



DEPARTMENT OF BUSINESS ADMINISTRATION

City Hall | 340 North Washington Avenue | Scranton, PA 18503 | 570.348.4118

January 2, 2025

Evan Foster
5901 Honore Ave, Suite 200
Sarasota, FL 34243
evan.foster@proplogix.com

Re: RTK 6054 - 1431 Bryn Mawr Street

Dear Requester:

Thank you for writing to the City of Scranton to request records pursuant to Pennsylvania's Right-to-Know Law ("RTKL"), 65 P.S. §§ 67.101 et seq.

In your request received on December 30, 2024, you requested:

"Hello,

Our firm has been requested to research the referenced property for any BUILDING PERMITS, CODE VIOLATION & SPECIAL ASSESSMENT FEES on record in any city, town, village, or port authority.

Requesting to provide the below information for the property.

**Address: 1341 BRYN MAWR ST, SCRANTON PA 18504
Parcel: 15609030007
Owner: BOUTON STACEY**

- 1. Please advise if the below address has any OPEN/PENDING/EXPIRED Permits and demolition permits that need attention and any fees due currently.**
- 2. Also advise if there are any open Code Violation or fines due that needs attention currently.**
- 3. Advise if there are any unrecorded liens/fines/special assessments due."**

and denied in part as follows.

Your request responsive to "**BUILDING PERMITS**" and "**CODE VIOLATION**" for "**1341 BRYN MAWR ST**" is granted and documents are attached.

However, your request responsive to **“SPECIAL ASSESSMENT FEES,” “fines/special assessments due,”** and **“any open Code Violation or fines due that needs attention currently”** for **“1341 BRYN MAWR ST”** is denied.

Your request is denied pursuant to section 705 of the RTKL which 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.”

The records you requested do not exist in the possession, custody, and control of the City of Scranton. The City of Scranton does not possess any records related to **“SPECIAL ASSESSMENT FEES,” “fines/special assessments due,”** and **“any open Code Violation or fines due that needs attention currently”** for **“1341 BRYN MAWR ST.”**

Your request responsive to **“any unrecorded liens”** for **“1341 BRYN MAWR ST”** is misdirected. The City of Scranton does not possess, maintain, or control these records. You must submit your Right-to-Know request directly to Lackawanna County as it is the agency that may possess these records.

The contact information for the Right-to-Know Officer for Lackawanna County is listed below:

Lackawanna County
Traci Harte
RTK Officer
Phone: 570-963-6800
Fax: 570-963-6812
Email: hartet@lackawannacounty.org

We have copied Lackawanna County on this letter and included a copy of your request. 65 P.S. § 67.502(b)(1). However, you must file a new request with Lackawanna County. The City of Scranton’s forwarding of your request does not trigger any timeframes in the RTKL or require a response from the city.

Further, records that are exempt from disclosure by law have been redacted pursuant the Constitution of the Commonwealth of Pennsylvania’s Right to Privacy. We redacted home and personal addresses of individuals in the responsive documents.

The redacted records are exempt from disclosure under the Pennsylvania Constitutional Right to Privacy, Pa. Const. Art. I, § 1. “All men are born equally free and independent, and have certain inherent and inalienable rights, among which are those of enjoying and defending life and liberty,

of acquiring, possessing and protecting property and reputation, and of pursuing their own happiness.”

You have a right to appeal this response in writing to: Office of Open Records, 333 Market St., 16th Floor, Harrisburg, PA 17101-2234. Appeals can also be filed online at the Office of Open Records website, <https://www.openrecords.pa.gov>.

If you choose to file an appeal, you must do so within 15 business days of the mailing date of the agency’s response. See 65 P.S. § 67.1101. Please note that a copy of your original RTKL request, the agency’s extension notice (if applicable), and this letter should be included when filing an appeal. More information about how to file an appeal under the RTKL is available at the Office of Open Records website, <https://www.openrecords.pa.gov>.

Please be advised that this correspondence will serve to close this record with our office as permitted by law.

Sincerely,

A handwritten signature in black ink, appearing to read "Caleb Bakalyar", written in a cursive style.

Caleb Bakalyar
Open Records Officer
Email: cbakalyar@scrantonpa.gov
Ph: 570-348-4118