



Office of the City Solicitor

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Via Email Only: JulianKern@AllentownTenantAssociation.Org

August 3, 2018

Mr. Julian Kern
252 E. Walnut Street
Apartment 2 RR
Allentown, PA 18109

Re: Right-to-Know Request, dated July 27, 2018
Total Amount of Properties Tagged Unfit for Human Habitation and Unsafe Structure

Dear Mr. Kern:

We acknowledge receipt of your request for public records, dated July 27, 2018, under the Right-to-Know Law (RTKL), 65 P.S. 67.101 et. seq.

Your request was forwarded to the Building Standards & Safety Department and the Health Department for a response.

We were advised by Judy Richards, Office Manager of the Building Standards & Safety Department that there was 562 properties tagged unfit and 21 properties tagged due to an unsafe structure as evidenced by the attached fifty-five (55) pages.

We received the attached Excel Spreadsheets from Matthew Wojaczyk, Building Inspections Supervisor in response to your request.

With respect to records from the Allentown Health Bureau, we were advised by Garry Ritter, Environmental Field Services Manager that his office does not keep a record or report specifically identifying posted/tagged properties. As such, the record requested does not exist.

Section 705 of the RTKL specifically does not require an agency "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." An agency is not required to compile lists or to perform research in order to complete a request. Simon Campbell v. Palmerton Area School District OOR Docket No. AP 2011-0133. Accordingly, the City is not required to complete the form survey provided.

You have a right to appeal this denial of access to the requested information.

Under Section 1101(a)(1) of the RTKL, an appeal must be made in writing to Mr. Erik Arnesen, Executive Director, Office of Open Records, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120 within 15 business days of the mailing date of this letter.

By this letter, we consider the City's obligation to honor your request under the RTKL to be fulfilled.

Thank you.

Very truly yours,



Frances A. Fruhwirth
Associate City Solicitor
Date of Emailing: August 3, 2018