



# PHILADELPHIA REDEVELOPMENT AUTHORITY

## GENERAL RECORDS RETENTION AND DISPOSITION SCHEDULE

**EFFECTIVE: JULY 1, 2018**

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*REASONS FOR RECORDS MANAGEMENT.* The Philadelphia Redevelopment Authority ("PRA") has abundant records in its various departments (hereinafter, each a "**Department**," jointly referred to as "**Departments**"), all of which need to be managed and retained in a consistent and organized fashion, in order to: 1) promote business efficiency, 2) minimize expense for unnecessary records storage, and 3) enhance the ability to locate records for purposes such as business needs, legal requirements, Right-to-Know Law and/or subpoena production, and general accountability and tracking.

*DEPARTMENT RECORDS COORDINATOR.* Every Department head must designate a "**Records Coordinator**" who is knowledgeable about the Department's records and business requirements and who will be responsible for tracking and implementing appropriate records management, with the full support of the Department. Centralized training and coordination will be provided to each Records Coordinator, through the Legal and Human Resources Departments.

*RECORDS.* PRA records consist of information that involves the business of PRA and is recorded, such as on paper (*e.g.*, in documents, papers, letters, maps or books); electronically; in tapes, photographs, film or sound recordings; or data- or image-processed documents. If it is not related to PRA business, it is a non-record and should be disposed of immediately (such as an e-mail from a friend asking whether you would like to meet for lunch).

*RECORD FORMAT.* Records exist in electronic, hard copy (paper) and other formats. It is the content of the record that determines its retention period, not its format. Therefore, e-mail has no set retention period, because e-mail is a format. It is the content of the e-mail that determines its retention period, whether very significant correspondence with a twenty (20) year retention period or a casual transitory communication that can be deleted immediately. If hard copies of any records are required to be retained, that will be noted below.

*TRANSITORY RECORDS.* A transitory record is one that falls into a record category, however, due to the fact that it is only of short-term utility, it does not have to be kept for the full retention period set forth for records of that category. If the retention period is three (3) years, but the record is only useful or meaningful for one (1) week or two (2) years, it is transitory and can be disposed of before the end of the full three (3) year retention period. This determination is based on user discretion and familiarity with business needs for the records. Generally, a majority of e-mail correspondence is considered transitory, due to the type of quick, casual communication for which it is used. Examples of transitory records include: 1) preliminary drafts of letters, reports,

pleadings, etc., after the final is prepared and the drafts are no longer useful; 2) duplicate copies that are retained only for convenience and user copies; 3) casual e-mail or written correspondence about scheduling or other matters that have no long-term business value; 4) routing slips, voice-mail, phone messages, miscellaneous notices or memoranda; 5) information copies of widely distributed materials or information received as part of a distribution list, list servers and other internet sources, solely for convenience of reference; 6) duplicate stocks of obsolete publications, pamphlets or blank forms; and 7) unsolicited advertising.

**RECORDS CUSTODIAN AND DUPLICATE COPIES.** Where PRA has made a determination as to which Department has primary responsibility for specific types of records, that is indicated in this schedule. A Department that has primary record retention responsibility under this schedule is required to make those records accessible to other Departments that have a business need for the records. Where one Department is designated as having primary record retention responsibility under this schedule and another Department has copies, those copies may be considered transitory and do *not* need to be kept for the entire retention period. Otherwise, the creator of a record or the Department that is required to create or retain a record for its business purposes generally has primary responsibility for the retention of those records.

**LITIGATION HOLDS, LAWS, AUDITS AND OTHER VALID REASONS FOR SUPERSEDING SPECIFIED RETENTION PERIODS.** The retention periods noted in this schedule reflect current legal requirements for retention periods, where applicable, but *will always be superseded* by: 1) any applicable federal or state laws or regulations (such as HUD requirements); 2) court orders; 3) audit requirements; 4) litigation holds that are issued by the Legal Department, which require Departments to retain records relating to a case in litigation or reasonably foreseeable as being involved in litigation<sup>1</sup>; 5) direction from the Legal Department or the Executive Director; or 5) exceptional business/operational need, as approved by the Legal Department. Please immediately consult with PRA's Legal Department if you have been advised or are aware that a record relates to a matter in litigation or likely to be involved in litigation, so that the appropriate required procedures will be followed. *Records Coordinators for a Department are responsible for disseminating information to employees of the Department regarding litigation holds or other legal reasons for requiring longer retention periods and ensuring that employees understand their obligations with respect to such holds.*

**RECORDS STORAGE.** Storage of paper copies of records can be expensive, whether it is done on-site in office space, in PRA storage areas or by a PRA-authorized off-site records storage provider. Storage of excessive electronic data can also be costly. Departments are encouraged to minimize or eliminate unnecessary retention of records.

