



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 **01229-24 C.M.**

AGENCY DKT. NO. **C141745015 (OCEAN COUNTY BOARD OF SOC. SVCS.)**

Petitioner appealed from the Respondent Agency's denial of Emergency Assistance ("EA") benefits in the form of a security deposit. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A telephonic plenary hearing was initially scheduled for March 1, 2024. See Initial Decision at 1-2. On the morning of the hearing, Petitioner requested an adjournment due to a medical issue, and the matter was rescheduled for April 11, 2024. *Id.* at 2. On the rescheduled date, Petitioner again requested an adjournment, also due to a medical issue on the morning of the hearing. *Ibid.* The matter was then set down for a peremptory hearing on May 7, 2024, with the parties being advised that no further adjournment requests would be entertained. *Ibid.* On May 7, 2024, the Honorable Jacob S. Gertsman, Administrative Law Judge ("ALJ"), convened the matter, and during the pre-hearing conference, Petitioner became upset, hung up and did not call back in to the proceeding. *Ibid.* As a result, the ALJ declared that Petitioner had abandoned the fair hearing, and the telephonic proceeding was ended. *Ibid.* On May 8, 2024, the ALJ issued an Initial Decision, finding that Petitioner had abandoned her 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 her 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 her fair hearing, she 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. May 23, 2024

Natasha Johnson
Assistant Commissioner

