



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 10177-15 K.W.

AGENCY DKT. NO. GA223489 (ATLANTIC CO. DEPT OF FAM. & COM. DEV)

Petitioner appeals from the Respondent Agency's denial of his application for Emergency Assistance ("EA") benefits in the form of shelter. The Agency denied Petitioner EA benefits because it determined that no emergency existed. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 15, 2015, the Honorable Bruce M. Gorman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On September 28, 2015, the ALJ issued an Initial Decision, affirming the Agency's determination. The record shows that Petitioner is currently living at a shelter, and does not appear to be a subject of a pending eviction. See Initial Decision at 2. The ALJ found that Petitioner is not homeless or imminently homeless, as required in order to be eligible for EA benefits pursuant to the EA regulations. *Id.* at 2-3; see also N.J.A.C. 10:90-6.1(a). Accordingly, the ALJ concluded that the Agency properly denied Petitioner EA benefits because he did not present an emergent circumstance. See Initial decision at 3.

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 AFFIRMED.

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director

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