



July 1, 2025

Ben Schorr

Via email: opra+request-77741-81dbb97b@requests.opramachine.com

Re: OPRA Request: C237149

Dear Mr. Schorr:

The Agency received your Open Public Records Act (OPRA) request on June 20, 2025. The seven business day deadline to respond to your request is July 1, 2025. Your request was received as follows:

“A copy of any LIHTC, construction/perm loan, or Special Needs Housing Trust Fund application submitted under the name St. Francis Woods, associated with a property in Deptford Township, Gloucester County, NJ, around February 15, 2022.

2. Any related documents including scoring sheets, staff memos, eligibility determinations, or rejection letters.

3. Any correspondence between NJHMFA and the applicant or Deptford Township regarding this submission.”

Please note the following with respect to your request:

A. Agency files are generally organized by project name and number (Agency and/or LITC). Your request specifies no NJHMFA project name or number, but based upon the information you provided it appears you are seeking records for a project known as Saint Francis Woods HMFA #7845. If this is not the project for which you are seeking records, please contact me along with any additional information you may have which might assist in identifying the correct project.

B. With respect to items 1 and 2 in your request, no document responsive to your request appears in the Agency's files.

C. With respect to your request for “any correspondence between NJHMFA and the applicant or Deptford Township regarding this submission,” this portion of your request seeks correspondence between unspecified persons and an undisclosed and indeterminate number of Agency employees who may have sent or received any such message(s) over an undefined time period. Such requests seek information, require research, ask questions and/or do not identify specific government records. If a request does not name specifically identifiable records or is overly broad, a custodian may deny the request. As such, this portion of your request is an



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invalid OPRA request and must be denied. See, MAG Entertainment, LLC v. Division of Alcoholic Beverage Control, 375 N.J. Super. 534 (App. Div. 2005), Bent v. Stafford Police Department, 381 N.J. Super. 30 (App. Div. 2005), New Jersey Builders Association v. New Jersey Council on Affordable Housing, 390 N.J. Super. 166 (App. Div. 2007), Elcavage v. West Milford Twp., GRC Complaint No. 2006-64 (May 28, 2008) and Schuler v. Borough of Bloomsbury, GRC Complaint No. 2007-151 (February 2009).

P.L. 2024, c.16 sets forth criteria for a valid OPRA request seeking communications, including e-mails, text messages, social media communications and other forms of correspondence. N.J.S.A. 47:1A-5(g). Requests for such records should include: 1) [S]pecific job title or accounts” (including “specific individuals by . . . job title and position”) 2) a specific subject matter and 3) a reasonable time period. To enable a comprehensive records search, you would need to file a new OPRA request clarifying the record parameters accordingly.

The Agency reserves the right to raise any other grounds for denial not raised in this response. Failure of the Agency to assert an exemption or privilege does not act as a waiver of any grounds for denial. Furthermore, a reviewing Court or the Government Records Council ("GRC") may deem a denial of access to be authorized on grounds other than those advanced by a custodian. See Paff v. Twp. of Plainsboro, A-2122-05T2 (App. Div. 2007), affirming, Paff v. Township of Plainsboro, GRC Complaint No. 2005-29 (March 2006). If your request for access to a government record has been denied or unfilled within the seven business day period, you have a right to challenge the decision by the Agency to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council (GRC) by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at P.O. Box 819, Trenton, NJ, 08625, by e-mail at grc@dca.state.nj.us or at their web site at www.state.nj.us/grc.

Sincerely,

Peter Yasenchak
OPRA Custodian
Division of Regulatory Affairs
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