**DISPOSING OF RECORDS.** Transitory records should be disposed of once they have no business value (which includes legal, fiscal and administrative). Electronic records should be disposed of at the end of their retention period or once determined to be transitory. *Records Coordinators of a Department are responsible for ensuring a means of disposal that is appropriate to the content of the records.* Records containing personally identifying, confidential or sensitive information must

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<sup>1</sup> Records potentially responsive to an existing Right-to-Know Law request or in use for formal or informal hearings are included in this category.

be shredded, permanently deleted or otherwise disposed of in a manner that ensures that the information may not be disclosed. Paper records that do not contain personally identifying, confidential or sensitive information may be recycled or simply discarded.

**ELECTRONIC RECORDS.** Insofar as practicable under business requirements of the Departments, every effort should be made to electronically store records, rather than in paper format. This approach is not only more cost effective, but would also accord with the federal government's emphasis on minimizing paper records, as reflected by the August 24, 2012 "Managing Government Records Directive" from the Office of Management and Budget and the Archivist of the United States, and in the Government Paperwork Elimination Act, P. L. 105-277, Title XVII. *The creation and storage of paper records, usually in binders, is an expense that should be avoided whenever possible and strategies should be used to maximize electronic records.*

**ENTITIES OWNED, CONTROLLED OR MANAGED BY PRA.** All retention periods set forth below shall apply to all records and documents related to any entities owned, controlled and/or managed by the PRA. In the event any such entities are dissolved, terminated or otherwise cease to exist, all documents or records retained by the PRA in accordance with the below shall be retained for a period of five (5) years following the date of any dissolution, termination or cessation.

**CITY ARCHIVE.** It is anticipated that certain PRA documents will ultimately transferred to the City Archive. Initially those documents will be comprised of documents which are significant to document historic events or major PRA business decisions or operations, but may later be expanded at the direction of the Executive Director and/or the Legal Department.

**RECORDS FROM OTHER AGENCIES.** The PRA, on occasion, acts as agent for other government agencies or works in cooperation with other government agencies and may have records from other government agencies in its possession. All efforts should be taken to return such documents to the appropriate government agency or agencies immediately upon the conclusion of any such working relationship.

## **I. CORRESPONDENCE AND GENERAL COMMON RECORDS**

### **A. Correspondence**

1. The PRA's email system does not fulfill the PRA's record retention obligations. The PRA provides an email system to its employees as a convenient and efficient medium of communication. However, the email system is not a medium for storage of information or any of the PRA's records. E-mail and other correspondence that has no long-term business value may be considered transitory and disposed of when no longer of use, not needed for programs and not needed to document required activity or for any other legal or other business purposes. (*Transitory retention period*).

2. General correspondence or memoranda of a routine nature, for which there is no specific legal retention requirement. (1 year).
3. Correspondence that is significant from an archival perspective to document historic events, matters of significant legal consequence or major PRA business decisions or operations, including significant executive level, legal or other correspondence with governmental entities related to the business of PRA (such as HUD correspondence); submissions to HUD, such as plans, reports and underlying documentation that are not subject to a shorter retention period; IRS determinations or tax-exempt letters and state sales tax/transfer tax exemption letters. This does not include correspondence for which a different retention period is set forth in this schedule, such as regarding real estate, in Section IV(B). (5 years from the date of creation of the record or end date of the action or activity related to the record, such as tax-exempt status, whichever is later).

