



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

TRENTON, NJ 08625-0716

SARAH ADELMAN
Commissioner

TAHESHA L. WAY
Lt. Governor

NATASHA JOHNSON
Assistant Commissioner

The following Decision is distributed for your information. This Decision has been made in consideration of the specific facts of this case. This Decision is not to be interpreted as establishing any new mandatory policy or procedure otherwise officially promulgated.

STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 12098-24 A.M.

AGENCY DKT. NO. C038101015 (OCEAN COUNTY BOARD OF SOC. SVCS.)

Petitioner appealed from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner's application for EA benefits because he refused to accept the most appropriate form of housing placement. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 6, 2024, the Honorable Sarah H. Surgent, Administrative Law Judge ("ALJ"), commenced a telephonic plenary hearing. Petitioner was agitated and disruptive during the hearing. See Initial Decision at 2. When Petitioner disconnected from the proceeding, he was given the opportunity to call back in, which he did. Ibid. Petitioner was given the opportunity to utilize a land line from the Agency's offices, which he also did, in the presence of the Agency's representative. Ibid. During the presentation of the Agency's case, Petitioner declared that he was "done" with the proceeding, he disconnected from the call and then left the Agency's offices. Ibid. As a result, the ALJ found that Petitioner had abandoned his fair hearing. Ibid. On September 9, 2024, the ALJ issued an Initial Decision, finding that Petitioner had abandoned his appeal, and dismissed the case.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, finding that Petitioner abandoned his appeal in this matter, and as such, the Agency's denial of EA benefits to Petitioner remains in force as issued. Furthermore, I find that, due to Petitioner's abandonment of his fair hearing, he is barred from seeking another fair hearing on this issue and Petitioner's appeal is therefore dismissed with prejudice.

Accordingly, the Initial Decision is hereby ADOPTED, and Petitioner's appeal is hereby dismissed with prejudice.

Officially approved final version. September 25, 2024

Natasha Johnson
Assistant Commissioner

