

FINAL DETERMINATION

DATE ISSUED AND MAILED: October 6, 2026

IN RE: *Marianne Reymer v. Hatboro Borough*, OOR Dkt. AP 2026-4021

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number, it is determined that the appeal is **DISMISSED** because:

The appeal is untimely. On August 18, 2025, Marianne Reymer (“Requester”) submitted a request (“Request”) to Hatboro Borough (“Borough”) pursuant to the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.* On August 26, 2026, the Borough issued an untimely thirty-day extension notice, as the notice was issued beyond the five-business day response period.¹ 65 P.S. § 67.901. As a result, the Request was deemed denied on August 25, 2026. *Id.* Appeals of denied Right-to-Know requests must be filed within fifteen business days of the agency’s response or deemed denial, or by September 16, 2026, in this instance. *See* 65 P.S. § 67.1101(a)(1). The appeal was filed on September 21, 2026.² As such, we are constrained to conclude that the appeal is untimely. The Requester is not prohibited from making a new request for these records and, if necessary, filing a new appeal pursuant to the requirements of 65 P.S. § 67.1101(a)(1).³

For this reason, the Borough is not required to take any further action. Within thirty days of the mailing date of this Final Determination, either party may appeal or petition for review with the Montgomery 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.⁴ 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 website at: <http://openrecords.pa.gov>.

Issued by:

/s/ Bandy L. Jarosz

BANDY L. JAROSZ, ESQ., APPEALS OFFICER

Sent via portal only to: Marianne Reymer; Rebecca W. Geiser, Esq.; Diane Hegele

¹ While the extension letter is timely dated as August 24, 2026, the extension notice was post-marked on August 26, 2026. *See* Requester appeal p. 8; *see also generally* *Brown v. Pa. Dep’t of Corr.*, No. 168 C.D. 2017, 2018 Pa. Comm. Unpub. LEXIS 64 (Pa. Commw. Ct. 2018). An unpublished opinion of the Commonwealth Court may be cited for its persuasive value. 210 Pa. Code § 69.414.

² The appeal was filed on Saturday, September 19, 2026. As a result, the appeal was received by the OOR on the next business day, September 21, 2026, in this instance.

³ The OOR notes that the Borough issued an untimely response on October 1, 2026, granting the Request and providing responsive records to the Requester. *See* Borough submission, October 1, 2026.

⁴ *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).