



**STATE OF NEW JERSEY  
FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION**

In the Matter of Keith Hamilton,  
Director of Redevelopment  
(PM1594A), Newark

CSC Docket No. 2021-159

Examination Appeal

**ISSUED: SEPTEMBER 8, 2020 (RE)**

Keith Hamilton appeals the decision of the Division of Agency Services (Agency Services) which found him ineligible for the promotional examination for Director of Redevelopment (PM1594A), Newark.

The subject examination had a closing date of November 21, 2019 and was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date and who were serving in the title Assistant Director Redevelopment OR in any competitive title and who met the open competitive requirements. These requirements included possession of a Bachelor's degree from an accredited college or university, and five years of the administrative experience in the planning, development, and management of a large scale land acquisition, real estate, and community development program, which shall have included responsibility for urban planning and urban renewal activities. A Master's degree in Planning, Public Administration, or Business Administration could be substituted for one year of indicated experience. Applicants who did not possess the required education could substitute, in addition to the required experience, applicable experience on a year for year basis, with 30 semester hour credits being equal to one year of experience. One candidate appeared on the eligible list, which was certified once, but no appointments have yet been made.

The appellant indicated that he possessed a Bachelor's degree, and he listed three positions on his application; provisional Director of Redevelopment, Real Estate Manager, and Aide to Councilperson. On his resume, he listed positions as long-term

per diem Instructor, Assistant Sales Representative, and Senior Account Administrator. The appellant was credited with seven months of experience in the first position, and was found to be lacking four years, five months of applicable experience.

On appeal, the appellant states that he is a provisional in the subject title and has utilized his leadership and managerial skills to organize staff, increase property sales, increase evaluations of prospective development, and raise overall revenues. He provides a list of duties for his provisional position as well as his Real Estate Manager position

## CONCLUSION

*N.J.A.C. 4A:4-2.6(a)* provides that applicants shall meet all requirements specified in the promotional examination announcement by the closing date.

Agency Services correctly determined that the appellant was not eligible for the subject examination. The appellant was credited with seven months in his provisional position. In this case, there is no claim of out-of-title work, and the appellant's duties as a Real Estate Manager were not out-of-title. While the duties of that position were related, qualifying experience must have as its primary focus the duties and responsibilities required for the title under test. As a Real Estate Manager, the appellant was: assessing, inspecting and cataloging properties for disposition and acquisition; supervising a property inspection team; supervising rental and lease agreements; supervising maintenance of, and paying utilities for city owned properties; negotiating and drafting property acquisitions, and rental and lease agreements; supervising property disposition including sales and auctions; supervising components of real estate transactions; assisting in budgetary matters; preparing weekly reports and updating logs; coordinating projects; acting as liaison; and performing as a property management troubleshooter.

The Real Estate Manager is responsible for real estate activities involved in the acquisition, disposition, and management of municipal owned or leased properties. The appellant's duties fall squarely within this definition, therefore are not considered to be administrative experience in the planning, development, and management of a large scale land acquisition, real estate, and community development program, including urban planning and urban renewal activities. Rather this position carried out some of the objectives of a development and management plan. The appellant's remaining experience is inapplicable. As such, the appellant was appropriately found to be lacking four years, five months of required experience.

An independent review of all material presented indicates that the decision of Agency Services that the appellant did not meet the announced requirements for

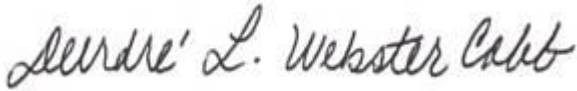
eligibility by the closing date is amply supported by the record. The appellant provides no basis to disturb this decision. Thus, the appellant has failed to support his burden of proof in this matter.

### ORDER

Therefore, it is ordered that this appeal be denied

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 2<sup>ND</sup> DAY OF SEPTEMBER 2020



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