

LUZERNE COUNTY
OFFICE OF LAW
ROMILDA P. CROCAMO, ESQUIRE
CHIEF COUNTY SOLICITOR



LUZERNE COUNTY
COUNTY MANAGER
C. DAVID PEDRI, ESQUIRE

COUNTY of LUZERNE
PENNSYLVANIA
ESTABLISHED 1786

January 31, 2018

Loren J. Bialik
Mazel Equities National Assoc.
445 Warren Drive, Suite #10
San Francisco, CA 94131-1045
Email: MazelEq@aol.com
RE: RTK Request # 18-24

Dear Ms. Bailik:

Thank you for writing to Luzerne County with your request for information pursuant to the Pennsylvania Right-To-Know law. My email is Jackie.Carroll@luzernecounty.org.

On February 1, 2018, the Luzerne County Office of Law received a request for documents from you described in the attached Right to Know request. We requested an extension of time to respond, or, March 8, 2018.

Your request is denied in that Luzerne County does not have any Unclaimed Property within the parameters you have described. Further, there is no way to tell under our current system to tell which open checks from the general fund are property tax refunds.

Also, for Unclaimed Bonds, you may want to try the Pennsylvania Treasury Department in Harrisburg. Their website is PATREASURY.GOV.

Luzerne County does not maintain the records requested by you, therefore, your request is denied pursuant to §705 of the RTKL. §705 of the RTKL states that "when responding to a request for access, an agency shall not be required to create a record which does not currently exist or to compile, maintain, format or organize a record in a manner in which the agency does not currently compile, maintain, format or organize the record".

You would have a right to appeal this denial of information in writing to Office of Open Records, Commonwealth Keystone building, 400 North Street, 4th Floor, Harrisburg, PA 17120.

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If you choose to file an appeal for any reason, you must do so within 15 business days of the mailing date of the agency's response. Section 1101. If you have further questions, please contact me. Please be advised this correspondence will serve to close this request with our office as permitted by law.

Very truly yours,

A handwritten signature in blue ink that reads "Jacqueline Musto Carroll". The signature is written in a cursive style with a large initial "J".

JACQUELINE MUSTO CARROLL, ESQUIRE
Luzerne County – Open Records Officer

From: Mazel Equities [mailto:MazelEq@aol.com]

Sent: Wednesday, January 31, 2018 2:05 PM

To: Controllers Office <controllers.office@luzernecounty.org>; Dysleski, Mary <Mary.Dysleski@luzernecounty.org>; Beers, Laura <Laura.Beers@luzernecounty.org>
Subject: Pennsylvania Right-to-Know Act

Under the Public Records Act we request access and copies of the following:

1. **Unclaimed or outstanding checks** including dates, names, last addresses and amounts due the payees that have been going unclaimed for at least six months but not more than five years. (Generally these are vendor or accounts payable checks.)
2. All **unclaimed bonds, and bond proceeds**, including the dates, names, last addresses, and amounts due the bondholders. (Bonds are debt obligations issued by public agencies that use the loans to fund public projects such as the construction of schools, hospitals, and highways. We're not interested in performance bonds.)
3. All **unclaimed property tax refunds**, including the dates, names, last addresses, and amounts due the property owners. Generally these would be property owners who overpaid their taxes.
4. All **unclaimed tax refunds**, including the dates, names of the businesses due the refund, their last addresses, and the amounts going unclaimed. (These could include transfer tax, local sales tax, etc.)

A list of these items, rather than actual copies is acceptable. And we can accept it by email.

We are only interested in items that are \$5,000 or over and ones issued by your office (**not ones that have escheated to the state unclaimed property office**).

Our intent is to locate the rightful owners and assist them in claiming their money. Our firm has been in business over 35 years. We continue our mission of helping agencies, like yours, clear unclaimed items off their books, which is a good accounting practice, and help citizens recover their lost assets.

We are willing to pay reasonable costs. Please give us an estimate of the cost before beginning the work.

We appreciate a reply within 10 working days as provided for in the law. You may also respond via e-mail at
MazelEq@aol.com.

Thank you.

Sincerely,

Loren J. Bialik

Loren J. Bialik, President
Mazel Equities National Associates

445 Warren Drive, Suite #10
San Francisco, CA 94131-1045
(415)759-1662; fax: (415)759-1664
MazelEq@aol.com

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COUNTY of LUZERNE
P E N N S Y L V A N I A
ESTABLISHED 1786

Right-To-Know Response Form

Date: February 6, 2018
Date Request Received: February 1, 2018
Five Business Day Response Date: February 8, 2018
RTK Request #18-24

Loren J. Bialik
Mazel Equities National Assoc.
445 Warren Drive, Suite #10
San Francisco, CA 94131-1045
Email: MazelEq@aol.com

Thank you for writing to Luzerne County with your requests for information pursuant to the Pennsylvania Right-To-Know Law.

Your requests for information have been received and are under review. The Pennsylvania Right-To-Know Law requires a response within five (5) business days; however, we require a thirty (30) day extension for the following reason(s):

- (1) the request for access requires redaction of a record in accordance with section 706;
- (2) the request for access requires the retrieval of a record stored in a remote location;
- (3) a timely response to the request for access cannot be accomplished due to bona fide and specified staffing limitations;
- (4) a legal review is necessary to determine whether the record is a record subject to access under this act;
- (5) the requester has not complied with the agency's policies regarding access to records;
- (6) the requester refuses to pay applicable fees authorized by this act; or
- (7) the extent or nature of the request precludes a response within the required time period.

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You should expect a response to your requests no later than March 8, 2018.

Very truly yours,

A handwritten signature in black ink that reads "Jacqueline Musto Carroll". The signature is written in a cursive, flowing style.

JACQUELINE MUSTO CARROLL, ESQUIRE
Luzerne County – Open Records Officer
200 North River Street
Wilkes-Barre, PA 18711