



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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CAROLE JOHNSON
Commissioner

SHEILA Y. OLIVER
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TRENTON, NJ 08625-0716

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 04548-19 B.C.

AGENCY DKT. NO. C226332007 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appealed from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") and Emergency Assistance ("EA") benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A plenary hearing was scheduled for April 3, 2019, before the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"). On September 27, 2019, the ALJ issued an Initial Decision dismissing Petitioner's appeal.

No Exceptions to the Initial Decision were received.

As the Director of the 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 and AFFIRM the Agency's determination.

The record in this matter reflects that, on April 3, 2019, Petitioner and the Agency's representative appeared for the scheduled hearing, but before the case was heard, Petitioner walked out of the waiting area and did not return. See Initial Decision at 2. As a result, the ALJ found that Petitioner had abandoned the hearing, and dismissed her case. Ibid.

Based on the foregoing, I find that Petitioner abandoned her fair hearing in this matter and, therefore, the Agency's denial of WFNJ/GA and EA benefits to Petitioner stands, and is thereby affirmed. Moreover, I take official notice of the fact that Petitioner was denied WFNJ/GA and EA benefits by notice dated March 19, 2019, and as such, Petitioner is now out of time to request another fair hearing on these issues. Therefore, Petitioner's fair hearing is hereby dismissed with prejudice, and Petitioner is advised that she is foreclosed from requesting another fair hearing on this specific denial. See N.J.A.C. 10:90-9.10(b).

Accordingly, the Initial Decision is hereby ADOPTED and the Agency's action is hereby AFFIRMED.



Officially approved final version.

Natasha Johnson
Assistant Commissioner

OCT - 3 2019

