



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

SARAH ADELMAN
Acting Commissioner

SHEILA Y. OLIVER
Lt. Governor

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 06219-21 M.H.

AGENCY DKT. NO. S939065009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits because Petitioner had been approved for Section 8 housing, and EA benefits were no longer required. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. Hearing dates were initially scheduled for August 2, and then August 3, 2021, but these dates were rescheduled due to logistical issues with Petitioner calling in for the proceeding. On August 5, 2021, Petitioner did not call in for the hearing, but the Agency's representative was able to contact Petitioner separately by telephone and a telephone conference was then held with the Honorable Susana E. Guerrero, Administrative Law Judge ("ALJ"), Petitioner and the Agency representatives. During that telephone conference, Petitioner admitted to having signed a lease for Section 8 housing, but stated that he did not want to leave his EA placement, as he asserted that he was entitled to multiple housing vouchers. See Initial Decision at 2. When Petitioner became irate, and the ALJ proposed going on the record to proceed with the hearing, Petitioner hung up and did not call back. The Agency was ready to proceed with the matter, and as Petitioner refused to remain for the hearing, and did not call back to participate in the proceedings, the ALJ found Petitioner's actions tantamount to an abandonment of his request for a fair hearing. *Ibid.* Accordingly, on August 5, 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 find that Petitioner abandoned his appeal in this matter and, therefore, I affirm the Agency's EA termination in this matter.

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



Officially approved final version.

AUG 12 2021

Natasha Johnson

Assistant Commissioner

