



## NEW JERSEY GOVERNMENT RECORDS COUNCIL

### Administrative Complaint Disposition – No Records Responsive to the Request Exist

David Nash  
Complainant

GRC Complaint No. 2019-148

v.

N.J. Department of Community Affairs,  
Division of Fire Safety  
Custodial Agency

**Custodian of Record:** Andrew Kondor  
**Request Received by Custodian:** December 21, 2018  
**GRC Complaint Received:** June 19, 2019

**Complaint Disposition:** The Custodian certified that he responded to the Complainant in writing within the statutorily mandated response time indicating that no records responsive to the OPRA request exist.<sup>1</sup> Additionally, the Complainant failed to provide any evidence to contradict the Custodian's certification. Thus, this complaint shall be dismissed because the evidence of record reflects that no responsive records exist.

**Applicable OPRA Provision:** “*Government record*” or “*record*” means any paper, written or printed book, document, drawing, map, plan, photograph, microfilm, data processed or image processed document, information stored or maintained electronically or by sound-recording or in a similar device, or any copy thereof, that has been made, maintained or kept on file in the course of his or its official business . . .” N.J.S.A. 47:1A-1.1.

**This is the final administrative determination in this matter. Any further review should be pursued in the Appellate Division of the Superior Court of New Jersey within forty-five (45) days. Information about the appeals process can be obtained from the Appellate Division Clerk's Office, Hughes Justice Complex, 25 W. Market St. PO Box 006, Trenton, NJ 08625-0006.**

**Effective Date of Disposition:** September 24, 2019

Prepared By: Frank F. Caruso  
Executive Director

Date: September 17, 2019

**Distribution Date: September 25, 2019**

<sup>1</sup> The Custodian certified that the Division of Fire Safety did not respond to the fire incident referenced in the subject OPRA request.