



Our Reference:

BY EMAIL ONLY

24 April 2015

Dear

**Request for Information**

Thank you for your email dated 25 March 2015 requesting information on South Devon Rural Housing Association. For ease of reference your request is below:

*“under the freedom of information act I hereby request that the regulator discloses information in its possession, contrary to submitted AR30 accounts and contrary to directorship information held at companies house, that it is satisfied that Rural Homes Limited is a wholly owned subsidiary of South Devon Rural Housing Association”*

We have now had an opportunity to investigate your request and are writing to communicate our response. We have identified three documents that we hold which fall within the scope of your request. These three documents are attached alongside this letter.

The document “RPCON2” has been provided to you in full, without redactions. The document “Extract from October minutes” contains the relevant section of the minutes where it relates to the relationship between South Devon Rural Housing Association and Rural Homes Limited. The other agenda items discussed have been removed from this document as they do not fall within the scope of your request.

The final document, “RPCON1 Redacted”, is provided to you with some redactions. All the redactions made are of personal data, specifically the addresses of residential properties that are being used as Security. This information has been withheld under Section 40(2) of the Freedom of Information Act 2000 (FOIA).

**Section 40(2) – Personal Data of a third party**

Section 40(2) of the Act permits a public authority to withhold information where disclosure would be in breach of any of the Principles of the Data Protection Act. Disclosure of certain information within the documents would be likely to breach the First Data Protection Principle, as it would exceed the Data Subjects’ expectations as to how their information would be processed. This exemption is absolute and therefore no public interest test needs to be carried out to apply the exemption.

The identities of the people who reside at these addresses would clearly be identifiable, as it would be directly possible to attend the addresses listed. This would clearly exceed the residents' expectations of how the Homes and Communities Agency would process their personal data. Disclosure would also lead to distress for the residents of these properties if this information were to be released and so in the circumstances it would be unfair and thus in breach of the Data Protection Principles.

If you have any questions regarding this response or any further queries you can contact us at the following addresses and quote your unique reference number found at the top of this letter:

**Email:** [mail@homesandcommunities.co.uk](mailto:mail@homesandcommunities.co.uk)

**Mail:** Information Access Officer  
Homes and Communities Agency  
Fry Building  
2 Marsham Street  
London  
SW1P 4DF

If you are unhappy with the way Homes and Communities Agency has handled your request you may ask for an internal review. You should contact

Head of Legal Services  
Homes and Communities Agency  
Fry Building  
2 Marsham Street  
London  
SW1P 4DF

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Yours sincerely

Naomi McMaster  
Information Access Officer  
Homes and Communities Agency