

1 November 2023

## **IC-262249-K2Q8**

### **Request**

You asked us:

*"I was very interested to read on the UnderOneRoof website [https://underoneroof.scot/articles/1067/Making\\_decisions/Contacting\\_owners](https://underoneroof.scot/articles/1067/Making_decisions/Contacting_owners) that a recent decision by the Information Commissioner allows (but does not oblige) property managers to release this information to co-owners. This in relation to names, addresses and contact details i.e. e mail address and phone numbers. Can you please confirm this is the case and give me the reference to this decision [...]"*

We have handled your request under the Freedom of Information Act 2000 (the FOIA).

### **Our response**

Following initial searches, we have been unable to confirm whether we hold information in scope of your request. However, we found that "decision" in this context is an ambiguous term that could refer to decision notices, outcomes of regulatory action or outcomes of complaint cases.

Given that the terms used are a quotation from a third party, we are unable to seek further clarification from you on the intention of this term. Given this, conducting the searches necessary to confirm if we hold the information you have asked for would exceed the cost limit set out by section 12 of the Freedom of Information Act 2000 (FOIA).

The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 states that the 'appropriate limit' for the ICO is £450. We have determined that £450 would equate to 18 hours work.

Our case management system is unable to run a quick automated report on the full text of a case outcome. This means that to locate the information you have requested would require a manual search of thousands of cases in the relevant sectors.

Assuming that each search would take approximately 3 minutes to complete – and it is certain that some searches would take much longer than that – this clearly exceeds the 18 hours which would accrue a charge of £450 or more, triggering the provisions of section 12 of the FOIA.

This concludes our response to this request.

### **Advice and assistance**

We recommend that you contact Under One Roof directly to clarify the decision that their website refers to prior to any further request to the ICO on this topic.

As Under One Roof is a charity registered in Scotland, we would also recommend you seek clarification over whether the decision in question was made by the Information Commissioner's Office or the Scottish Information Commissioner.

### **Next steps**

You can ask us to review our response. Please let us know in writing if you want us to carry out a review. Please do so within 40 working days.

You can read a copy of our full review procedure [here](#).

If we perform a review but you are still dissatisfied, you can complain to the ICO as regulator of the FOIA. This complaint will be handled just like a complaint made to the ICO about any other public authority.

You can [raise a complaint through our website](#).

## Your information

Our [Privacy notice](#) explains what we do with the personal data you provide to us, and set out your rights. Our retention schedule can be found [here](#).

Yours sincerely



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