

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 14 November 2024

Public Authority: Homes and Communities Agency (Homes
Address: England)
10 South Colonnade
Canary Wharf
London
E14 4PU

Request:

The complainant requested the following information from Homes England on 7 July 2024 (numbering added by the Commissioner):

"[1] I am making a formal Data Subject Access Request in relation to the HomeBuy Direct loan I took out, including all application documents, original affordability assessments etc undertaken by South West homes and the IFA. [2] Plus details of the fee South West homes received for its' role as HomeBuy agent."

Homes England wrote to the complainant on 7 August 2024 to advise them that it would be handling part 2 of the request under FOIA. On 8 August 2024, Homes England provided the complainant with a response to part 1 of the request under the Data Protection Act 2018.

Commissioner's Decision:

A public authority will breach section 10 of FOIA if it fails to respond to a request within 20 working days. Based on evidence available to the Commissioner, by the date of this notice Homes England has not provided the complainant with a substantive response to part 2 of the request. Therefore the Commissioner finds a breach of section 10.

Steps:

Homes England must provide a substantive response to part 2 of the request in accordance with its obligations under FOIA. Homes England must take this step within 30 calendar days of the date of this decision

notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of FOIA and may be dealt with as a contempt of court.

Right of Appeal:

Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF**