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IN REPLY REFER TO FILE NO.

June 24, 2016

Jordan Maurer  
Research Associate  
280 Summer Street, Suite 400  
Boston, Massachusetts 02210  
jmaurer@tlsgltd.com

EP-1

**Re: Freedom of Information Act Request**

Dear Jordan Maurer:

The Village of Elmwood Park is in receipt of your June 9, 2016, Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for the following records:

"Pursuant to Public Records Act, 5 Ill. Comp. Stat. 140/1 to 140/11.5, I am writing to request copies of Village of Elmwood Park's fiscal records concerning all unclaimed, undeliverable, overdue and/or outstanding funds or obligations, (i.e. deposits or obligations NOT currently held by your state's abandoned property division) in the amount of \$1,000.00 or greater, currently held in accounts managed by the Village of Elmwood Park, including any and all:

1. Called, matured, and/or currently redeemable municipal bonds or other securities issued by any Village of Elmwood Park agency, and any outstanding or uncashed dividend payments associated with these securities.
2. Amounts on deposit with the Village of Elmwood Park that are held in trust for recipients whose whereabouts are unknown, including instances in which payment was never attempted, payment was never requested, and/or instances when payments were returned as undeliverable. Such amounts may relate to (but are not limited to) tax refunds, tax overpayments, cash deposits, cash escrows, cash securities, performance bonds, sheriffs bonds, eminent domain, matured government bonds, real estate foreclosures, vendor payments, restitution

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payments, proceeds from public sales of lost property, unsuccessful electronic fund transfers, and/or lost heir accounts.

3. Checks or warrants issued by the Village of Elmwood Park for payments on obligations incurred by any Village of Elmwood Park agency, department, office, court, college or other authorized authority that have remained outstanding for a period of six months or longer; AND the payee retains the right to claim the funds. (i.e. The payment has not been replaced, was not issued in error, and/or the obligation to the payee has not been voided by law.)

Specifically, the released records should include the amount held on behalf of the payee/recipient, any available identifying information regarding the recipient of the funds, the date associated with the obligation, and information indicating either the account in which the funds are held or the nature of the payment. Additionally, if Village of Elmwood Park issued a check that was not negotiated, please provide the check number, the check date, and the address where the payment was sent, if available.

Responsive documents may include the following:

- Stale Dated/Un-cashed Checks Report/Register
- Check/Warrant Reconciliation Report/Register
- Unclaimed Checks Report
- Bond History Log
- Reimbursable Bond Report
- Performance Bond Deposit Report/List
- Active/Open Cash Deposit List
- Property tax overpayment log/ledger
- Property tax refund log/ledger[.]”

Please be advised that your FOIA request is denied because the Village of Elmwood Park maintains no records responsive to your FOIA request.

The person responsible for the decision to deny your FOIA request is the Village of Elmwood Park Freedom of Information Officer, Gina Pesko. In accordance with Section 9(a) of FOIA, you are hereby notified that you have the right to file a Request for Review regarding the decision made by the Village of Elmwood Park Freedom of Information Officer with the Public Access Counselor at the Illinois Attorney General's Office. You can file your Request for Review with the Public Access Counselor by writing to:

Sarah Pratt  
Public Access Counselor

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Office of the Attorney General  
500 South 2<sup>nd</sup> Street  
Springfield, Illinois 62706  
Fax: 217-782-1396  
E-mail: publicaccess@atg.state.il.us

If you choose to file a Request for Review with the Public Access Counselor, you must do so within 60 calendar days of the date of this letter. Please note that you must include a copy of your original FOIA request and this letter when filing a Request for Review with the Public Access Counselor.

You are also notified that you have the right to judicial review regarding the decision made by the Village of Elmwood Park Freedom of Information Officer pursuant to Section 11 of FOIA.

Sincerely,

STORINO, RAMELLO & DURKIN  
Attorneys for the Village of Elmwood Park

  
Erin C. Tinaglia