



Diana Bruce, Chelsea Hill, and Jared Myers
Attention: Professor Loza de Siles
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March 23, 2021

Right to Know Officer
Pennsylvania Housing Finance Agency
211 North Front Street
P.O. Box 8029
Harrisburg, PA 17105-8029
Attention: AORO: Chris Anderson
and Alternate AORO: Steve O'Neill
Email: rtk@phfa.org

To Whom It May Concern:

Our names are Diana Bruce, Jared Myers, and Chelsea Hill. We are students at Duquesne University School of Law in Pittsburgh, Pennsylvania. We are seeking access to public information relating to the use of artificial intelligence systems by the Pennsylvania Housing Finance Agency ("Agency") to carry out housing and housing finance-related policies and decision-making. We are making this public records request as part of our work in our Artificial Intelligence & Social Justice course taught by Professor Loza de Siles.

Pursuant to Pennsylvania's Right-To-Know Law, 65 P.S. § 67.101, *et seq.* ("RTKL"), we are initiating the following request regarding the Agency's use of technologies and professional services with regard to any artificial intelligence, as defined, below, specifically that of Black Knight, Inc., including Black Knight Technologies, LLC; Black Knight Servicing Technologies, LLC; and any other subsidiary or affiliated company (collectively, "Black Knight"). As further discussed below, we are requesting associated records from 2016 to present. *See* 65 P.S. § 67.102.

Public interest favors access to the requested records. This information will be used for educational purposes, as well as to provide the public with access to the operations and activities of the government in its use of artificial intelligence with regard to housing and housing policy. This request is not for commercial

purposes. Thus, we respectfully ask that any fees associated with this request be waived pursuant to 65 P.S. § 67.1307.

The term “artificial intelligence” means any computer, robot, or other machine-based computational or analytics system, technique, or capability that uses data, software, statistical modeling, or algorithms, including those derived from machine learning or other data processing or artificial intelligence techniques, to make predictions, recommendations, or other outputs toward a given set of human-defined objectives.

In short, artificial intelligence is used by the Agency to make or assist in making decisions. Decisions are determinations which may impact the actions, policies, procedures, services, programs, contracting practices, rulemaking, or the budgeting or allocation of resources implemented by the Agency. Decisions may include granting or denying a permission or right; assigning status or eligibility; assigning the type, level, or amount of assistance, benefit, or service that an individual, household, or population does or does not receive (*e.g.*, a grant, loan, subsidy, or cooperative agreement); allocating resources to programs or services; assigning value to assets (*e.g.*, property valuation); or auditing programs or entities.

As stated above, we are requesting records regarding Agency use of Black Knight technologies and professional services, specifically with regard to any artificial intelligence system, as defined. Per the below press release, the Agency signed a contract with Black Knight, Inc. in 2018 for the use of its technologies and services:
<https://www.blackknightinc.com/msp-and-servicing-digital/>.

For reference and to facilitate the retrieval of responsive documents, see the below Statement of Work (“SOW”), effective May 14, 2020, which references the corresponding Master Technology & Professional Services Agreement:
https://www.patreasury.gov/transparency/e-library//ContractFiles/555151_2020-ADM-013-Black%20Knight-SOW%20for%20Second%20Loans%20fully%20executed.pdf.

Please provide the following public records, in whole or part, to the extent that they are not exempt under 65 P.S. § 67.708:

1. The Master Technology & Professional Services Agreement (the “Agreement”) between Black Knight and the Agency dated February 20, 2018;
2. Any precursors and subsequent amendments to the Agreement, including, without limitation, any Requests for Information (“RFIs”) and Requests for Proposals (“RFPs”) issued by the Agency, responses, including bids, to the

- foregoing received by the Agency, and SOWs as by and between the Agency and Black Knight;
3. Any records containing or about data, software, predictive, quantitative and other analytical models, computer code, and algorithms for artificial intelligence systems used by the Agency in relation to Black Knight technologies and services;
 4. As to data, we specifically request any records as to which data are included and which are excluded data from any Black Knight artificial intelligence system; variables within data used to create and optimize such Black Knight systems and the weights assigned to such variables; and as to how those data are sourced, curated, and validated;
 5. Any records as to policies and procedures relating to access to or use of the algorithm or input data, and any safeguards to protect system or input data from unauthorized access or use;
 6. Any records as to all other agencies or third parties or both that have access to the Black Knight artificial intelligence systems or data for use with that system or both;
 7. Any records regarding audits of such Black Knight systems, including frequency, scope, and public availability of such audits and corrective measures taken as the result of the same;
 8. Any records as to policies and procedures, including design, development, and implementation documents, impact assessments, training guides, or job aids regarding the Agency's implementation and use of such Black Knight systems; and
 9. Any records as to the criteria by which the Agency evaluated responses to the Agency's RFIs or RFPs and subsequently chose to contract with Black Knight, including Agency objectives for the resultant AI system; and

Pursuant to 65 P.S. § 67.703, this is a sufficiently specific public records request regarding the Agency's use of artificial intelligence as it relates to Black Knight, housing, and finance-related matters and, therefore, consistent with the intent of the RTKL. If you have any questions or seek further clarification, feel free to contact us via email. Thank you in advance for your anticipated timely response via electronic delivery to AILaw@duq.edu.

Sincerely,

/s/

Diana Bruce, Jared Myers, and Chelsea Hill