pennsylvania
OFFICE OF OPEN RECORDS

FINAL DETERMINATION

DATE ISSUED AND MAILED: July 9, 2026

IN RE: *Anna Resident of Yeadon v. Yeadon Borough*, OOR Dkt. AP 2026-2360 (Consolidated appeals of OOR Dkts. Nos. AP 2026-2360, AP 2026-2361, and AP 2026-2362)

On June 4, 2026, and June 5, 2026, Anna Resident of Yeadon ("Requester") submitted three requests ("Requests") to Yeadon Borough ("Borough") pursuant to the Right-to-Know Law ("RTKL"), 65 P.S. §§ 67.101 *et seq*. The Borough did not respond within five business days of receiving the Requests, and therefore, the Requests were deemed denied on June 11, 2026, and June 12, 2026. 65 P.S. § 67.901. On June 16, 2026, the Requester filed three appeals with the Office of Open Records ("OOR").[1] Local agencies have the burden of proving that records are exempt from access. 65 P.S. § 67.708(a)(1). Here, the Borough did not comply with the RTKL by timely responding to the Requests, nor did the Borough participate on appeal by submitting legal argument or evidence in support of withholding records.[2] Accordingly, the Borough did not meet its burden of proof under the RTKL. 65 P.S. § 67.305.

For this reason, the appeal is **granted**, and the Borough is required to provide the requested records to the Requester within thirty days, or, in the alternative, a sworn affidavit or a statement made under the penalty of perjury demonstrating that records do not exist. Failure to comply with this Final Determination may result in the imposition of court costs, attorney fees, or civil penalties by a reviewing court. Within thirty days of the mailing date of this Final Determination, either party may appeal or petition for review with the Delaware County Court of Common Pleas. 65 P.S. § 67.1302(a). All parties must be served with notice of the appeal. The OOR also shall be served notice and have an opportunity to respond according to court rules as per 65 P.S. § 67.1303. However, as the quasi-judicial tribunal adjudicating this matter, the OOR is not a proper party to any appeal and should not be named as a party.[3] All documents or communications following the issuance of this Final Determination shall be sent to oor-postfd@pa.gov. This Final Determination shall be placed on the OOR website at: http://openrecords.pa.gov.

Issued by:

/s/ *Tope L. Quadri*

APPEALS OFFICER
TOPE L. QUADRI, ESQ.

Sent via portal to: Anna Resident of Yeadon; Nafis Nichols, AORO

[1] On June 22, 2026, the OOR consolidated the appeals into Docket Number AP 2026-2360.
[2] On July 2, 2026, the OOR further extended the filing deadline to allow the Borough to submit any evidence on appeal to develop the record, and OOR administrative staff previously contacted the Borough on June 30, 2026. To date, the Borough has not submitted any evidence.
[3] *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).