



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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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 20695-15 A.A.

AGENCY DKT. NO. GA551013 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of her application for Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits because it determined that she is not actually or imminently homeless. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 29, 2015, the Honorable Danielle Pasquale, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On December 29, 2015, the ALJ issued an Initial Decision, reversing the Agency's determination. The record shows that Petitioner was living with her sister, and then with a friend, for the past two years. See Initial Decision at 2. The record also shows that both the sister and the friend have eventually asked Petitioner to leave their respective homes, due to lack of space. *Ibid.*; see also Exhibits R-2, R-3, and R-4. Additionally, the record shows that the Agency denied Petitioner EA benefits, claiming that she is not currently or imminently homeless, since she still had approximately 30 days of shelter. See Initial Decision at 3; see also Exhibits R-1 and R-2. The ALJ found that Petitioner's situation is one of imminent homelessness. See Initial Decision at 4. Accordingly, the ALJ concluded, and I agree, that the Agency improperly denied Petitioner EA benefits. *Ibid.*; see also N.J.A.C. 10:90-6.1(c).

No Exceptions to the Initial Decision were filed.

As the Director of the Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision and following an independent review of the record, I concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law in this matter.

Accordingly, the Initial Decision in this matter is hereby ADOPTED and the Agency's determination is REVERSED.

Signed Copy on File
at DFD, BARA

JAN 11 2016

Natasha Johnson
Director