



October 9, 2025

Amanda Bentzel, Chief Clerk
Berks County Solicitor's Office
633 Court Street, 14th Floor
Reading, PA 19601

Re: Enhanced Electronic User Fee Request

Dear Attorney Bentzel,

The Office of Open Records (OOR) has reviewed your application submitted on May 30, 2025, in which you requested approval of a fee schedule for the provision of Delinquent Tax Set Data.

Pursuant to Section 1307(e) of the Right-to-Know Law, the fee schedule for enhanced electronic access is hereby approved.

A copy of your request and this response will be posted on the OOR website.

If you have additional questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Liz Wagenseller".

Liz Wagenseller
Executive Director

Enhanced Electronic Access Fee Request

The Right-to-Know Law ("RTKL") permits agencies to offer enhanced electronic access for records in addition to making records available to the public through other means. Pursuant to Section 1307(e) of the RTKL, the Office of Open Records ("OOR") must approve any user fees established for enhanced electronic access. After receiving approval from the OOR, an agency may charge a fee for the use of its enhanced electronic access system. Agencies seeking approval of fees for enhanced electronic access should complete this form and submit it to the OOR. [More information is available at the OOR website.](#)

Agency Information

Agency: County of Berks

Contact: Amanda Bentzel, Chief Clerk

Agency Street Address: 633 Court Street, 13th Floor

City: Reading State: PA Zip: 19601

Agency Phone: 610-478-6136, ext. 6105

Email: countyopenrecordsofficer@berkspa.gov

About the Proposed Enhanced Electronic Access Fee

Which of the following best describes the proposed user fee? Check all that apply:

- ☒ Flat rate
- ☐ Per transaction
- ☐ Subscription for a specified period of time
- ☐ Cumulative time of system access
- ☐ Other (Describe here: _____)

Amount of proposed fee: \$500.00

Please check all of the following that apply:

- ☒ The records made available through enhanced electronic access supplements and does not replace access under the RTKL.
- ☒ The enhanced electronic access fee is not intended to exclude, or effectually exclude, persons from accessing records under the RTKL.
- ☒ The agency has not established an enhanced electronic access fee with the intent of creating a profit for the agency.

Describe the records available via enhanced electronic access (attach additional pages if necessary):

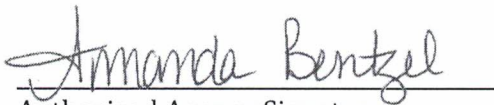
The County would like to make available to the public, the entire delinquent tax data set for a flat rate of five hundred dollars (\$500.00).

Justification for the proposed user fee (attach additional pages if necessary):

As a comparison for market conditions, Cambria County charges a five hundred fifty dollar fee (\$550.00) for the delinquent tax data set. See <https://www.cambriacountypa.gov/tax-claim/#82-85-data-request-form>. Clarion County charges a seven hundred seventy-five dollar (\$775.00) fee for the delinquent tax data set. See https://www.co.clarion.pa.us/government/departments/tax_claim/index.php. On June 17, 2019, the OOR issued an approval to Dauphin County for a five hundred dollar (\$500.00) fee for the delinquent tax data set. Additionally, on March 15, 2021, the OOR issued an approval to Monroe County for fees ranging from \$13.25 to \$498.75, depending upon the number of records requested, ranging from 1 to 10001 records. In the recent Final Determination in the matter of Josh Brown v. Berks County, OOR Dkt. 2025-0593, the OOR determined that the five hundred dollar (\$500.00) fee was appropriate. (See attached page.)

Agency Signature

I hereby make the preceding statements subject to the penalties set forth in 18 Pa. C.S. § 4904, relating to unsworn falsifications to authorities.



Authorized Agency Signature
(Signature Required)

Date: 5/29/2025

Submit completed form to:

Office of Open Records
333 Market Street, 16th Floor
Harrisburg, PA 17101-2234
Fax: (717) 425-5343
Email: openrecords@pa.gov

County of Berks, Enhanced Electronic Access Fee Request – continuation of “Justification of proposed user fee”:

The OOR approved a flat rate fee of five hundred dollars (\$500.00) for the entire delinquent tax file for Dauphin County on June 17, 2019. Berks County notes that the request that was approved for Dauphin County was also for the delinquent tax data set, and Berks County is seeking to charge the same fee. It is not clear from Dauphin County’s application what the per parcel fee would be for the five hundred dollar (\$500.00) fee. Dauphin County provided fees from sixteen counties to “compare market conditions,” including Berks County. The least expensive fee was charged by Mifflin County, which charged two hundred fifty dollars (\$250.00). The most expensive fee charged was five hundred seventy dollars (\$570.00), charged by Carbon County. Twelve of the sixteen counties listed charge five hundred dollars (\$500.00) at that time: Susquehanna, Cambria, Butler, Forest, Warren, Fulton, Clarion, Elk, Erie, Sullivan, Wyoming and Berks.

The responsive data set to the request in the recent OOR Final Determination, *Josh Brown v. Berks County*, OOR Dkt. 2025-0593, contained six thousand eight hundred thirty-two (6,832) records. Given the five hundred dollar (\$500.00) fee, this results in a fee of \$0.07 per record. Prior OOR Final Determinations have found that Section 1307(b)(4) of the RTKL permits agencies to charge similar fees per parcel. *Noto and Zillow Group, Inc. v. Luzerne County*, OOR Dkt. 2024-0697 (CAMA data sought; approving a fee of \$0.06/parcel); *Noto and Zillow Group, Inc. v. Adams County*, OOR Dkt. 2024-0696 (CAMA data sought; approving a fee of \$0.06/parcel); *Noto and Zillow Group, Inc. v. Lehigh County*, OOR Dkt. 2024-0664 (CAMA data sought; approving a fee of \$0.10/parcel); *Noto and Zillow Group, Inc. v. Mifflin County*, OOR Dkt. 2024-0663 (CAMA data sought; approving a fee of \$0.06/parcel); *Rogg and Loveland Technologies, LLC v. Susquehanna County*, OOR Dkt. AP 2023-0769 (property assessment data sought; approving a fee of \$0.10/parcel); *Moran v. Susquehanna County*, OOR Dkt. AP 2018-1983, (property assessment data sought; approving a fee of \$0.08/parcel); *Moran v. Wayne County*, OOR Dkt. AP 2018-1997 (property assessment data sought; approving a fee of \$0.07/parcel); *Black Knight Real Estate Data Solutions v. Cambria County*, OOR Dkt. AP 2016-0512 (property assessment data sought; approving a fee of \$0.05/parcel); *Campbell v. County of Bucks*, OOR Dkt. AP 2013-1201 (approving a fee of \$0.09/parcel); *Kearns v. Monroe County*, OOR Dkt. AP 2010-1185 (property assessment data sought; approving a fee of \$0.029/parcel); *Shockley v. Northumberland County*, OOR Dkt. AP 2010-0601 (approving a fee of \$0.043/parcel); *Kozloski v. Susquehanna County*, OOR Dkt. AP 2009-0976 (property assessment data sought; approving a fee of \$0.08/parcel). In cases ranging from 2009 – 2024, the OOR has found that per parcel fees of \$0.0029 to \$0.10 are reasonable market value for the responsive data. The County’s fee of \$0.07 per parcel falls within that range, and as such, is a reasonable market value for the responsive data.