

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS

FINAL DECISION

DEPARTMENT OF COMMUNITY AFFAIRS,
SANDY RECOVERY DIVISION

Petitioner,

OAL DKT. NO. CAF 15787-14

AGENCY DKT. NO. RSP0017274

v.

DIANE BARNICLE,

Respondent.

OAL DKT. NO. CAF 15790-14

AGENCY DKT. NO. RRE0017346

DIANE BARNICLE,

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 reject the Initial Decision and adopt the agency decision as the Commissioner's Final Decision. Applicant has not shown the necessary documentary evidence to establish primary residence. In addition, the Administrative Law Judge's finding that the Agency had not offered documentation to prove that applicant had not moved to the property in question was misplaced. It is not the Agency's burden to prove that she had not moved. Rather, it was applicant's responsibility to provide proof that she had. The one document that was provided was not sufficient to meet program requirements establishing primary residence.

Date: 11/2/15



CHARLES A. RICHMAN
Commissioner