Open Records Policy— Philadelphia Redevelopment Authority

Effective January 1, 2009
Last updated on October 26, 2026

The Philadelphia Redevelopment Authority ("PRA") has adopted a policy to comply with the Commonwealth's Act 3 of 2008, 65 P.S. §§ 67.101 *et seq*., commonly known as the "Right to Know Law." With certain exceptions, members of the public have the right to inspect and/or copy such records upon request.

1. Definitions

a. Right to Know Law (or Open Records Law). Act 3 of 2008, 65 P.S. §§ 67.101 *et seq*., commonly known as the Right to Know Law ("Law").

b. Business day. Monday through Friday during regular business hours[1], except those days when the offices of the PRA are closed for all or part of a day:

i. due to a federal/state/city holiday;

ii. due to natural or other disaster; or

iii. due to the request or direction of local, state, or federal law enforcement agencies or officials.

c. Public Record. Any document that satisfies the general definition of "public record" set forth in the Law and does not fall within any of the exceptions set forth therein, as the definition and exceptions are amended from time to time and as the definition and exceptions are interpreted by state, federal and/or local courts.

d. Open Records Officer. Any official or employee of the PRA who is officially assigned responsibility for receiving, tracking and responding to requests for information under the Right to Know Law. The PRA may designate a Deputy or Secondary Open Records Officer to act in the absence of an Open Records Officer.

e. Requester. A person who requests a record under the Right to Know Law.

f. State Office of Open Records. The State Office, under the Department of Economic and Community Development, as explained in §1310 of the Right to Know Law. The Office of Open Records shall be responsible for many duties, which include (but are not limited to): issuing advisory opinions, training agencies and public employees, assigning appeals officers to review decisions and conducting a biannual review of fees allowed under the Law.

[1] 8:45 AM – 4:30 PM

2. Open Records Officer

The Open Records Officer for the PRA is:

Alex Braden, Esquire
General Counsel
Philadelphia Redevelopment Authority
1234 Market Street, 16th Floor
Philadelphia, PA 19107

215-448-3081

alex.braden@phdc.phila.gov

The Secondary Open Records Officer for the PRA is:

Susan Varghese, Esquire
Philadelphia Redevelopment Authority
1234 Market Street, 16th Floor
Philadelphia, PA 19107

215-448-3078

susan.varghese@phdc.phila.gov

3. Procedure

The Law requires that the PRA act upon each non-anonymous written request when such request is made in person, by mail, by facsimile or by e-mail. The Law does not require that the PRA act upon an oral request, and the PRA shall refuse to accept oral requests. Furthermore, the Law does not require that the PRA act upon an anonymous request, and the PRA will refuse to honor an anonymous request.

Pursuant to the Law, the State Office of Open Records has created and published on its website a standard statewide form which must be accepted by the PRA for the filing of a request. (http://openrecords.state.pa.us/). Effective February 1, 2012, the PRA will require the standard statewide form be used for the submission of Right to Know requests, and will not consider a request to be a written request pursuant to the Right to Know Law unless the request is submitted on or with the standard statewide form. Beginning February 1, 2012, the PRA will consider any request not submitted on or with the standard statewide form to be an informal request not subject to the Right to Know Law[2]. If a requester submits a request on or with the standard statewide form after submitting an informal request for the same (or similar) records, the PRA will consider the informal request to have been withdrawn. The PRA reserves the right, at its sole discretion, to require a written request pursuant to the Right to Know Law before releasing records. A copy of the standard statewide form appears at the end of this policy.

The Law sets forth various specifications for the contents of a written request. To qualify

[2] The PRA reserves the right, at its sole discretion, to use the Right to Know Law as guidance in responding to informal requests for records and/or information.

as a written request under the Right to Know Law and the PRA Open Records Policy the request must (a) be directed to the appropriate Open Records Officer designated above, (b) be submitted on or with the standard statewide form, and (c) contain, at a minimum, the following information:

i. name of requester;

ii. address of requester; and

iii. records being sought, identified or described with sufficient specificity to allow the PRA to ascertain which records are being requested.

