



STATE OF NEW JERSEY

In the Matter of Ruben Canchari,
Entry Level Law Enforcement
Examination (S9999A), Statewide

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

CSC Docket No. 2020-986

Examination Appeal

ISSUED: January 30, 2020 (JH)

Ruben Canchari requests that he be permitted to amend his residency on his application after the closing date for the Entry Level Law Enforcement Examination (S9999A).

By way of background, the announcement for the subject examination was issued on July 1, 2019 with closing date of August 31, 2019. A review of the record indicates that on August 31, 2019, the appellant filed an application on which he listed a Paterson address and indicated a Paterson residency code. It is noted that the appellant was scheduled to take the subject test on December 14, 2019.

In a notarized statement filed on October 3, 2019, Canchari maintains that “when I was signing up for the exam[, m]y old address was already there showing in the system since I already had a [u]sername and password . . .” He explains that while trying to enter his new address in Newark, “the page kept loading and loading and then went blank.” He indicates that he “hit submit by accident and thought maybe I could fix it later on. I tried to call civil service several times but it was the weekend and I couldn’t do anything.” He notes that he is “currently a correctional [police] officer . . . and we are not allowed to use our phone inside the prison, I had to go in for work without being able to fix the issue.” In support of his appeal, he submits additional documentation including a letter notarized on September 13, 2019 from William Orlando Gutama Gutama in which Gutama Gutama indicates that beginning on August 1, 2019, Canchari has been renting a room in Newark; a copy of Gutama Gutama’s passport; a copy of an envelope addressed to Gutama Gutama from the City of Newark; a copy of Canchari’s driver’s license issued on

October 3, 2019 indicating a Newark address; handwritten receipts dated August 1, 2019 and September 1, 2019 “for rent” from “Ruben Canchari,” and a Customer Detail sheet, undated, on which Canchari’s name appears and is hand stamped, “PNC Bank, N.A.,” indicating a Newark address.

CONCLUSION

N.J.A.C. 4A:4-2.1(e) provides, in part, that applications for open competitive examinations shall be filed no later than 4:00 p.m. on the announced filing date. *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 noted previously, the announcement indicated that the closing date was August 31, 2019.

It is noted that the announcement clearly indicated that customer care and technical support “are available during regular business hours, 8:00 a.m. to 4:00 p.m. EST, **Monday – Friday**, excluding holidays and emergency closings” (emphasis added). In this regard, August 31, 2019 was a Saturday and thus, customer care and technical support were not available. Moreover, as noted above, the filing period for the subject test began on July 1, 2019. Canchari does not provide any information or documentation as to why he was unable to file an application prior to the closing date as applicants had two months in which to file, from July 1, 2019 through August 31, 2019.

It is also 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;

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 provides a notarized statement that he was renting a room in Newark beginning on August 1, 2019, he has not provided any documentation showing that this was his legal residence prior to the closing date. In this regard, as noted above, the copy of the driver's license indicating the Newark address was issued on October 3, 2019.¹ In addition, he has not provided any other documentation indicating the Newark address as of the closing date, *e.g.*, credit card bill, cell phone bill, voter registration or bank statement. Thus, the appellant has not established that the Newark address was his legal residence as of the August 31, 2019 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.

¹ *N.J.S.A.* 39:3-36a provides, in pertinent part:

A licensed operator shall notify the chief administrator of any change in residence **within one week** after the change is made. Notice shall be in such form and shall contain such information as the chief administrator may require. Upon notification, and payment of a fee of \$5 for the license in addition to the digitized picture fee, the chief administrator shall provide the licensed operator with a new license (emphasis added).

See also N.J.S.A. 13:21-8.24.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 29TH DAY OF JANUARY, 2020

Deirdre' L. Webster Cobb

Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

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