B. General Records Common to Many Departments

1. Significant programmatic, planning or other comprehensive reports, memoranda or other materials that are created by PRA (or by or with outside consultants); official policies, procedures or resolutions; strategic operating plans (and related documentation); annual or semi-annual reports to executive directors or boards; and similar documentation. (5 years after superseded or expired; 15 years if archivally significant to document historic events or major PRA business decisions or operations).
2. Photographs, recordings, brochures or other important records that are archivally significant to document historic events or major PRA business decisions or operations. (5 years).
3. Corporate and minute books; Board of Directors resolutions; and by-laws. (Permanent retention – the Legal Department has primary responsibility for retention of these records).
4. Meeting Minutes:
  - a. Board of Directors meeting minutes, transcripts, agendas and related materials distributed to the Board and/or attendees either at or in anticipation of the meeting. (Permanent retention - the Legal Department has primary responsibility for the retention of these records).
  - b. Department or organizational meeting minutes with long-term significance. (5 years).
5. Tax records (including quarterly filings, IRS notices and 1099 forms), for which no conflicting retention period is required by statute or regulation. (4 years after filing the 4<sup>th</sup> quarter for the year).

6. Annual audits and tax returns and other annual audits. (15 years).
7. External audit reports, which category does not include annual audits and tax returns and other annual financial audits. (15 years – the Department responsible for audits and compliance has primary responsibility for the retention of these records).
8. Documents associated with the issuance of bonds: (i) Bond Closing Transcript (Permanent retention); (ii) Bond trustee statements (retain for as long as bonds are outstanding plus 20 years after the final redemption date of the bonds); (iii) bond origination files, officer certificates, arbitrage rebate reports, disclosure reports, servicing reports/agreements and other material financial and bond records (retain for as long as bonds are outstanding plus 20 years after the final redemption date of the bonds). For a refunding bond issue, with reference to (ii) and (iii) in the prior sentence, records relating to the original new money issue and all material records relating to the refunding issue should be maintained until 20 years after the final redemption of both bond issues.
9. Certificates (not including certificates of occupancy), licenses and permits held by PRA. (4 years from the date of expiration, if routine and recurring and not subject to a longer retention period; 10 years if construction-related and not subject to a longer retention period. Records Coordinators should verify with Department heads whether any longer retention periods apply prior to disposal).
10. Travel expense records. (3 years).
11. Routine, recurring staff and/or status reports. (3 years).
12. Records documenting the disposal of paper records under this schedule, including the type of record disposed of, the manner of disposal, the name of the Records Coordinator authorizing the disposal and the date of the disposal. (3 years).
13. Comprehensive resource manuals created or used by PRA. (3 years after superseded or expired; 15 years if archivally significant to document historic events or major PRA business decisions or operations).
14. Documentation of required formal training provided to specific employees across a number of departments, including continuing education forms. (2 years after end of employment – the Human Resources Department has primary responsibility for retaining these records); documentation of informal, internal department training (3 years or until not needed for strategic or other Department planning or business use, whichever is shorter).
15. Training materials, other than manuals or more comprehensive documentation, such as PowerPoint presentations, training workbooks and assessments. (2 years after superseded or expired – each Department is responsible for retention of its records, even if created or revised through the department of communications).

16. Records showing membership of PRA in other organizations. (2 years from date of expiration of membership).
17. Disaster preparedness and recovery plans, if any. (Retain until superseded or revised, then can be disposed of immediately).
18. Procurement documentation including requests for proposals, requests for qualifications or solicitations for bids, and any responses thereto, and any other documents prepared related to the solicitation, evaluation, selection or award of any contract thereunder, if any, for the procurement of goods and/or services. (5 years from date of initial solicitation).
19. PRA contracts, agreements and grants:
  - a. Contracts between PRA and any federal, state or other governmental entity, excluding contracts for which a shorter retention period is set forth in this schedule. (5 years from the termination of the agreement – the Department responsible for supply chain activity management has primary responsibility for the retention of these records).
  - b. Memoranda of Understanding or Agreements between PRA and any federal, state or governmental entity or non-profit corporation. (5 years from the termination of the agreement).
  - c. PRA contracts and related correspondence with non-governmental entities, including construction contracts, professional service contracts and other service provider agreements and related documentation, license agreements or other entry agreements, waiver or release of liability agreements, invoices (accounts payable information) and any others specifically identified in this schedule. (4 years from the termination of the contract or the end of the warranty period, whichever is later, absent a legal or business reason to justify a longer retention, as approved by the Legal Department or Executive Director - the Department responsible for supply chain activity management has primary responsibility for the retention of these records).
  - d. Redevelopment Agreements and Development Agreements and any amendments, assignments, assumptions and/or other modifications thereto. All efforts should be taken to maintain hardcopy originals of such documents. (5 years from the issuance of a Certificate of Completion; if no Certificate of Completion has been issued, permanent retention).
  - e. Construction contract files and supporting documentation (including task orders, notices to proceed, progress payment reports and payments). (4 years from the termination of the contract or the end of the warranty period, whichever is later, absent a legal or business reason to justify a longer retention, as approved by

