

February 22, 2023

Sean Smith
Sean27493@gmail.com

RE: Advisory Opinion on Address Requirement

Dear Mr. Smith:

The Office of Open Records (“OOR”) received your request for an advisory opinion on February 10, 2023. The OOR may issue advisory opinions pursuant to Section 1310 of the Right-to-Know Law (“RTKL”), 65 P.S. § 67.1310(a)(2). Your request for an advisory opinion is respectfully **DENIED**.

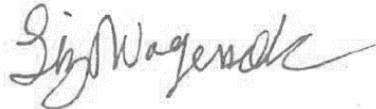
The OOR has issued several Final Determinations concerning the provision of a mailing address on a RTKL request form. Some of those Final Determinations are:

- *Smith v. West Chester Area School District*, OOR Dkt. AP 2022-1586 (finding that an email address and P.O. Box were sufficient to prove U.S. residency)
- *Volkova-Burda v. Montgomery County*, OOR Dkt. 2019-2168 (permitting an agency to require a mailing address pursuant to a RTKL policy)
- *Mollick v. Worcester Township*, OOR Dkt. 2011-0023 (finding that a RTKL request was sufficient when only an email address was listed)

Those Final Determinations, as well as others, can be found at <https://www.openrecords.pa.gov/Appeals/DocketSearch.cfm>. To the extent that a party disagrees with one of these Final Determinations, and wishes to challenge an agency’s denial of their RTKL request due to the failure to include a mailing address, they may do so in an appeal before the OOR.

This response to your Advisory Opinion request will be posted on the OOR’s website at <https://www.openrecords.pa.gov/RTKL/AdvisoryOpinions.cfm>.

Respectfully,



Liz Wagenseller
Executive Director

From: Sean Smith
To: [DC, OpenRecords](#)
Subject: [External] Advisory opinion requested
Date: Friday, February 10, 2023 12:36:16 AM

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I would like an advisory opinion regarding agencies denying a request based on no physical address being given on the request form and only an Email address given if records requested are requested to be in electronic format and Emailed.

I believe the RTK law states that an address where to send records is required, and if they are electronic records, the appropriate address is an Email address.

Also requiring a physical address seems to be a 4th amendment violation as requests are public records. Many people have reason to not have their address known. Sometimes for their personal safety, or just privacy in general.

Also, thousands of people are homeless and have no physical address. But they are still residents and citizens of the US. Some people sleep in cars for example.

I would appreciate an advisory opinion.

Thank you.