

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS

FINAL DECISION

OAL DKT. NO. CAF 15785-15

AGENCY DKT. NO: RSP0015639

DEPARTMENT OF COMMUNITY AFFAIRS, SANDY RECOVERY DIVISION,

Petitioner,

v.

STEPHEN HOLINKA,

Respondent.

OAL DKT. NO. CAF 15787-15

AGENCY DKT. NO: RRE0035467

STEPHEN HOLINKA,

Petitioner,

v.

DEPARTMENT OF COMMUNITY AFFAIRS, SANDY RECOVERY DIVISION,

Respondent.

Having reviewed the Initial Decision of the Administrative Law Judge in this matter, together with any exceptions or replies submitted, I hereby adopt the Initial Decision as the Commissioner's Final Decision with respect to CAF 15785-15.

With respect to CAF 15787-15, I hereby reject the decision of the Administrative Law Judge. Applicant did not prove that he sustained greater than \$8,000 in damage or had more than 1 foot of water on the first floor. The program requires an estimate from FEMA, its subcontractors or affiliates or inspection data from SBA. The municipal tax assessor estimate relied upon by the Administrative Law Judge does not meet this requirement. In addition, that estimate was performed some two years after the storm by an individual who does not perform inspections as a regular part of his duties. As such, I hereby adopt the agency decision of ineligibility as my Final Decision.

Date: 5/13/14



CHARLES A. RICHMAN,
Commissioner