



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF THE TREASURY
DIVISION OF PENSIONS AND BENEFITS
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SONIA RIVERA-PEREZ
Acting Director

December 5, 2025

Sent via email to: [REDACTED]

HOGAN MARREN BABBO & ROSE, LTD
Dennis M. Cariello, Esq.

[REDACTED]
[REDACTED]
[REDACTED]

RE: Renee Joyce
TPAF [REDACTED]

FINAL ADMINISTRATIVE DETERMINATION

Dear Mr. Cariello:

At its meeting on November 13, 2025 the Board of Trustees (Board) of the Teachers' Pension and Annuity Fund (TPAF) considered the letter dated July 14, 2025, that your client Renee Joyce submitted to appeal the Board's September 5, 2024 denial of her request for a retroactive retirement date, which was submitted after the regulatory period to file an appeal expired.

The Board denied reconsideration and affirmed its prior decision. Finding no genuine issue of material fact in dispute, the Board directed the Secretary to prepare Findings of Fact and Conclusions of Law as outlined below, which was approved by the Board at its December 4, 2025 meeting.

FINDINGS OF FACT

The record before the Board establishes that on September 16, 2022 Ms. Joyce completed the Member Benefits Online System (MBOS) registration and successfully logged into her membership account. The MBOS Activity Report for September 16, 2022 indicates she

accessed the MBOS Home Page, Retirement Application, and Retirement Calculator. On that same day, Ms. Joyce submitted two retirement calculations utilizing the Retirement Calculator. The next reported MBOS activity occurred on December 6, 2022, when she accessed the MBOS Home Page, Retirement Application, and Retirement Calculator, and submitted five retirement calculations utilizing the Retirement calculator.

On December 7, 2022, at 3:13:16 P.M. via her MBOS account, Ms. Joyce submitted an *Application for Retirement Allowance* for a Service retirement benefit effective January 1, 2023, under Option 1.¹ The following day, an acknowledgement letter confirming receipt of her application was sent to her at the address she provided on her application. The letter also stated that her retirement could not begin processing until she submitted her birth date evidence, and included the following language:

In accordance with NJ regulations, the documents listed above must be submitted within 90 days of your original retirement application submitted to the Division. Otherwise, your retirement may be cancelled for non-compliance. If that occurs, you will need to submit another application for a future retirement date.

On January 9, 2023, a second notice was issued to Ms. Joyce reminding her that her birth date evidence was needed to continue processing her retirement. The records further establish that Ms. Joyce scheduled a virtual interview with the Division of Pensions and Benefits (Division) on January 13, 2023 at 10:00 a.m. but failed to appear. An email was sent to her regarding her missed appointment, and the email provided instructions on rescheduling a new appointment.

¹ The MBOS Activity Report indicates that prior to her retirement application submission, Ms. Joyce accessed the MBOS Home Page; Retirement Application; Designation of Beneficiary and Retirement Calculator and submitted seven retirement calculations utilizing the Retirement calculator.

On February 8, 2023, a third and final notice regarding the birth date evidence deficiency was sent to Ms. Joyce. On April 11, 2023,² the Division sent Ms. Joyce a letter to notify her that her retirement application had been cancelled. The letter provided the following statement:

Please note that if and when you decide to retire, it will be necessary for you to file a new retirement application. The Division of Pensions and Benefits must receive your new retirement application through MBOS prior to the date of your subsequent retirement.

On June 30, 2023, at 10:51:02 P.M., Ms. Joyce submitted a second *Application for Retirement Allowance* through her MBOS account for a Service retirement effective July 1, 2023, with [REDACTED] listed as her beneficiary. On July 3, 2023, the Division issued an acknowledgment letter confirming receipt of her application. The letter also explained that her retirement application could not be processed without the requested birth date documents for herself and her beneficiary and that failure to submit the documents within 90 days would result in her application being canceled for non-compliance.

On July 26, 2023, at 8:34:06 P.M., Ms. Joyce's submitted her birth date evidence (a copy of her birth certificate) through MBOS using the Electronic Document Submission. The Division received this evidence on July 27, 2023. On August 2, 2023, a second notice requesting Ms. Joyce's beneficiary birth date evidence was sent to her. On August 4, 2023, at 10:33:24 P.M., Ms. Joyce submitted her beneficiary's birth date evidence (a copy of [REDACTED] birth certificate) through MBOS using the Electronic Document Submission. On or about August 7, 2023, the Division received said evidence.

