

2019. 084

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LCS, INC
 227 WEST FAYETTE STREET SUITE 202
 SYRACUSE, NY 13202
 SKESSLER@LENDERCONSULTING.COM
 (P) 315-726-4025

TO:	FROM:
County Clerk	Shane Kessler
COMPANY:	DATE:
Luzerne County	6/6/2019
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
	1
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
	19P3927.24
RE:	YOUR REFERENCE NUMBER:
FOIL Request	

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

Dear Clerk:

Under the PA Right to Know Law (RTKL), I hereby request records or portions thereof pertaining to any environmental permits/violations, fuel tank records (storage, removal, etc.), HAZMAT documents, building, zoning, and fire code violations, and any known past owners/uses for 416 Elm Ave (Pin #: 3469E1036012000).

If there are any fees for copying the records requested, please inform me before filling the request. As you know, the RTKL requires that an agency respond to a request within five (5) business days of receipt of a request. Therefore, I would appreciate a response as soon as possible and look forward to hearing from you shortly.

If for any reason any portion of my request is denied, please inform me of the reasons for the denial in writing and provide the name and address of the person or body to whom an appeal should be directed.

Sincerely,



Shane Kessler



Right-To-Know Response Form

June 29, 2019

Shane Kessler
VIA EMAIL ONLY TO SKESSLER@LENDERCONSULTING.COM
RTK REQUEST #19-084

Dear Mr. Kessler:

Thank you for writing to Luzerne County with your request for information pursuant to the Pennsylvania Right- To-Know law ("RTKL").

Recently, the Luzerne County Office of Law received a request for documents from you described in the attached Right To Know request. Your request is denied because Luzerne County does not maintain these documents. §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".

In order to further assist you, I would advise you to direct your request to the Borough the property is located. They are most likely to be the entity that would have this information.

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

If you choose to file an appeal 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 Laura C. Dennis. Please be advised that this correspondence will serve to close this record with our office as permitted by law.

Respectfully,

Laura C. Dennis, Esq.
Luzerne County
Open Records Officer
200 North River Street
Wilkes-Barre, PA 18711