

B-13



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Kristepher Trumper,
Entry Level Law Enforcement
Examination (S9999U)

CSC Docket No. 2017-1682

Examination Appeal

ISSUED: **MAR 22 2017** (JH)

Kristepher Trumper requests that he be permitted to amend his residency on his application after the closing date for the Entry Level Law Enforcement Examination (S9999U).

By way of background, the subject examination was announced with a closing date of August 31, 2016 and all applications had to have been received by that date. A review of the record indicates that on July 30, 2016, the appellant filed an application on which he listed a Wharton address but indicated a Rockaway Township residency code (1435).¹

In an appeal filed on November 3, 2016, Mr. Trumper explains that he “recently purchased a home in Jefferson Township, New Jersey and my residency has changed. I have been in the process of purchasing my home since this past August. My previous address was . . . [in] Wharton, New Jersey . . . I would like to have my address and residency changed to my current address . . . [in] Oak Ridge . . . which is located in Jefferson Township . . .” In support of his request, Mr. Trumper provides additional documentation including: a copy of a mortgage commitment dated September 27, 2016; a copy of a First Payment Letter dated October 28, 2016; a copy of Department of Veterans Affairs Form 26-1820 dated October 28, 2016; and a copy of the deed for the Oak Ridge address. Mr. Trumper

¹ Mr. Trumper does not offer any explanation as to why he selected the residency code for Rockaway Township. However, it is noted that the residency code for Wharton is 1439.

also provides a letter from Anthony M. Cortese, Sales Representative, Weichert Realtors, in which Mr. Cortese indicates that he met Mr. Trumper in August 2016 at the Oak Ridge address for an open house and “we met again for a private viewing a few days later. Then we wrote up an offer and submitted it to the sellers at the end of August. There was still some negotiation being done, we went to Attorney Review on September 2nd and Under Contract on September 9th of 2016. We closed on October 28th 2016.”

CONCLUSION

N.J.A.C. 4A:4-2.1(f) permits an applicant to amend a previously submitted application prior to the filing closing date. As indicated previously, the announcement clearly indicated that the closing date was August 31, 2016. In this regard, the 2016 Entry-Level Law Enforcement Examination (LEE) Administration Guide, in answer to the question, “Does changing my address after the Closing Date affect my eligibility for appointment?,” “Since eligibility needs to be established as of the closing date of the announcement, your residency code cannot be changed after the closing date, even if you change your residence address or mailing address.”²

It is noted that each jurisdiction has its own residency requirement, which must be met by the closing date. The Civil Service Commission does not have authority over the establishment of this requirement. Some jurisdictions only require candidates to be residents as of the closing date, while others also require that residency be maintained up to the date of appointment. See *N.J.A.C. 4A:4-2.11(c)*. Furthermore, *N.J.A.C. 4A:4-2.11(c)* provides that where residency requirements have been established in local service in addition to the New Jersey State residency requirement, residence with regard to local service requirements means a single legal residence. The following standards shall be used in determining legal residence:

1. Whether the locations in question are owned or rented;
2. Whether time actually spent in the claimed residence exceeds that of other locations;
3. Whether the relationship among those persons living in the claimed residence is closer than those with whom the individual lives elsewhere. If an individual claims a parent’s residence because of separation from his or her spouse or domestic partner, a court order or other evidence of separation may be requested;

² This information is also available on the Commission’s website on the Entry Level Law Enforcement FAQ page, <http://www.state.nj.us/csc/authorities/faq/safety/lee.html>.

4. Whether, if the residence requirement of the anticipated or actual appointment was eliminated, the individual would be likely to remain in the claimed residence;
5. Whether the residence recorded on a driver's license, motor vehicle registration, or voter registration card and other documents is the same as the claimed legal residence. Post office box numbers shall not be acceptable; and
6. Whether the school district attended by child(ren) living with the individual is the same as the claimed residence.

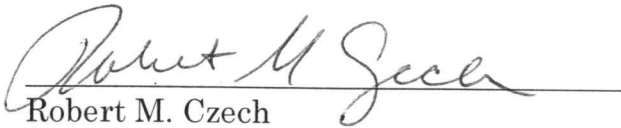
In the present matter, while the appellant indicates that he initiated the process to purchase a home in Oak Ridge in August 2016, he has not provided any documentation showing that he lived at the Oak Ridge address prior to the closing date. Thus, the appellant has not established that he resided in Oak Ridge as of the August 31, 2016 closing date.

ORDER

Therefore, it is ordered that this appeal be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION
THE 22ND DAY OF MARCH, 2017



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