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September 23, 2026

via email only

Emery John Frazier
emeryfrazier@gmail.com

Rylee Ahnen
Director of Communications
Home Forward
rylee.ahnen@homeforward.org

Re: Petition of Emery John Frazier concerning the timeliness of Home Forward's response to two public records requests

Dear Mr. Frazier and Mr. Ahnen:

This petition concerns two public records requests Mr. Frazier made to Home Forward about a specific Home Forward rental unit in Portland. The first, made October 31, 2024, sought records concerning the condition, maintenance, and safety of the unit. Petitioner relates that on December 10, 2024, Home Forward produced a first set of records and advised that it was "still processing the requested internal and external correspondences and will provide those shortly." Those correspondences were never produced. Petitioner reports that on January 15, 2025, Home Forward advised it was still reviewing emails. He followed up on February 11, 2025, and received no records.

The second request, made August 20, 2026, sought new categories of records: proof of prior tenancies in the unit, all records concerning the unit from January 1, 2020 forward, and any record bearing Mr. Frazier's name.

Mr. Frazier petitioned this office on August 24, 2026, as permitted by ORS 192.407 and ORS 192.422, contending that Home Forward had neither completed its response to the 2024 request nor provided an estimated completion date as ORS 192.329 requires, and asking that Home Forward be ordered to produce the records sought in both requests. Home Forward's Director of Communications, Rylee Ahnen, acknowledged the petition the same day and said that Home Forward would follow up with Mr. Frazier about what documents he was seeking.

I held the petition in abeyance while the parties worked through the requests. Mr. Frazier sent Home Forward a restated and expanded request on August 25 and added to it on August 31, and on August 31 Home Forward committed to complete the request within fifteen business days of August 25, with rolling production and updated timelines. Nothing presented to me shows that any records or an updated timeline arrived within that period, and on September 17 Mr. Frazier asked this office to resume its review. I directed Home Forward to provide a formal response addressing its delay and the remedies available under ORS 192.407.

Home Forward's response does not dispute this timeline. It reports that Mr. Frazier's tenant file and records concerning prior occupants of the unit are being photocopied, with legal review and redaction expected "by or before 9/30," and that emails to, from, or concerning Mr. Frazier are being collected, with review expected by October 2. As possible context for the extraordinary delay in this case, Home Forward stated that Martha Calhoon, who handled Mr. Frazier's 2024 request, no longer works for Home Forward, and that she may have departed while this request was in process.

For the reasons below, I grant the petition.

DISCUSSION

A public body must acknowledge a records request within five business days and, within ten business days after that, either complete its response or provide "a reasonable estimated date by which the public body expects to complete its response." ORS 192.324(2); ORS 192.329(5)(b). Missing that deadline is a denial. ORS 192.407(1)(a). An estimate does not end the obligation; the body must still respond "as soon as practicable and without unreasonable delay." ORS 192.329(1).

The fifteenth business day after the 2024 request was November 22, 2024. The December 2024 production came after that, and neither its promise that the rest would follow "shortly" nor the January 2025 status note gave a date. Home Forward's first estimated completion date came on August 31, 2026, more than 440 business days late, and its response remains incomplete nearly two years after the request. Restarting the clock at the petition (when the current communications director likely became aware of the request) does not help Home Forward. Measured from August 24, its August 31 estimate was timely, but Home Forward let that date pass with no records and no revised timeline until this office requested a formal response to this petition. For records owed since 2024, that is not a response "without unreasonable delay." ORS 192.329(1).

Home Forward's proffered explanation does not excuse the delay. Home Forward's obligations on a pending request did not lapse when Ms. Calhoon left; it is on the agency to have systems in place that carry those obligations through a change in personnel. *Petition of Monahan*, MCDA PRO 16-23 (2016) (structural problems a new official inherits are "not of her making, but it falls to her and [the public body's] present leadership to fix it"). The volume of confidential material and the need for privilege review explain why the work takes time, not why Home Forward gave no estimated completion date for more than twenty months or let its August 31 estimate pass without an update to the requester.

If I find the public body has unduly delayed its response, which I do here, ORS 192.407(3) permits me to order disclosure within seven days or any other period I find appropriate and to waive fees. Home Forward's response to this office, despite the invitation to do so, did not address the appropriate remedy under ORS 192.407.

The delay on the 2024 request is over double the 215 days that warranted a substantial fee reduction in *Petition of Gunderson*, MCDA PRO 20-29(2) (2020), and Home Forward offers nothing like the confluence of circumstances that excused the much shorter delay in *Petition of Iboshi*, MCDA PRO 25-11 (2025). Home Forward has not to date indicated that it intends to charge

fees for producing these records. Given the length of the delay, however, a full fee waiver under ORS 192.407(3)(c) is warranted as a sanction.

ORDER

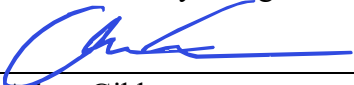
Accordingly, the petition is granted. Pursuant to ORS 192.407(3)(a), Home Forward shall complete its response to Mr. Frazier's October 31, 2024 request, producing all nonexempt responsive records and asserting in writing any exemption it claims, no later than Wednesday, September 30, 2026.

Home Forward shall complete its response to the August 20, 2026 request in the same manner no later than Wednesday, October 7, 2026.

Pursuant to ORS 192.407(3)(c), Home Forward shall make these records available at no cost to Mr. Frazier.

Regards,

NATHAN VASQUEZ
District Attorney
Multnomah County, Oregon

By: 
Adam Gibbs
General Counsel

Notice to Public Agency

Pursuant to ORS 192.411, 192.415, and 192.431(3), your agency may become liable to pay petitioner's attorney fees in any court action arising from this public records petition (regardless of whether petitioner prevails on the merits of disclosure in court) if you do not comply with this order and also fail to issue, within seven days, formal notice of your intent to initiate court action to contest this order, or fail to file such court action within seven additional days thereafter.