



FINAL DETERMINATION

IN THE MATTER OF	:
	:
CAROLYN DORNEVIL AND	:
JAYSHACAR LLC, DBA EVA’S	:
BOUTIQUE,	:
Requester	: Docket No: AP 2026-3419
	:
v.	:
	:
PALMER TOWNSHIP,	:
Respondent	:

On August 4, 2026, Carolyn Dornevil (“Requester”) submitted a request (“Request”) to Palmer Township (“Township”) pursuant to the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.*, seeking “copies of all formal inspection files, plumbing code violations, emergency repair directives, and municipal enforcement actions issued by [P]almer [T]ownship regarding the property location at the [P]almer [M]all for the timeline of July 20, 2026 – August 4, 2026.”¹ On August 5, 2026, the Township provided an email to the Requester with attached records.

On August 19, 2026, the Requester filed an appeal with the Office of Open Records (“OOR”), arguing that the Township’s response was a partial denial because it withheld plumbing and construction permit applications for 2417 Park Avenue, Unit B15.

¹ In the email submission to the Township, the Requester also asked for “any recent code violations or plumbing permits filed for this property since the recent enforcement action.”

On August 21, 2026, the Township submitted into evidence three permits for sewer line/plumbing repairs and relocation of a unit, all of which were issued after the timeline set forth in the Request. The Township also provided an attestation from Danielle Goff, (“Goff Attestation”) Agency Open Records Officer (“AORO”), stating that all responsive records in the possession of the Township have been provided to the Requester, even those beyond the timeline of the Request.

On September 16, 2026, the Requester provided a rebuttal position statement wherein she argued that the Township failed to provide the active or historical plumbing permits, structural records, or maintenance logs specifically requested for Unit B15, and has failed to provide municipal code enforcement violations, safety logs and water/sewage main inspection reports spanning from August 1, 2024, to the present.

Based upon my review of the appeal and evidence, I make the following conclusions of law and findings of fact:

- The Requester expanded her Request on appeal. The Request itself asked for “copies of all formal inspection files, plumbing code violations, emergency repair directives, and municipal enforcement actions” as well as “any recent code violations or plumbing permits filed for this property since the recent enforcement action.” The Requester did not ask for plumbing permit applications or construction permit applications in her Request and a requester may not modify, explain or expand upon a request on appeal. *See Pa. State Police v. Office of Open Records*, 995 A.2d 515, 516 (Pa. Commw. Ct. 2010); *Staley v. Pittsburgh Water and Sewer Auth.*, OOR Dkt. AP 2010-0275, 2010 PA O.O.R.D. LEXIS 256 (“A requester may not modify the original request as the denial, if any, is premised upon the original request as written”). Therefore, the OOR’s review on appeal is confined to the

Request as written, and any modification or explanation of the Request on appeal will not be considered. *See Petka v. Pa. Dep't of Transp.*, OOR Dkt. AP 2014-1288, 2014 PA O.O.R.D. LEXIS 996.

- Under the RTKL, a sworn affidavit or statement made under the penalty of perjury may serve as sufficient evidentiary support. *See Sherry v. Radnor Twp. Sch. Dist.*, 20 A.3d 515, 520-21 (Pa. Commw. Ct. 2011); *Moore v. Office of Open Records*, 992 A.2d 907, 909 (Pa. Commw. Ct. 2010). In the absence of any evidence that the City has acted in bad faith or that the records exist, “the averments in [the Attestation] should be accepted as true.” *McGowan v. Pa. Dep't of Env'tl. Prot.*, 103 A.3d 374, 382-83 (Pa. Commw. Ct. 2014) (citing *Office of the Governor v. Scolforo*, 65 A.3d 1095, 1103 (Pa. Commw. Ct. 2013)). Based upon the evidence provided, the Township has met its burden of proving that all responsive records have been provided. *Hodges v. Pa. Dep't of Health*, 29 A.3d 1190, 1192 (Pa. Commw. Ct. 2011).

For the foregoing reasons, the appeal is **denied** and the Township is not required to take any further action. This Final Determination is binding on all parties. Within thirty days of the mailing date of this Final Determination, any party may appeal or petition for review to the Northampton 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, but 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.² All documents or communications following the issuance of this Final Determination

² *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).

shall be sent to oor-postfd@pa.gov. This Final Determination shall be placed on the website at: <http://openrecords.pa.gov>.

FINAL DETERMINATION ISSUED AND MAILED: September 22, 2026

/s/ Meryl M. Peterman

MERYL M. PETERMAN, ESQ.
APPEALS OFFICER

Sent via OOR E-file appeal portal to: Carolyn Dornevil
Danielle Goff