the Legal Department or Executive Director - the Department responsible for supply chain activity management has primary responsibility for the retention of these records).

- f. Agreements and records evidencing the licensure and implementation of computer software programs. (1 calendar year after the license, contract or end user agreement has expired or 1 year after the software is no longer installed, whichever is later – the Department responsible for information systems management has primary responsibility for the retention of these records).
- g. Preventative maintenance contracts and related records. (4 years from the end of the contract, absent a legal or business reason to justify a longer retention, as approved by the Legal Department or Executive Director - the Department responsible for supply chain activity management has primary responsibility for the retention of these records).
- h. Grant agreements and related records, for grants provided by PRA (other than specific financial records that are under "Financial Records." (4 years from the completion of the activity funded by the grant).
- i. Grant records, for grants requested by PRA, which may include application materials (application, attachments, award letter, work plan/revitalization plan, schedules, due diligence materials, correspondence and reports); confidential case files, meeting notes, research, corrective action plan, and auditing reports related to the grant (MACCS); the grant agreement; relevant Board resolutions; budgets; financial, construction, close-out and periodic reports; schedules; resident participation/residential council information; and project management records (routing slips, approvals, evaluations, required reporting tools, task force meeting minutes, etc.). (4 years from the completion of the activity funded by the grant).

## **II. RECORDS RELATED TO A TENANT**

- A. Tenant files are files that contain all records related to a tenant at a PRA property, which records have a retention period of the term of the occupancy, plus 4 years, and include:
  - 1. Approved application for occupancy, tenant background check and family applications of active residents, if any;
  - 2. Executed leases and related records;
  - 3. Correspondence between PRA and a tenant (including, but not limited to, communications regarding credits/debits);
  - 4. Tenant-generated forms;

5. Tenant repair requests and related repair records routinely kept in a tenant file;
  6. Correspondence regarding non-sufficient funds, including the checks;
  7. Rent records;
  8. Court orders regarding lease termination (regardless of whether there was an actual eviction as a consequence of the order).
- B. General correspondence with third parties, other than correspondence included in the client/tenant file. (3 years).
- C. For rental housing projects financed by PRA with federal funding:
1. Tenant files must be retained for 5 years after project completion.
  2. Individual tenant income verifications, project rents and inspections must be retained for the most recent 5-year period until 5 years after the end of the affordability period.

**III. HUMAN RESOURCES RECORDS** (*The Human Resources Department has primary responsibility for the retention of all records in Section III.*)

- A. EEO-4 reports, collective bargaining agreements and written affirmative action reports. (3 years).
- B. For foreign national employees, copies of Applications for Permanent Employment Certification filed with the Department of Labor and all supporting documentation. (5 years from the date of filing the application).
- C. Employee-specific retirement and pension records. (5 years from the date that the record is generated).
- D. Employee benefit plan documentation (not record specific to a particular employee) Form 5500 Annual Reports, summary plan descriptions, notice of reportable events (such as plan amendments that may decrease benefits, a substantial decrease in the number of plan participants, etc.), and plan termination.<sup>2</sup> (7 years after the expiration of the plan).
- E. Employment records:

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<sup>2</sup> While PRA is not subject to ERISA, as a reference, records subject to ERISA Section 107 are to be maintained for at least six years from the date the associated Form 5500 is filed (or would have been filed but for an exemption). Records used to determine benefits that are/will become due for each employee must be retained as long as relevant.