Under the Law, the PRA has a duty to make a good faith effort to determine if the record(s) requested is a public record and to respond as promptly as possible under the circumstances existing at the time of the request; this time shall not exceed five (5) business days from the date the request is received by the PRA's Open Records Officer. The Law provides that either a final or interim response be provided to the requester within five (5) business days from the date of receipt by the PRA. If the PRA fails to respond within this five (5) day time period, the Open Records Request is deemed denied.

The Law and the PRA's policy contemplate that requesters will receive a response within five (5) business days. The Law, however, does provide the PRA with specific reasons that may be invoked to receive a single extension of time which shall not exceed thirty (30) calendar days. If an extension is invoked and no response is provided to the requester within the thirty (30) day time period, the Open Records Request is deemed denied. Additionally, should the PRA notify the requester it needs more than the maximum thirty (30) day extension, the request is deemed denied unless the requester has agreed in writing to an extension to the date specified in the notice. If the requester agrees to the extension, the request shall be deemed denied on the day following the date specified in the notice if the PRA has not provided a response by that date.

The PRA's final response to a request will do one of the following:

i. grant the request;

ii. deny the request;

iii. grant the request in part and deny the request in part; or

iv. grant the request and redact part of the information provided pursuant to the Law and/or other applicable federal, state and local law.

4. Appeals of Denied Requests

If a request for access to a record is denied (in whole or in part) or deemed denied, the requester may file an appeal with the State Office of Open Records within fifteen (15) business days of the mailing date of the PRA's denial. The appeal should state the grounds upon which the requester asserts the items requested are public and/or financial records under the Law; the appeal shall also address any grounds stated by the PRA for denying the request. Appeals to the State Office of Open Records should be directed to the following address: Commonwealth of Pennsylvania, Office of Open Records,

Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225.

Unless the requester agrees otherwise, the State Office of Open Records Appeals Officer shall make a final determination which shall be mailed to the requester and the PRA within thirty (30) days of receipt of the appeal. Should the Appeals Officer fail to issue a ruling within thirty (30) days, the appeal is deemed denied.

Before a final determination is issued, a hearing may be held. The determination by the Appeals Officer shall be a final order. The Appeals Officer shall provide a written explanation of the reasons for the decision to the requester and the PRA.

Within thirty (30) days of the mailing date of the final determination of the Appeals Officer, a requester or the PRA may file a petition for review or other document(s) as required by rule of court with the Philadelphia Court of Common Pleas.

5. Fees and Charges

Fees for duplication of records have been established and posted by the State Office of Open Records. The PRA will charge fees consistent with the State Office of Open Records regulations.

The PRA reserves the right to impose additional fees if it incurs costs for complying with a request pursuant to the Right to Know Law; such additional fees, when charged, must be reasonable. This includes, but is not limited to, fees for enhanced electronic access and certified copies of documents.

6. Written Policies and Regulations

The PRA and each Open Records Officer shall retain the discretion and authority to adopt any other written policies that are consistent with the Right to Know Law that they deem to be necessary or prudent.

pennsylvania
OFFICE OF OPEN RECORDS

STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: _____

REQUEST SUBMITTED BY: ☐ E-MAIL ☐ U.S. MAIL ☐ FAX ☐ IN-PERSON

REQUEST SUBMITTED TO (Agency name & address):_____

_____

NAME OF REQUESTER :_____

STREET ADDRESS:_____

CITY/STATE/COUNTY/ZIP(Required): _____

TELEPHONE (Optional):_____ **EMAIL (optional):**_____

RECORDS REQUESTED: **Provide as much specific detail as possible so the agency can identify the information.* ***Please use additional sheets if necessary***

DO YOU WANT COPIES? YES or NO
DO YOU WANT TO INSPECT THE RECORDS? YES or NO
DO YOU WANT CERTIFIED COPIES OF RECORDS? YES or NO

**** PLEASE NOTE: RETAIN A COPY OF THIS REQUEST FOR YOUR FILES ****
**** IT IS A REQUIRED DOCUMENT IF YOU WOULD NEED TO FILE AN APPEAL ****

_____

FOR AGENCY USE ONLY

RIGHT TO KNOW OFFICER:

DATE RECEIVED BY THE AGENCY:

AGENCY FIVE (5) BUSINESS DAY RESPONSE DUE:

***Public bodies may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.)* Written *requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)*