



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 01868-21 J.D.

AGENCY DKT. NO. S790729009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner challenges the Respondent Agency's correctness of her Emergency Assistance ("EA") placement. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for February 23, 2021, but adjourned. The matter was rescheduled, and on February 25, 2021, a telephonic plenary hearing was held before the Honorable Elissa Mizzone Testa, Administrative Law Judge ("ALJ"). Also on February 25, 2021, the ALJ issued an Initial Decision, dismissing Petitioner's appeal.

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 and AFFIRM the Agency's EA placement.

Pursuant to N.J.A.C. 10:90-6.3(a)(1), the "agency shall determine the most appropriate form of emergency housing which is required to address the need and authorize payment of the costs of adequate emergency shelter/housing, taking into consideration individual/family circumstances and services provided." Such emergency housing may include placement in a shelter. Ibid.

The record in this matter reflects that, on February 25, 2021, Petitioner and the Agency's representative appeared for the scheduled hearing via telephone due to the COVID pandemic and applicable restrictions. See Initial Decision at 2. While conferencing the matter with the parties prior to commencement of the hearing, Petitioner suddenly left the telephone conference and did not call back. Ibid. Based upon Petitioner's failure to remain on the phone to conduct the hearing, the ALJ determined that Petitioner had abandoned her request for a hearing in the matter and dismissed the case. Ibid.

Based on the foregoing, I find that Petitioner abandoned her appeal in this matter and, therefore, I affirm the Agency's EA placement in this matter.

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



Officially approved final version.

MAR 25 2021

Natasha Johnson
Assistant Commissioner

