

**STATE OF NEW JERSEY  
DEPARTMENT OF COMMUNITY AFFAIRS**

**FINAL DECISION**

OAL DKT. NO. CAF 11797-14

AGENCY DOCKET NO. N/A

**CHRISTIAN OCHART,**  
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 Reconstruction, Elevation and Mitigation Program (Program) during the relevant program application time period or at any other time. The petitioner testified as to a lack of understanding regarding how to apply as the reason for not submitting an actual application for the Program (despite getting a password). 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 how to apply. I respectfully disagree with Judge Kirk's assertion that Petitioner's creating an account was sufficient and for that reason I must reject the Initial Decision. Therefore, this applicant cannot be found eligible for the Program.

Date: 3/13/15

  
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**RICHARD E. CONSTABLE, III**  
Commissioner