worksheet: Income and Expense Projections (HUD-92547A) relating to the current rent increase request and to any other rent increase requests for the project from the prior three years.
2. All Physical Inspection Reports (HUD 9822 or successor) prepared for the project from the prior three years, including any REAC inspection reports.
3. Management Review, Summary Sheet and Questionnaire (HUD 9834 or successor).
4. Copies of the audited financial report for the prior three years.
5. The management plan and management agreement.
6. Utility allowance schedule for the property (if utilities are retail-metered or check-metered).
7. Any other materials that HUD has or will review that will impact upon its decision to approve, deny or modify the rent increase request.²

In accordance with 5 U.S.C. § 552(a)(6)(A)(i) and 24 C.F.R. § 15.104, I understand that HUD must respond within 20 working days. *[Note that this deadline, even if met, may be unworkable for seeking materials for evaluating rent increase requests. Consider requesting expedited processing, by describing the urgency under 24 C.F.R. § 15.105(b). See Green Book § 4.9.2.3.]* All correspondence should be sent directly to my attention. Thank you for your prompt attention to this request.

Sincerely,

Attorney for _____

¹You should also type on the envelope, lower left-hand corner: "Freedom of Information Act Request."

²See Green Book § 4.9.2.3 (listing additional materials that you may want to request).