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September 28, 2017

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Teri Lehrke, City Clerk
 City of La Crosse
 400 La Crosse Street
 La Crosse, WI 54601

**RE: CITY OF LA CROSSE HUMAN RIGHTS COMMISSION
 COMPLAINT OF GENEAN THOMAS**



Dear Ms. Lehrke:

My law firm represents the Housing Authority of the City of La Crosse in matters related to the complaint filed by Genean Thomas on August 29, 2017. All correspondence in this matter should be sent to my attention.

The purpose of my letter today is to ask the Human Rights Commission to toll the time for the Housing Authority to respond to this complaint until such time as the complainant has furnished the Housing Authority with an authorization for release of information. Failure to provide an authorization for release of information limits the Housing Authority's ability to respond, as well as participate in a mediation or hearing.

This issue was previously discussed with the City's attorney, Paul Fredrickson, but may not have been conveyed by him directly to the Commission. The Housing Authority is funded by the U.S. Department of Housing and Urban Development ("HUD") and is subject to federal law and HUD administrative rules. Federal law and HUD regulations prohibit the Housing Authority from unauthorized disclosure of tenant personally identifiable information. These laws include: Section 6 of the Housing Act of 1937, the Privacy Act of 1974, 5 U.S.C. § 552a (Privacy Act), The Freedom of Information Act (FOIA), 5 U.S.C. § 552, and Section 208 of The E-Government Act, The Housing and Community Development Act of 1987, 42 U.S.C. § 1437d (q)(4), 42 U.S.C. § 1437d (t)(2), 42 U.S.C. § 3543, the Stewart B. McKinney Homeless Assistance Act of 1988, 42 U.S.C. § 3544; 24 C.F.R Part 5, Subpart B, and 48 C.F.R. 24.104. It is our assessment that these laws supercede local ordinance. I am also attaching for your reference a copy of the Housing Authority's Confidentiality Policy, which comports with the above.

In light of this, the Housing Authority is asking that this commission toll the time for it to respond to Ms. Thomas's complaint. By copy of this letter, the Housing Authority is asking

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Ms. Thomas either withdraw her complaint from this Commission and resubmit it to HUD or to sign and return the enclosed Authorization. If this complaint were submitted to HUD, an authorization by Ms. Thomas for the release of her information would not be necessary.

Please direct any questions regarding this letter to my office.

Best regards,

HALE, SKEMP, HANSON, SKEMP & SLEIK



Sarah E. Fortune

E-mail address: sef@haleskemp.com

SEF/crm

Enclosures

cc: Housing Authority of the City of La Crosse
Genean Thomas

**CONFIDENTIALITY POLICY FOR
THE HOUSING AUTHORITY OF THE CITY OF LA CROSSE**

BE IT RESOLVED that it is the policy of this Housing Authority to protect the interests of the people we serve by considering as confidential and privileged all information about residents and applicants which comes to our attention in the operation and administration of our housing assistance program. All employees and members of the Authority are required to abide by this standard. Only inspectors, auditors, investigators, and others who are engaged in their normal functions as approved by the Department of Housing and Urban Development may have access to confidential information concerning residents and applicants.

RESOLUTION NUMBER 800

Adopted by the Board of Commissioners on 9/17/97

Reviewed on 9/13/06

Reviewed on 4/11/12

AUTHORIZATION FOR RELEASE OF INFORMATION

(hereinafter "Authorization")

TO: Housing Authority of the City of La Crosse (hereinafter "PHA")
1307 Badger St.
P. O. Box 1053
La Crosse, WI 54602-1053

Re: Genean M. Thomas (hereinafter "Thomas")
1320 Saint James St.
La Crosse, WI 54603

PHA is hereby authorized to discuss with, furnish, and release to the Human Rights Commission for the City of La Crosse or its authorized representatives any and all information obtained during Thomas' application for tenancy and continued tenancy with the PHA.

Thomas agrees to indemnify, protect, and hold harmless PHA from any and all claims related to PHA's release of information pursuant to this Authorization. Thomas understands and agrees that by granting this Authorization she is waiving certain privacy and confidentiality rights under federal, state, and local law, including but not limited to Section 6 of the Housing Act of 1937, the Privacy Act of 1974, 5 U.S.C. § 552a (Privacy Act), The Freedom of Information Act (FOIA), 5 U.S.C. § 552, and Section 208 of The E-Government Act, The Housing and Community Development Act of 1987, 42 U.S.C. § 1437d (q)(4), 42 U.S.C. § 1437d (t)(2), 42 U.S.C. § 3543, and the Stewart B. McKinney Homeless Assistance Act of 1988, 42 U.S.C. § 3544. Thomas waives notice of any disclosures made pursuant to this Authorization. The terms of this paragraph shall survive the expiration of this Authorization.

This Authorization shall remain in effect for the longer of (1) one year from the date of signing, or (2) the date all proceedings arising from Thomas' complaint filed with the Human Rights Commission for the City of La Crosse on August 31, 2017, are either fully and finally adjudicated or dismissed with prejudice.

A copy of this Authorization shall be deemed as effective as the original.

Genean Thomas
Date: _____, 2017

ACKNOWLEDGED:

JOHNS, FLAHERTY & COLLINS, S.C.

By: _____
Anthony R. Gingrasso
Attorneys for Genean Thomas
205 5th Ave. So., Suite 600
La Crosse, WI 54601

Date: _____, 2017