

**COMMONWEALTH OF MASSACHUSETTS  
DIVISION OF ADMINISTRATIVE LAW APPEALS**

Middlesex, ss.

Felice Kleya,  
Petitioner,

Docket No.: CR-25-0277

v.

Date: August 29, 2025

Massachusetts Teachers' Retirement System,  
Respondent.

**ORDER OF DISMISSAL**

The Petitioner appeals the Massachusetts Teachers' Retirement System's (MTRS) denial of her request to reopen her application to purchase prior part-time work. I issued an order to show cause, to which the Petitioner responded. Based on her response, I issued a scheduling order asking the parties to provide more information. Both parties responded.

Based on the responses, the following is not in dispute. The Petitioner applied to purchase her prior service while an active member. On August 26, 2019, MTRS sent the Petitioner a letter informing her of the steps she needed to take to complete that purchase. The Petitioner never followed through because, as she explains, on October 8, 2019, she "sustained a severe and debilitating injury." Instead, in May 2024, she retired. Thereafter, in 2025, she asked MTRS to reissue the prior invoice.

I do not doubt the Petitioner's sincerity and I sympathize with the issues that ultimately led to her retirement and inability to complete her purchase. However, she was required to pay for this service while a member because only "active members" may purchase prior creditable service. *Zavaglia v. Gloucester Retirement Bd.*, CR-09-459, \*5 (Contributory Ret. App. Bd. July 3, 2014). She is not an active member now and was not one when she asked MTRS to reissue her invoice.

She also notes that she only received one notice regarding her payment options and there was never a follow-up to confirm her options. Then, she says, her rush to retire superseded other concerns. Certainly, more communication may have better served her. But that alone is not enough to grant her relief. “Administrative agencies have no authority to override such barriers based on sympathy or fairness.” *Mattei v. State Bd. of Ret.*, CR-23-0428, 2024 WL 4345194 (Div. Admin. Law App. Sep. 13, 2024), *citing Massachusetts Water Res. Auth. Emps. Ret. Syst. v. Public Emp. Ret. Admin. Comm’n*, No. CR-19-320, 2024 WL 2956654, at \*2 (Contributory Ret. App. Bd. June 3, 2024).

Accordingly, the matter is **dismissed** for failure to state a claim. 801 Code of Mass. Regs. § 1.01(7)(g)(3).

*Eric Tennen*

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Eric Tennen, Magistrate  
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