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Sheryl A. Stitt
Executive Director

May 15, 2024

Via email only
Thomas.mundy@smrresearch.com

Thomas Mundy
SMR Research Corporation
1 Edgeview Drive, Suite 3B
Hackettstown, NJ 07840

Dear Mr. Mundy,

The New Jersey Educational Facilities Authority (“NJFEFA”) received your Open Public Records Act (OPRA) request on May 14, 2024. As such, the seven (7) business day deadline to respond to your request is May 23, 2024. This response to your request is being provided to you on the first business day after the custodian’s receipt of said request.

Your OPRA request sought access to the following:

“ALL ACTIVE BOILERS & THEIR LOCATION IN NJ. I would need the location name, address, city, state, zip code.”

Please be advised that NJFEFA is an independent state authority and issues municipal bonds and provides conduit debt financing for New Jersey institutions of higher education such as colleges and universities. NJFEFA is not a property management company and does not oversee or maintain a database of boilers in New Jersey.

This request seeks information or asks questions and does not identify specific government records. As such, your request is an invalid OPRA request and is denied. When a request is “complex” because it fails to specifically identify the documents sought, then that request is not “encompassed” by OPRA. See New Jersey Builders Association v. New Jersey Council on Affordable Housing, 390 N.J.Super. 166, 180 (App. Div. 2007). A proper request under OPRA must identify with reasonable clarity those documents that are desired, and a party cannot satisfy this requirement by simply requesting all of an agency's documents. See Bent v. Stafford Police Department, 381 N.J.Super. 30, 37 (App. Div. 2005). Custodians are not required to conduct

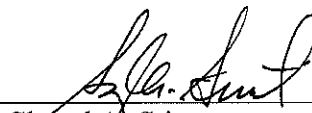
research or create new records in response to an OPRA request.

If your request for access to a government record has been denied or unfiled within the seven (7) business days required by law, you have a right to challenge the decision by the NJEFA to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council (GRC) by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at P.O. Box 819, Trenton, NJ, 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc. The GRC can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.

Sincerely yours,

New Jersey Educational Facilities Authority

By:



Sheryl A. Stitt
Executive Director