On August 14, 2023, Ms. Joyce wrote to the Division to request that her retirement application be processed. Enclosed with her letter was another copy of [REDACTED] birth certificate (that she claims she emailed to the Division) and a copy of his New Jersey driver's

² The Board notes the Division closed Ms. Joyce's application after 120 days of non-compliance.

license. In her letter, she asserted that she applied online for retirement in June of 2022, and that from July through November 2022 she “tried countless times to get acknowledgment that her pension application was being processed...” and that she “spoke to representatives of the NJ Division of Pensions and Benefits several times.” The Board notes that the MBOS Activity Report indicates that Ms. Joyce was not registered for MBOS until September 16, 2022, and that her retirement application was not submitted on MBOS until December 7, 2022. The Board also notes that there is no record that Ms. Joyce contacted the Division via phone or email in 2022.

In response to the aforementioned request, an administrative denial letter was issued from Jayne Ehrmann (Ehrmann), Supervisor, Retirement Bureau, dated August 21, 2023, stating that pursuant to N.J.A.C. 17:2-6.1(a), “Applications for retirement must be made on forms required by the System. Such forms must be completed in all respects and filed with the Division before the requested date of retirement. A member’s retirement application becomes effective on the first of the month following receipt of application unless a future retirement date is requested.” (emphasis added). Ehrmann noted that the first retirement application was received on December 7, 2022.

On September 7, 2023, the Board approved Ms. Joyce’s application for Service retirement benefits effective July 1, 2023, under her selection of Option D.

On June 28, 2024, Ms. Joyce sent a letter to a former Chief of the Division requesting that she receive retroactive retirement benefits. In her letter, she claimed that starting in June 2022 and for several months thereafter she tried to get to the Division; she had problems with MBOS; she spoke to several Division staff; and was denied her pension “initially for no reason...” She further claimed that when she finally started to receive her retirement benefits, she was not paid for the first 13-plus months that she should have been receiving checks. Ms. Joyce sent a copy of the letter to all of the Trustees for the Public Employees Retirement System (PERS); the PERS Board Secretary and Assistant Secretary; the Deputy Attorney General counseling the PERS

Board; Honorable Senator Anthony M. Bucco; Honorable Assemblyman Christian E. Barranco; Honorable Assemblywoman Aura K. Dunn and Honorable United States Congresswoman Mikie Sherrill. The Board notes that all of the letters that Ms. Joyce sent to the Division were returned to sender as Ms. Joyce listed the physical address of the Division and did not provide the proper mailing address.

After receiving the proper mailing address, Ms. Joyce sent another appeal letter to the PERS Board Secretary who forwarded the letter to the TPAF Board Secretary. Thereafter, Ms. Joyce was notified via email on August 2, 2024 that her appeal would be scheduled for consideration at the September 5, 2024, TPAF Board meeting. The PERS Board Secretary and Assistant Board Secretary as well as the Division's Director's Office was copied on the notification to Ms. Joyce.

Pursuant to N.J.A.C. 17:3-6.1, to obtain a retirement date of July 1, 2022, Ms. Joyce would had to have filed a retirement application with the Division prior to that date. This did not occur. Therefore, at its meeting on September 5, 2024 the Board affirmed the Division's decision and denied her request for a retroactive retirement date.³ The Board determination letter was issued to Ms. Joyce via email and mail on September 6, 2024, a second copy of the letter was issued via mail on October 2, 2024.

After over 12 months after the Board's September 6, 2024 decision became final, at the request of the Division's Director's Office, the TPAF Board Secretary accepted an appeal letter and attachments that Ms. Joyce had sent to the Office of Assemblywoman Aura K. Dunn on July 14, 2025. In accepting her untimely and incorrectly addressed appeal, the Board noted that Ms. Joyce had not actually filed an official appeal of the of the Board's September 6, 2024 determination letter to the TPAF Board Secretary.

³ Ms. Joyce did not attend the September 5, 2024, meeting.

On November 11, 2025, you informed the Board via email that you represent Ms. Joyce in this matter.