1. Selection Hiring & Employment Records, including: job applications, resumes, job advertisements, screening tools/tests, interview notes and other record related to hire/no-hire decisions, records related to promotions, demotions, transfers, performance appraisals, terminations, training records, incentive plans, merit systems, seniority systems, and EEO self-identification forms. (1 year after creation of the document or the hire/no-hire decision, whichever is later).<sup>3</sup>
2. Payroll records and time sheets/cards including basic employee data (name, address, social security number, gender, date of birth, occupation, job classification), compensation records (amounts and dates of actual payment, time/day of week when workweek begins, total hours worked each day and workweek, basis and rate at which wages are paid, straight time and overtime hours/pay, additions to/deductions from wages, total wages paid each pay period, records explaining sex-based pay differences, annuity/pension payments, fringe benefits paid, and date of payment and the pay period covered). (Length of employment plus an additional 5 years).<sup>4</sup>
3. Form I-9 and related documents. (1 year from the date of termination or 3 years after the hire date, whichever is later).<sup>5</sup>
4. Background check information obtained through a consumer reporting agency such as credit reports, criminal history reports, driving records, information regarding character, other background check reports created through a third party, and consent forms. (5 years after date of consumer report).<sup>6</sup>
5. Tax records including names, addresses, social security numbers, occupations of employees and recipients, employee copies of form W-2 returned as undeliverable, dates of employment, periods where employees were paid while absent due to sickness or injury and amount/weekly rate of payments, copies of W-4 and W-4P, dates and amounts of tax deposits, copies of filed returns, records of fringe benefits provided. (4 years after filing the 4<sup>th</sup> quarter for the year).
6. Health care continuation (COBRA) including written notice to employees and their dependents of their option to continue group health plan coverage following certain qualifying events. (6 years from the date of the notice).<sup>7</sup>

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<sup>3</sup> In the case of termination, employers must keep the terminated employee's employment records for one year from the date of termination. If there is a pending charge or claim of discrimination against the organization, all relevant hiring records must be retained until the conclusion of the case.

<sup>4</sup> Although there are no retention requirements under the Lilly Ledbetter Fair Pay Act, this is the recommended federal retention period. The Equal Pay Act requires records that explain basis for paying different wages to employees of opposite sexes in the same establishment be kept for at least 2 years.

<sup>5</sup> This period is required under the Immigration Reform and Control Act.

<sup>6</sup> No retention requirement. However, five years is the Fair Credit Reporting Act (FCRA) statute of limitations. FCRA does not apply when employer does its own investigation – only when a third party is used.

<sup>7</sup> Although COBRA has no retention requirement, this period is suggested to remain consistent with ERISA requirements.

7. Disability accommodations including requests for reasonable accommodations and responses and/or accommodations provided by employer. (2 years from the date of making the record or the personnel action involved, whichever is later).<sup>8</sup>
8. Family and Medical Leave Act records, including:
  - a. Employee-specific records that show basic payroll & identifying employee data, dates and hours FMLA leave was taken (must be designated in records as FMLA leave), employee notices of leave provided to the employer and/or premium payments of benefits during FMLA leave. (3 years from end of FMLA application for benefits or provision of benefits, whichever is later).
  - b. Employee-specific records of FMLA disputes between PRA and an employee (to be kept in confidential files separate from personnel files) and Workers' Compensation/FMLA records. (3 years from resolution of the dispute).
  - c. General and specific notices given to employees regarding FMLA and benefits and employer policies regarding the taking of paid and unpaid leave. (3 years from date of having been provided to employees).
9. Military leave records related to a military leave of absence, reemployment and employee benefits during and upon return from a military leave. (Indefinite).

#### **IV. REAL ESTATE RECORDS**

##### **A. Real property documents.**

1. Real estate acquisition and disposition records (not including tenant leases); closing book material (or other records evidencing closing documents, including mixed-finance transaction closing books); limited partnership closing binders (including mortgage notes and tax-credit-related documents); sales records; deeds; surveys; titles; due diligence items; easements and mortgage documents. (20 years from the date after which the property has no affiliation with, relation to or ownership by the PRA or related-entities as confirmed by the Director of the Development/Real Estate Department).
2. Street striking ordinances, final plans and specifications (including any Certificates of Occupancy or zoning documents) and condemnation records). (10 years from the date after which the property has no affiliation with, relation to or ownership by the PRA or related-entities as confirmed by the Director of the Development/Real Estate Department).

