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THOMAS J. KENNON††
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October 24, 2025

Stew Lilker
Barbara Lemley

Re: Request for Access to Authority's Hospital Building

Dear Mr. Lilker and Ms. Lemley:

I have been requested to research and opine as to your recent request to enter the Authority's vacant hospital building for the purpose of photographing the interior of the building.

It is my opinion that Florida law does not require the Authority to grant you access to the vacant hospital building, and your request is denied at this time. Chapter 119, Florida Statutes relates to the inspection of public records but does not provide any authority for access to a vacant public building, which is currently vacant and not currently utilized for providing services to the public.

This denial is made in part pursuant to Section 119.071(3)(a), Florida Statutes. This Statute exempts public disclosure to the following:

"Records, information, photographs, audio and visual presentations, schematic diagrams, surveys, recommendations, or consultations or portions thereof relating directly to the physical security or fire safety of the facility or revealing security or fire safety systems."

In addition, given the length of time the hospital building has been vacant, the Authority has concerns related to the interior of the building as it relates to current building codes. These concerns for the safety of third parties cannot be cured by a waiver.

As earlier indicated, based on the above concerns and others which may be applicable upon additional research, your request for access to the Authority's vacant hospital building is denied.

Sincerely,

Thomas J. Kennon, III
For the Firm

TJK/alj
Cc: Sonja Markham
Dale Williams

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