



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

SARAH ADELMAN
Commissioner

TAHESHA L. WAY
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 **14190-23 T.B.**

AGENCY DKT. NO. **C787266007 (ESSEX COUNTY DIVISION OF WELFARE)**

Petitioner appealed from the Respondent Agency's denial of Emergency Assistance ("EA") in the form of security deposit and storage fees. The Agency denied Petitioner's application for EA benefits, contending that she had failed to return required information necessary to determine eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 2, 2024, the Honorable John P. Scollo, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. During the course of the hearing, Petitioner became rude, argumentative, disruptive to the proceedings, and then, abruptly hung up. See Initial Decision 4, 6. The ALJ and the Agency representative remained on the line to continue the hearing, but Petitioner failed to call back. Ibid. However, the ALJ permitted the Agency to present its case. Id. at 4-5. As a result, the ALJ ultimately concluded that the Agency had correctly denied Petitioner EA benefits, and furthermore, that Petitioner, through her actions, had abandoned her fair hearing. Ibid. On January 3, 2024, the ALJ issued an Initial Decision, upholding the Agency's denial of EA benefits to Petitioner, and further finding that Petitioner had abandoned her appeal, and thus is thereby precluded from bringing a new action on the issues presented in this case.

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, upholding the Agency's action, and also finding that Petitioner abandoned her appeal in this matter. As such, the Agency's denial of EA benefits to Petitioner remains in force as issued. Furthermore, I find that, due to Petitioner's abandonment of her fair hearing, she is barred from seeking another fair hearing on these issues and Petitioner's appeal is therefore dismissed with prejudice.

Accordingly, the Initial Decision is hereby ADOPTED, and Petitioner's appeal is hereby dismissed with prejudice.



Officially approved final version. January 16, 2024

Natasha Johnson
Assistant Commissioner