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<sup>8</sup> In the case of involuntary termination, retain employee's employment records for 2 years from date of termination.

3. Ground/commercial and other real estate leases (not residential occupancy leases) and related documentation. (10 years from termination of the lease).
- B. Construction, development, design and required form/approval records.
1. Inspection Reports. (4 years if routine and recurring; 10 years if construction-related and not otherwise addressed in this schedule).
  2. Real estate improvement records (including building permits) and development and design plans (including blueprints). (10 years from the date after which the property has no affiliation with, relation to or ownership by the PRA or related-entities as confirmed by the Director of the Development/Real Estate Department).
  3. Applications and master planning materials for construction. (7 years following grant of the award).
  4. Compliance documents from contractors and related correspondence. (4 years from closeout).
  5. Estimates and punch lists used by the Development or Housing Finance Departments for construction or renovation projects. (7 years).
  6. Environmental studies and geotechnical reports (including Phase I and II reports, engineer's reports, site inspection records, tank removal documentation, clearance (after abatement) records, chain-of-custody documents, reliance letters and similar materials). (Permanent retention or 20 years from the date after which the property has no affiliation with, relation to or ownership by the PRA or related-entities as confirmed by the Director of the Development/Real Estate Department).
  7. Property application, disclosure or clearance forms including property applications, campaign contribution disclosure forms, tax status and conflict of interest forms and public disclosure forms. (5 years from the issuance of a Certificate of Completion; if no Certificate of Completion has been issued, permanent retention).
  8. Certificates of Completion, Redevelopment/Development Agreement Releases, Cancellation Agreements. (Permanent retention unless recorded with the City Department of Records).
  9. Prevailing wage records. (4 years from closeout).
  10. Percent for Art Program records, including, but not limited to, agreements between artists and developers, agreements between PRA and developers, photographs of works of art at time of installation and post-installation, records related to conservation and maintenance, artist proposals, maintenance guidelines from artist, relocation documents, records relating to donations to Fine Art Fund, press releases, press clippings, project Requests for Qualifications ("RFQs") and Requests for

Proposals ("RFPs"), Art Committee meeting minutes/agendas. (Permanent retention unless recorded with the City Department of Records).

C. Property Maintenance Records.

1. General maintenance and repair records for common areas or unoccupied units. (5 years).
2. General maintenance and repair records for occupied units, other than any retained in the client file. (5 years after the unit is vacated by the occupant who was residing in it at the time of the maintenance or repair).

**V. REDEVELOPMENT AND CONDEMNATION RECORDS**

- A. Redevelopment Area Plans, Urban Renewal Area Plans and Redevelopment Proposals (Permanent retention).
- B. City Council resolutions, ordinances and all documentation relating the submission and approval of same (10 years).
- C. Records relating to condemnations and relocations, including all due diligence, correspondence, plot plans, condemnation appraisals, service documents, photographs, affidavits, legal descriptions, revestment and relinquishment documents and legal/court filings. (Permanent retention).

**VI. FINANCIAL RECORDS**

- A. Monthly bank statements and investment statements (including monthly investment schedules and bank/institutional investment schedules). (9 years).
- B. Financial Ledgers, including monthly financial statements, work papers and back up; bank reconciliations; journal entries; employee check requests; and portables (including invoices and payments). (10 years).
- C. Promissory notes, mortgages and other loan documents or loan closing binders. All efforts should be taken to maintain hardcopy originals of such documents. (Permanent retention).
- D. Accounts Payable and Receivable.
  1. The following accounts payable records: vendor files (including invoices, purchase orders, copies of checks or ACHs and other supporting documentation); cancelled checks; and stop orders. (13 years).
  2. The following accounts receivable records: daily cash transactions (deposits); miscellaneous tenant deposits; tenant adjustments; and tenant refunds. (12 years).

