Kenneth L. MacRitchie  
Complainant  

v.  

N.J. State Board of Professional Engineers & Land Surveyors  
Custodial Agency  

Custodian of Record: Paul R. Rodriguez  
Request Received by Custodian: N/A  
GRC Complaint Received: February 8, 2021  

Complaint Disposition: The Complainant submitted three (3) non-form letter requests to Citizen Services and Relations that did not reference OPRA. The Custodian did not respond to any of those letters. OPRA is invoked only when a requestor submits a valid OPRA request for “government records.” Thus, the requests as written are invalid under OPRA, and this complaint shall be dismissed.  

Applicable OPRA Provision: “A person who is denied access to a government record by the custodian of the record, at the option of the requestor, may . . . in lieu of filing an action in Superior Court, file a complaint with the Government Records Council established pursuant to [OPRA].” N.J.S.A. 47:1A-6.  

“This 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: February 22, 2022  

Prepared By: Frank F. Caruso  
Executive Director  

Date: February 15, 2022  
Distribution Date: February 23, 2022  

1 In Renna v. Cnty. of Union, 407 N.J. Super. 230 (App. Div. 2009), the Appellate Division held that although requestors shall continue to use public agencies’ OPRA request forms for making requests, no custodian shall withhold such records if the written request is not presented on the official form. The written request shall include the requisite information prescribed in N.J.S.A. 47:1A-5(f). Id. Therefore, requestors may submit a request not on an official form if it sufficiently invokes OPRA.