



*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 12887-14 N.L.

AGENCY DKT. NO. C448534 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from Respondent Agency's denial of her request to relocate to a different apartment. The Agency denied Petitioner's request because she did not provide documentation supporting the reasons why she needed to relocate into a different apartment. Because Petitioner appealed, this matter was transmitted to the Office of Administrative Law for a hearing. On October 29, 2014, the Honorable Sandra Ann Robinson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. On November 25, 2014, the ALJ issued an Initial Decision, which affirmed the Agency's determination to initially deny the relocation request, but concluded the issues in the matter were now moot as the Agency received the required documentation and subsequently granted Petitioner's relocation request.

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 Initial Decision of the ALJ and AFFIRM the Agency's determination.

The purpose of Emergency Assistance ("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 to self-sufficiency. N.J.A.C. 10:90-6.1(a). EA is available where the assistance unit is in a "state of homelessness or imminent homelessness due to circumstances beyond their control or the absence of a realistic capacity to plan in advance for substitute housing." N.J.A.C. 10:90-6.1(c).

In the instant case, Petitioner was already receiving EA benefits for an apartment when she requested to relocate to another apartment because of an infestation of mice, roaches, carpenter ants, black mold and lead-paint present in the apartment where she was residing. See Initial Decision at 1. At the time of the initial request on August 1, 2014, Petitioner did not provide any documentation of code violations and uninhabitable conditions to the Agency. Id. at 1-2. Therefore, the Agency denied Petitioner's relocation request.

However, prior to the scheduled hearing before the ALJ, Petitioner provided the supporting documentation to the Agency, and the Agency granted her relocation request. See Initial Decision at 6. Therefore, I concur with the ALJ's finding that the issues presented at the hearing are now moot.

Accordingly, the Initial Decision is ADOPTED and the August 1, 2014, denial by the Agency is AFFIRMED.

**JAN 20 2015**

*Signed Copy on File*  
at DFD, BARA

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Jeanette Page-Hawkins  
Director