

FAX to: NM, G IPRA office  
505-827-5826

To: INSPECTION OF PUBLIC RECORDS ACT ("IPRA") COMPLAINT FORM  
New Mexico Office of the Attorney General  
Open Government Division

Total: 3 pages

**YOUR CONTACT INFORMATION:**

ROM: First Name: R. G. Last Name: Wakeland

Address: \_\_\_\_\_

City: ✓ \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

2015 DEC 28 AM 11:09  
CR  
OFFICE OF THE ATTORNEY GENERAL

**IPRA REQUEST TO THE PUBLIC BODY:**

Name of the Public Body that is the subject of this complaint (including city/town, county or region, if applicable): Albuquerque Code Enforcement

Format of IPRA Request:  Written  Oral

Date IPRA Request was Submitted to the Public Body: 12/22/2015

Date of all Responses Received from the Public Body: 12/23/2015

**ALLEGED VIOLATIONS OF IPRA BY THE PUBLIC BODY:** Please select from the following list the violations you allege the public body committed. Check all that apply.

**RECORDS:**

- No records were provided.
- The agency provided some but not all of the records responsive to the request.
- Records were provided, but they were not responsive to the request.
- The public body does not have custody or responsibility for the records, and the records custodian did not forward the request to the proper custodian.
- The request was for records in electronic format and although the records are available in electronic format, the copies of the public records were not provided in an electronic format.

DENIED REQUESTS TO INSPECT PUBLIC RECORDS

- \_\_\_ Although some records were provided, the custodian did not include a written explanation for denying the production of exempt records or for redacting confidential information from records.
- \_\_\_ No records were provided and the records custodian did not deliver or mail a written explanation to the requester within fifteen (15) calendar days after receiving the request that included a description of the records sought, the names and titles of each person responsible for denying the request, and a description of the reasons for the denial.

NOTICE

- \_\_\_ Public body did not post in a conspicuous location at its administrative office or on the public body's website a notice setting forth: the rights of any person to inspect the public body's public records, the public body's responsibility to make public records available for inspection, the procedures for requesting inspection of public records, the procedures for requesting copies of public records, and/or reasonable fees for copying public records

DEADLINES (For purposes of deadlines imposed by the IPRA, the date the request is received is not counted)

- \_\_\_ Inspection was not allowed within three (3) business days and the public body did not timely send a written "three-day letter" to the requester explaining when the records would be available or when the public body would respond to the request.
- \_\_\_ The public body did not allow inspection or otherwise respond to the request within fifteen (15) calendar days from the date the custodian received the request.

FEES

- \_\_\_ The public body charged fees in excess of \$1.00 per printed page for documents 11"X17" or smaller, or charged fees that exceeded the actual costs to copy the records.
- \_\_\_ The public body did not provide a receipt upon request.

DETAILED EXPLANATION OF ALLEGED IPRA VIOLATIONS (Required): Please provide a description of the actions taken by the public body that violated the IPRA, including specific dates and why you believe the IPRA has been violated.

I received a phone call 12-23-15 from Planning Department female stating she received my fax and had no information. I have a photo of the 12-16-15 notice referred to in my IPRA request



## Attorney General Of New Mexico

**HECTOR H. BALDERAS**  
Attorney General

**ELIZABETH A. GLENN**  
Chief Deputy Attorney General

January 8, 2016

R.G. Wakeland  
501 Quincy PL SE SPC C  
Albuquerque, NM 87108

Dear Ms. Wakeland:

On December 28, 2015, The Office of the Attorney General Open Government Division ("OGD") received your complaint alleging that the Albuquerque Code Enforcement violated the Inspection of Public Records Act ("IPRA"), NMSA 1978, Sections 14-2-1 to -12 (2011).

The OGD received correspondence from the City of Albuquerque regarding your IPRA request for all documents relating to 501 Quincy Pl. SE, SPC A. Based on the information provided by the City, the City has currently allowed for the inspection of all responsive records relating to your IPRA request, either in person or by mail. As such, the City is in substantive compliance with the IPRA. *See, Derringer v. State, 2003-NMCA-073, 133 N.M. 721.* Accordingly, we consider this matter closed.

Thank you for affording our office with the opportunity to be of assistance.

Sincerely,

A handwritten signature in black ink that reads "Dylan K. Lange".

Dylan K. Lange  
Assistant Attorney General