



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 20507-15 A.D.

AGENCY DKT. NO. C671593 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits in the form of Temporary Rental Assistance ("TRA"). The Agency denied Petitioner EA benefits contending that she failed to provide it with the requested documentation needed to determine her EA eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 24, 2015, the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On December 24, 2015, the ALJ issued an Initial Decision, reversing the Agency's determination. The ALJ found that Petitioner provided all requested documents to the Agency. See Initial Decision at 2. Specifically, Petitioner provided proof of eviction to the Agency on October 13, 2015, and provided the Agency with its requested documents, concerning family member assistance, prior to the required date of submission on December 10, 2015. *Ibid.*; see also WFNJ-15 Notice, dated November 25, 2015 at 2. Regardless, the Agency denied Petitioner EA benefits on November 25, 2015, for failure to provide it with the requested documents. Based on the foregoing, the ALJ found that the Agency improperly denied Petitioner EA benefits, and ordered it to provide Petitioner with retroactive EA/TRA for the months of September 2015, October 2015, November 2015, and December 2015.

Exceptions to the Initial Decision were filed by the Agency on January 5, 2016, which included information regarding Petitioner's eviction lockout date.

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.

Additionally, I find that the Agency shall provide Petitioner with prospective EA/TRA, as long as she continues to need EA benefits, and is otherwise eligible for EA benefits in accordance with N.J.A.C. 10:90-6.1 et seq.

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

JAN - 6 2016

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director