



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 17479-15 K.M.

AGENCY DKT. NO. C066948 (OCEAN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits in the form of Temporary Rental Assistance ("TRA"). The Agency terminated Petitioner's EA benefits contending that she failed to provide the Agency with a current 12-month MED-1 form, and failed to apply for Supplemental Security Income ("SSI") benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 5, 2016, the Honorable Joseph A. Ascione, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On January 6, 2016, the ALJ issued an Initial Decision, reversing the Agency's determination.

No Exceptions to the Initial Decision were received.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I ADOPT the ALJ's Initial Decision WITH CONTINGENCIES and REVERSE the Agency's determination.

In his Initial Decision, the ALJ found that Petitioner had good cause for failing to keep her MED-1 form current, and found that although Petitioner did not have a Supplemental Security Income ("SSI") application pending, the Agency failed to provide her with assistance in regards to her SSI application. See Initial Decision at 2, 4. On that basis, the ALJ concluded that the Agency's denial of EA/TRA to Petitioner should be reversed, and that the Agency should pay retroactive rent for

the months of September 2015 through January 2016, as well as prospective rent. Ibid. It appears from the record that Petitioner has a current 12-month MED-1 form. See Exhibit P-1.

I agree with, and hereby adopt, the ALJ's conclusion, with the following contingencies. I find that Petitioner is entitled to EA/TRA in the form of payment of retroactive rent from September 2015, through January 2016, provided she applies for SSI within 30 days from the date of this Final Agency Decision. Further, the Agency is to refer Petitioner to Legal Services for assistance with the filing of her SSI application. Additionally, I find that Petitioner is entitled to prospective EA/TRA only to the extent that she is otherwise eligible for same.

Accordingly, the Initial Decision is ADOPTED WITH CONTINGENCIES and the Agency's action is REVERSED.

JAN 15 2016

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director