

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS

FINAL DECISION

OAL DKT. NO. CAF 10487-14

AGENCY DOCKET NO. N/A

JOHN HORN,
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 as the Commissioner's Final Decision. The original decision of the Sandy Recovery Division to deny eligibility to the Petitioner is hereby upheld.

My findings of fact are as follows: The petitioner in this matter did not apply for the Sandy Homeowner Resettlement Program (Program) during the relevant program application time period or at any other time. The petitioner testified as to a lack of understanding regarding eligibility as the reason for not applying for the Program and indicated that they were told that they could not apply notwithstanding the fact that their daughter had applied. The Department of Community Affairs, Sandy Recovery Division simply cannot be expected to allow all New Jersey residents who missed a program application deadline into the various recovery programs at a later date due to a misunderstanding as to eligibility. I respectfully disagree with Judge Kirk's assertion that the attempt to apply was sufficient and for that reason I must reject the Initial Decision. Therefore, this applicant cannot be found eligible for the Sandy Recovery Resettlement Program.

Date: 3/13/15



RICHARD E. CONSTABLE, III
Commissioner