E. Treasury Records

1. Pension statements (including Treasury portfolio managers' invoices, vendor pension invoices and Treasury monthly reconciliations). (9 years).
2. Treasury book transfers (including inter-fund and cash transfers). (9 years).
3. Interim bank statements (daily statements for cash management); weekly payroll summaries (including payroll tax information) and positive pay files (including landlord/tenant payments, payroll, accounts receivable and utilities). (3 years).<sup>9</sup>

F. Budget Records.

1. Annual operating budget. (Permanent retention).
2. Accounts and other records supporting PRA's budget and financial statements. (3 years).

**VII. INVENTORY RECORDS**

- A. Inventories of products, materials and supplies (including equipment lists); receiving documents for contracted items; and bills of lading and assets inventory lists. (7 years).
- B. Receiving documents for non-contracted items; packing slips; shipping documents and other shipping documentation. (2 years after receipt).

**VIII. LEGAL RECORDS** (*The Legal Department has primary responsibility for the retention of all records in Section VIII*).

- A. Trademark and copyright registrations, if any. (20 years from when superseded or no longer valid).
- B. Records relating to legal advice sought or received from outside counsel, including financial documentation; requests for ethics opinions, conflict of interest determinations and the opinions rendered. (15 years).
- C. Records of administrative actions; records relating to eviction or bankruptcy; and litigation case files (excluding discovery materials but including all pleadings, briefs, motions, court orders, opinions of record on dispositive motions and hearings, attorney-client/attorney work product privileged communications, original witness statements, affidavits, exhibits, settlement agreements/contracts and similar materials). (15 years from resolution of the case or creation of the record or file, whichever is later).

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<sup>9</sup> The Age Discrimination in Employment Act of 1967 has a 3-year retention requirement for payroll records; the Fair Labor Standards Act also has a 3-year retention period for payroll records.

- D. Appraisals (non-condemnation appraisals) and appraisal related documents. (2 years).
- E. Discovery materials. (5 years from the case being closed).
- F. Right to Know Law (RTKL) files, including written RTKL requests and any related materials, all written responses and correspondence with the requester, copies or indices of any records provided, and records related to appeals (including briefs, Final Determinations, submissions by the requester, etc.). (3 years from the date of the request, if not appealed; 3 years from the last activity with regard to the request, if appealed, such as a withdrawal of the appeal, a Final Determination by the Office of Open Records or a final court decision).
- G. Insurance and Risk Management records:
  - 1. Insurance policies, applications, quotes, binders, renewal proposals and related documentation. (Permanent retention).
  - 2. Insurance certificates. (10 years).
  - 3. Premium invoices and loss runs. (8 years).
  - 4. Insurance claim files. (15 years after closure).

## **IX. PRESS AND COMMUNICATIONS RECORDS**

- A. Press or news releases, video, newsletters or speeches created or finalized by the communications department and issued by PRA to the media to inform the public about events, activities, and accomplishments. (4 years; 30 years if significant to document historic events or major PRA business decisions or operations – the Department responsible for PRA communications has primary responsibility for retention of these records).
- B. Information concerning publicity, e.g., biographies, promotional materials, broadcast scripts; bulletins providing information about department activities; and invitations and programs created for an official PRA function. (2 years; 30 years if significant to document historic events or major PRA business decisions or operations).
- C. Memorabilia, e.g., items and materials with special value, relating to PRA history, e.g., scrapbooks, department photographs, picture books, albums, slides, audio/videos, and digital images and albums. (2 years; 30 years if significant to document historic events or major PRA business decisions or operations).

## **X. INFORMATION TECHNOLOGY RECORDS**

- A. Computer systems and data documentation; test data base files; output reports; indexes run to locate hard copy or electronic files; convenience databases and spreadsheets; computer run scheduling records; computer master purges (of records that have met their retention period) and records documenting the disposal of electronic files. (1 month).
- B. Computer inventory records of licensed software; records documenting the assignment of a specific computer to an employee; equipment and network usage documentation; computer system security records; and computer usage files and reports. (1 year or until superseded or revised, whichever is later).
- C. Computer system back-up files needed to restore a system, such as in case of disaster. (Retain until superseded, revised or no longer needed, at which point they may be immediately disposed of).
- D. User requests for technical assistance and responses thereto. (6 months).