

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Division of Administrative Law Appeals

Bryan Hollister,
Petitioner,

Docket No.: CR-26-0235

Dated: September 18, 2026

v.

Massachusetts Teachers' Retirement System,
Respondent.

ORDER GRANTING SUMMARY DECISION

Petitioner Bryan Hollister appeals from a decision of the Massachusetts Teachers' Retirement System (board) excluding him from the benefits program known as Retirement Plus. See G.L. c. 32, § 5(4). The board has filed a motion for summary decision, which Hollister has not opposed. See generally 801 C.M.R. § 1.01(7)(h); *Caitlin v. Board of Reg. of Architects*, 414 Mass. 1, 5-7 (1992).

It is beyond genuine dispute that Hollister missed his statutory deadline to enroll in Retirement Plus in mid-2001. See St. 2000, c. 114, § 2. The rule in all or nearly all cases is that “the deadline for filing an election to [Retirement Plus] cannot be enlarged.” *Gabrielian v. Massachusetts Tchrs.' Ret. Syst.*, No. CR-23-64, 2025 WL 2322617, at *3-4 (Contributory Ret. App. Bd. June 23, 2025). The arguable exception concerns individuals who were “inactive member[s]” of their retirement systems during their election periods and also received no “notice” about their deadlines. *Davey v. Massachusetts Tchrs.' Retirement System*, No. CR-01-914 (Contributory Ret. App. Bd. Jan. 31, 2003). See *DeCilio v. Massachusetts Tchrs.' Ret. Syst.*, No. CR-25-164, 2026 WL 1256778, at *3 & n.2 (Div. Admin. Law App. May 1, 2026). Hollister does not claim to have been inactive during his election period. As for “notice,” the

board's exhibits together with Hollister's notice of appeal establish beyond genuine dispute that the board notified Hollister in real time about Retirement Plus's impending entry into effect. *See generally Benson v. Massachusetts Gen. Hosp.*, 49 Mass. App. Ct. 530, 533 n.3 (2000). No authority suggests that more exhaustive information about "the long-term impact that the election would have on retirement benefits," which Hollister does not recall receiving, was required. *See Roldan-Flores v. Massachusetts Tchrs.' Ret. Syst.*, No. CR-18-311, 2020 WL 14009727, at *1 (Contributory Ret. App. Bd. Dec. 10, 2020). *See generally City of W. Covina v. Perkins*, 525 U.S. 234, 241 (1999).

In view of the foregoing, it is ORDERED that the board's motion for summary decision is ALLOWED. Summary decision is hereby entered to the effect that the board's decision is AFFIRMED.

/s/ Yakov Malkiel
Yakov Malkiel
Administrative Magistrate
Division of Administrative Law Appeals