

**COMMONWEALTH OF MASSACHUSETTS**

**Middlesex, ss.**

**Division of Administrative Law Appeals**

**John Coughlin,**  
Petitioner

Docket No. CR-26-0038

v.

**Quincy Retirement Board,**  
Respondent

**ORDER OF DISMISSAL**

Petitioner John Coughlin appealed the decision by the Quincy Retirement Board (QRB) regarding his purchase of non-membership service. Section 3(8)(b) of Chapter 32 of the Massachusetts General Laws requires members who did not purchase service within one year of April 2, 2021, to pay “actuarial interest,” rather than “buyback interest,” if they wish to purchase prior creditable service:

Notwithstanding any provision of this chapter to the contrary, a member who is reinstated to, or re-enters the active service of, a governmental unit, or who is eligible to receive credit for other service under this section, and who does not, (i) pay into the annuity savings fund of the system make-up payments of an amount equal to the accumulated regular deductions withdrawn by the member, together with buyback interest; or (ii) make provision for the repayment in installments, upon such terms and conditions as the board may prescribe, to pay into the annuity savings fund of the system make-up payments of an amount equal to the accumulated regular deductions withdrawn by the member, together with buyback interest, within 1 year from the date of reinstatement or re-entry or within 1 year after April 2, 2012, whichever is later, shall pay actuarial assumed interest instead of buyback interest on all make-up payments to be entitled to creditable service resulting from the previous employment.

The QRB states that Mr. Coughlin did not purchase the non-membership service within one year of April 2, 2012. Therefore, the QRB concluded that Section 3(8)(b) required him to pay

“actuarial assumed interest instead of buyback interest” if he wanted to purchase the two years, three months credit.

In his appeal, Mr. Coughlin wrote that the QRB “has a fiduciary obligation to but did not make the members aware of the change (Memo #23),” referring to the Public Employee Retirement Administration Commission’s 2012 memorandum. That memorandum encouraged, but did not require, retirement boards to contact members to make them aware of the changes to the retirement law. However, Mr. Coughlin asserted that the QRB’s failure to make members aware of the change in the law should result in the recalculation of his buyback amount.

On March 10, 2026, I issued an Order to Show Cause asking Mr. Coughlin to respond by April 3, 2026, as to the legal basis for his assertion that the QRB had a fiduciary obligation to make members aware of the change in the law and as to whether the QRB could act contrary to the requirements of Section 3(8)(b). In that Order, I indicated that I may dismiss the matter if he failed to provide a sufficient response. He did not respond by the deadline.

Accordingly, I hereby dismiss the Petitioner’s appeal for failure to prosecute his claim. 801 CMR 1.01(7)(g)(2).

Dated: April 10, 2026

/s/ Judi Goldberg  
Judi Goldberg  
Administrative Magistrate  
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