

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

FINAL DECISION

OAL DKT. NO. CAF 5187-14

AGENCY DOCKET NO. RSP0035333

RAYMOND MACDONALD,

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 claims that his primary residence at the time of Superstorm Sandy was Beach Haven, New Jersey. Yet, his driver's license, voter registration and income tax returns were all associated with his other residence in Fair Lawn, New Jersey at the time in question. Although evidence of residence in Beach Haven was presented by the petitioner at the administrative law hearing before Judge Delanoy, it mostly constituted post mail and other types of correspondence that would be associated with the Beach Haven property regardless of primary residence. My staff also checked the New Jersey Motor Vehicle Commission records to confirm the vehicle registration address for the petitioner's vehicle(s) in October 2012, which was the Fair Lawn address, not the Beach Haven address. Therefore, with the overwhelming evidence in favor of the Fair Lawn address being petitioner's true primary residence at the time of Superstorm Sandy, I must respectfully disagree with Judge Delanoy's findings and reject the Initial Decision. Therefore, the petitioner cannot be deemed eligible for the Resettlement Program.

Date: 8/6/15



CHARLES A. RICHMAN
Commissioner