



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
P.O. Box 716
TRENTON, NEW JERSEY 08625

Chris Christie
Governor

Kim Guadagno
Lt. Governor

Elizabeth Connolly
Acting Commissioner

Nalasha Johnson
Director
Tel. (609) 588-2400

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 16762-15 D.G.

AGENCY DKT. NO. C225292 (PASSAIC COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits in the form of shelter placement. The Agency denied Petitioner EA benefits contending that he moved to Passaic County without a plan for self-sufficiency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 26, 2015, the Honorable Irene Jones, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On October 30, 2015, the ALJ issued an Initial Decision, reversing the Agency's determination. The record shows that Petitioner is a Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") recipient, who was homeless due to a failed business, a bankruptcy, and an eviction in another county. See Initial Decision at 2. The record further indicates that after Petitioner's eviction, he moved in with his daughter in Passaic County, where he had been a long term resident. *Id.* at 2, 3. Thereafter, Petitioner learned that his daughter was facing eviction and he would be soon homeless again. *Ibid.* Based on the foregoing, the ALJ found that Petitioner had a plan, that the plan failed due to no fault of Petitioner's, and that he is now homeless. Accordingly, the ALJ found that Petitioner meets the eligibility criteria for EA benefits, set forth at N.J.A.C. 10:90-6.1(c). *Id.* at 4.

No Exceptions to the Initial Decision were received.

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.

NOV 12 2015

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director