CONCLUSIONS OF LAW

The issue before the Board is whether Ms. Joyce is eligible to receive a retroactive retirement date. N.J.A.C. 17:3-6.1, which states in pertinent part:

- (a) Applications for retirement must be made over the Internet, using the online forms required by the Fund through a member's secure account established through the Member Benefits Online System (MBOS). Such forms must be completed in all respects and filed with the Division on or before the requested date of retirement. Applications for retirement can be filed no more than one year in advance, except that a member whose TPAF-eligible employment has ended may file for deferred retirement at any time after the employment has ended...
- (b) Except for a disability retirement application, in the event a member files an incomplete application, all deficiencies shall be brought to the member's attention and the member shall be required to provide the additional information within 90 days from the date of notice of the deficiency to enable processing. If there is no response within the 90-day time frame, the application will expire and the member will be required to refile, pursuant to the requirements set forth in (a) above. This subsection shall not apply to information required to be provided by the employer.

[Ibid. (emphasis added).]

Here, Ms. Joyce did not file a retirement application on MBOS prior to her requested retirement date of July 1, 2022. A review of the MBOS Activity Report reflects that Ms. Joyce did not register with MBOS until September 16, 2022, therefore no application could have been filed prior to that date. System logs further establish that no retirement application was submitted until December 7, 2022, when the first completed application was received and timestamped by the system. There is no evidence of any registration activity before this date. This application was

closed 120 days later due to non-compliance based on the 90-day regulatory timeframe established by N.J.A.C. 17:3-6.1(b).

There is also no evidence in the record to support Ms. Joyce's claim that she spoke with several Division staff in 2022, nor is there any evidence that she contacted the Division to obtain assistance with submitting her retirement application through MBOS. The record reflects that Ms. Joyce made an appointment for a virtual interview with the Division on January 13, 2023, but she did not appear to the appointment.

Ms. Joyce submitted a second retirement application on June 30, 2023, at 10:51:02 P.M., this application was successfully completed and approved by the Board on September 7, 2023, as Ms. Joyce submitted the required birth date evidence for her and her beneficiary.

With respect to Ms. Joyce's untimely appeal, the Board's September 6, 2024 letter informed her that she required to file an appeal of the Board's decision within 45 days of the date she received the Board's determination letter. Specifically, the letter advised:

If you disagree with the determination of the Board, you may appeal by submitting a written statement to the Board within 45 days after the date of written notice of the determination. The statement shall set forth in detail the reasons for your disagreement with the Board's determination and shall include any relevant documentation supporting your claim. If no such written statement is received within the 45-day period, the determination by the Board shall be final.

[(emphasis added).]

Based upon the Board's determination letter and N.J.A.C. 17:3-1.7(a), Ms. Joyce had until October 21, 2024 to submit a written statement appealing the Board's determination. However, the record reflects that to date she has not filed an appeal to the Board. At the request of the Director's Office, the appeal letter dated July 14, 2025 that was addressed to Assemblywoman Aura K. Dunn was presented to the Board to consider. By operation of law, the determination of the Board on

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Re: Renee Joyce
December 5, 2025
Page 8

September 6, 2024 was the final administrative action in this matter. Nevertheless, at its November 13, 2025, the Board considered her untimely appeal and affirmed its prior determination.

The Board finds that the regulatory requirements are clear and unambiguous. Because there were no disputes of material fact, the Board was able to reach its Findings of Fact and Conclusions of Law in this matter without the need for an administrative hearing. Accordingly, this correspondence constitutes the Final Administrative Determination of the Board of Trustees of the Teachers' Pension and Annuity Fund.

You have the right, if you wish, to appeal this final administrative determination to the Superior Court of New Jersey, Appellate Division, within 45 days of the date of this letter, in accordance with the Rules Governing the Courts of the State of New Jersey. All appeals should be directed to:

Superior Court of New Jersey
Appellate Division
Attn: Court Clerk
PO Box 006
Trenton, NJ 08625

Sincerely,

A handwritten signature in blue ink, appearing to read "Saretta Dudley", is placed over a light gray rectangular background.

Saretta Dudley, Secretary
Board of Trustees
Teachers' Pension and Annuity Fund

G-3/SD

c: J. Ehrmann (ET); K. Ozol (ET)
DAG Alison Keating (ET)

Renee Joyce (**Sent via email and regular mail**)