

**BEFORE THE ALASKA OFFICE OF ADMINISTRATIVE HEARINGS ON REFERRAL
BY THE COMMISSIONER OF REVENUE**

In the Matter of	)	
	)	
B.D	)	OAH No. 25-3505-PFD
	)	
2025 Permanent Fund Dividend	)	

DECISION

I. Introduction

B.D applied for a 2025 Permanent Fund Dividend (PFD). The Permanent Fund Dividend Division (Division) denied her application on the grounds that, during the 2024 qualifying year, she took multiple unallowable actions inconsistent with Alaska residency. Specifically, the Division determined that Ms. D moved from Alaska, registered to vote in another state, voted in a local or state election in that state, and obtained public benefits requiring a claim of residency in a state other than Alaska.

A hearing was conducted in this matter on February 5, 2026. After consideration of the record and the evidence presented, the Division’s decision is upheld. Ms. D was not eligible for a 2025 PFD because she took unallowable actions during the 2024 qualifying year. Accordingly, the Division’s denial is AFFIRMED.

II. Facts

On January 7, 2025, Ms. D filed a 2025 Adult Web PFD Application. In that application, she certified with an electronic signature that her address was in California; that she had left Alaska in August of 2024 for “Life-Threatening Care” purposes; that she had registered to vote in California; she had voted in a local or state election in California; and that she obtained public benefits in California based on a claim of residency in that state.¹ On January 13, 2025, Ms. D contacted the Division and clarified that she did not leave Alaska to receive Life-Threatening Care. Instead, she stated that she moved because she believed she needed to leave the state “for survival” and described herself as a political pawn.²

¹ Div. Ex. 1.

² Testimony of Delilah Bernaldo; *see also* testimony of B.D.

The Division subsequently denied Ms. D's application on the grounds that, during the 2024 qualifying year, she moved from Alaska for an unallowable purpose, maintained her principal residence outside of Alaska, registered to vote and voted in another state, and obtained public benefits requiring a claim of residency outside of Alaska. The Division determined that these actions were inconsistent with an intent to remain in Alaska indefinitely.³

Ms. D timely requested an informal appeal and listed a California address in her appeal filing.⁴ In her appeal, she asserted that she voted in a presidential election because she failed to vote in 2016 and was thereafter targeted, including by individuals she described as stalkers, which she contended required her to leave Alaska indefinitely.⁵ The Division upheld its initial decision at the informal appeal level, again concluding that she was not eligible because she lacked the requisite intent to remain in Alaska indefinitely and to make a home in the state at all times during the qualifying year through her date of application.⁶ The Division further concluded that she was ineligible because she knew she would be moving from Alaska at a specific time and to a specific destination for a reason not allowable under AS 43.23.008(a). The Division found that Ms. D had left Alaska in August 2024, and was still absent on January 7, 2025, the date of her application.⁷

Ms. D requested a formal hearing before the Office of Administrative Hearings (OAH). The hearing was held on February 5, 2026. Ms. D appeared telephonically, represented herself, and testified on her own behalf. She testified that she moved from Alaska in August 2024, that she had no specific date upon which she planned to return, and that upon moving to California she established a principal residence.⁸ She also confirmed that she obtained public benefits in California that were only available to her as a resident of the state.⁹

³ Div. Ex. 2.

⁴ Div. Ex. 3.

⁵ *Id.* See also, testimony of B.D.

⁶ Div. Ex. 4.

⁷ *Id.*

⁸ Testimony of B.D.

⁹ *Id.*

The Division was represented by Delilah Bernaldo, PFD Specialist I, who also testified on its behalf. Division exhibits 1-5 were admitted into evidence. The record closed at the conclusion of the hearing.

III. Discussion

In a formal hearing regarding a PFD, the individual challenging the Division's decision bears the burden of proving that the action is incorrect.¹⁰ The qualifying year for the 2025 PFD is 2024.¹¹ To be eligible, Ms. D must establish that she was an Alaska resident for the entirety of the qualifying year and through the date of her application.¹²

Under Alaska law, a resident is a person who is physically present in the state with the intent to remain indefinitely, or who, having previously established residency, is absent but intends to return to the state to remain indefinitely.¹³ Thus, Ms. D must demonstrate that she maintained the intent to remain in Alaska indefinitely during all of 2024 and through January 7, 2025, the date of her application.¹⁴ On the facts presented, she has not met that burden.

It is undisputed that Ms. D moved from Alaska in August of 2024. She testified that she had no specific date upon which she intended to return to Alaska. Upon relocating, she established and maintained a principal residence in California. Maintaining a principal residence outside Alaska during the qualifying year is inconsistent with continued Alaska residency.¹⁵

Ms. D also registered to vote and voted in California during the qualifying year. Under Alaska law, registering to vote or voting in another state constitutes an unallowable act because it is inconsistent with maintaining Alaska residency.¹⁶ Likewise, Ms. D obtained public benefits in California that were available only to residents of that state. Obtaining benefits predicated on a claim of residency in another state is similarly inconsistent with an intent to remain an Alaskan resident.¹⁷

¹⁰ 15 AAC 05.030(h).

¹¹ AS 43.23.295(6),

¹² AS 43.23.005(a)(2)&(3).

¹³ AS 43.23.295(7).

¹⁴ AS 43.23.005(a)(2)&(3).

¹⁵ 15 AAC 23.143(d)(1).

¹⁶ 15 AAC 23.143(d)(12)&(13).

¹⁷ 15 AAC 23.143(d)(17).

Ms. D explained that she left Alaska because she believed she needed to do so “for survival” and because she was being stalked. Even accepting her testimony as sincere, the controlling issue is not her stated reason for leaving, but whether her actions demonstrate a continuing intent to remain in Alaska indefinitely. The objective evidence in the record demonstrates the opposite.

Because her actions during the qualifying year and through the date of application were inconsistent with maintaining Alaska residency, Ms. D has not met her burden of proving the Division’s denial was incorrect.

IV. Conclusion

Ms. D moved from Alaska during the qualifying year, established and maintained a principal residence outside the state, registered and voted in another state, obtained public benefits requiring a claim of residency outside Alaska, and remained absent through the date of her application without a demonstrated intent to return and remain indefinitely. She therefore failed to meet her burden of proving the Division’s denial was incorrect. The Division’s denial of Ms. D’s 2025 PFD application is AFFIRMED.

Dated: February 25, 2026

Signed

Beth Goldstein
Administrative Law Judge

Adoption

This Order is issued under the authority of AS 43.05.010 and AS 44.17.010. The undersigned, on behalf of the Commissioner of Revenue and in accordance with AS 44.64.060, adopts this Decision as the final administrative determination in this matter.

Judicial review of this decision may be obtained by filing an appeal in the Alaska Superior Court in accordance with Alaska R. App. P. 602(a)(2) within 30 days after the date of this decision.

DATED this 25th day of March, 2026.

By: Signed
Janelle L. Earls
Acting Commissioner

[This document has been modified to conform to the technical standards for publication. Names may have been changed to protect privacy.]