



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 2851-15 J.M.

AGENCY DKT. NO. GA558928 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from Respondent Agency's denial of Emergency Assistance ("EA") benefits in the form of Temporary Rental Assistance ("TRA"). The Agency denied Petitioner's EA application because Petitioner failed to provide the Agency with required documentation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 2, 2015, the Honorable Michael Antoniewicz, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. On March 3, 2015, the ALJ issued his Initial Decision affirming the Agency's determination.

No exceptions to the Initial Decision were filed.

As the Deputy Director of the Division of Family Development, Department of Human Services, I have reviewed the record and the Initial Decision and hereby ADOPT the Initial Decision and AFFIRM the Agency's determination.

The purpose of EA is to meet the emergent needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work activities without disruption and continue on a path to self-sufficiency. N.J.A.C. 10:90-6.1(a). Pursuant to N.J.A.C. 10:90-9.10(d), a Work First New Jersey/General Assistance ("WFNJ/GA") benefits recipient may request a hearing on a denial of EA within 90 calendar days of the date of the notice of adverse action.

The record in this matter reveals that the Agency denied Petitioner's EA application on October 1, 2014. See Exhibit R-1. Petitioner did not request a hearing on the Agency's adverse action notice until February 26, 2015. See Initial Decision at 2.

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The ALJ opined, and I agree, that Petitioner's request for a hearing in this matter was clearly out of time. Ibid. As such, I find that the ALJ was correct to affirm the Agency's denial of EA benefits in this matter.

Accordingly, the Initial Decision in this matter is ADOPTED, and the Agency's action AFFIRMED.

MAR 11 2015

*Signed Copy on File*  
at DFD, BARA

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Natasha Johnson  
Deputy Director