

Bond Case Briefs

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POLITICAL SUBDIVISIONS - WASHINGTON

Horvath v. DBIA Services

Supreme Court of Washington, En Banc - December 18, 2025 - P.3d - 2025 WL 3674349

Public records requestor filed complaint against private nonprofit corporation that provided services within city's business improvement district, alleging corporation failed to comply with the Public Records Act.

The Superior Court denied requestor's motion for summary judgment and granted corporation's motion for summary judgment and for declaratory judgment, concluding that corporation was not the functional equivalent of governmental entity subject to the Act. On appeal, the Court of Appeals affirmed. Requestor appealed.

The Supreme Court held that:

- Factor considering whether entity performed government function weighed in favor of finding that corporation was functional equivalent of government agency subject to the Public Records Act;
- Factor considering extent to which government funded entity's activities weighed heavily in favor of finding that corporation was functional equivalent of government agency subject to the Public Records Act;
- Factor considering extent of government involvement in entity's activities weighed against finding that corporation was functional equivalent of government agency subject to the Public Records Act;
- Factor considering whether entity was created by government weighed against finding that corporation was functional equivalent of government agency subject to the Public Records Act; but
- Factor considering district and corporation as single integrated entity weighed in favor of finding that corporation's records were public records subject to the Public Records Act.