

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Division of Administrative Law Appeals

Kim Sheers,
Petitioner

v.

Docket No. CR-26-0384

State Board of Retirement,
Respondent

DISMISSAL

This matter concerns the termination of retirement benefits due to Kim Sheers because she failed to file a 2025 annual statement of earned income with PERAC, as she was required to do under G.L. c. 32, § 91A. PERAC notified the State Board of Retirement that Ms. Sheers had not complied with this requirement.

On August 5, 2026, as required by G.L. c. 32, § 91A, the Board notified Ms. Sheers that it would terminate her retirement benefits, beginning with her September 2026 monthly allowance, if she did not respond.

Ms. Sheers filed an appeal of the Board's decision with DALA. On October 1, 2026, based on representations from Ms. Sheers in her appeal letter, I ordered the Board and PERAC to review their records to see if Ms. Sheers was in compliance. PERAC reported that she was in compliance and the Board reported that her September allowance had not been forfeited.

As the single issue in the appeal is whether Ms. Sheers has filed the required annual statement of earned income with PERAC and she has now complied with that requirement before she has suffered any loss of her retirement allowance, the appeal is now moot.

Accordingly, the Petitioner's appeal is DISMISSED.

Dated: October 2, 2026

/s/ Kenneth J. Forton

Kenneth J. Forton
First Administrative Magistrate

Notice sent to: Kim Sheers
Allison Eggers, Esq.