

## **Section 7: Deposits**

- 7.1 Good Faith Deposit.** If the estimated cost for processing an individual's FOIA request exceeds \$50.00, the FOIA Coordinator or Assistant FOIA Coordinator shall require a good faith deposit of one-half of the estimated fee before processing the request.
- 7.2 Detailed Itemization Required.** The District's request for a deposit shall include a detailed itemization, provided on the District's Standard FOIA Fee Form, along with a best efforts estimate by the District regarding the time required for the District to provide the public records to the requestor.
- 7.3 Previous Failure to Pay.** If the District has granted and fulfilled a written request from an individual under the FOIA and has not been paid in full the total amount due pursuant to MCL 15.234(1), the District will require a deposit of up to 100% of the estimated fee before the District begins a full public record search for any subsequent written request from that individual, if all of the following apply:
- a. The final fee for the prior written request was not more than 105% of the estimated fee.
  - b. The public records made available contained the information being sought in the prior written request and the records are still in the District's possession.
  - c. The public records were made available to the individual, subject to payment, within the time frame estimate described above in Paragraph 2 and required under MCL 15.234(7).
  - d. 90 days have passed since the District notified the individual in writing that the public records were available for pickup or mailing.
  - e. The individual is unable to show proof of prior payment to the District.

- f. The District calculates a detailed itemization, as required under MCL 15.234(4) that is the basis for the current written request's increased estimated fee deposit.

**7.4** The District shall not require an increased estimated fee deposit from an individual as described above in Section 7.3 if any of the following apply:

- a. The individual is able to show proof of prior payment in full to the District.
- b. The District is subsequently paid in full for the applicable prior written request.
- c. 365 days have passed since the individual made the written request for which full payment was not remitted to the District.