



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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SARAH ADELMAN
Commissioner

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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 **15750-24 L.S.**

AGENCY DKT. NO. **C207254020 (UNION COUNTY DIVISION OF SOC. SVCS.)**

Petitioner appealed from the Respondent Agency's termination of Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 13, 2024, the Honorable Andrea Perry-Villani, Administrative Law Judge ("ALJ") convened the telephonic plenary hearing. Ibid. Prior to commencing the actual hearing, during a pre-hearing conference, Petitioner hung up the telephone. Ibid. The ALJ remained on the line, waiting ten minutes to see if Petitioner called back in to the hearing, which she did not. Ibid. Thereafter, the ALJ went on the record with the Agency's representatives who had appeared for the hearing to memorialize what had occurred. Ibid. Based on the foregoing, the ALJ concluded that Petitioner had abandoned her request for a fair hearing when she hung up the telephone and did not call back to participate in the proceedings. Ibid. On November 14, 2024, the ALJ issued an Initial Decision, finding that Petitioner had abandoned her appeal, and thus affirming the Agency's determinations in this matter.

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 termination of EA benefits, and imposition of a six-month EA ineligibility penalty, 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. November 21, 2024

Natasha Johnson
Assistant Commissioner

