



## State of New Jersey

### DEPARTMENT OF HUMAN SERVICES

Division of Family Development  
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TRENTON, NEW JERSEY 08625

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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 13181-15 R.M.

AGENCY DKT. NO. C083899 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's denial of a June 18, 2015, application for Emergency Assistance ("EA") benefits under the Housing Assistance Program ("HAP") and Housing Hardship Extension ("HHE") pilot programs, and termination of Petitioner's EA benefits effective September 1, 2015. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 4, 2015, the Honorable Leland S. McGee, Administrative Law Judge ("ALJ"), held an emergent plenary hearing, took testimony and admitted documents into evidence. On September 8, 2015, the ALJ issued his Initial Decision affirming the Agency's determination.

Exceptions to the Initial Decision were filed by the Agency on September 9, 2015. The Exceptions indicate that Petitioner and his wife appeared for a prior fair hearing in early June 2015, before the same ALJ, whereby it was recommended that the couple withdraw their request for a fair hearing and reapply for an EA extension under HHE. See Exceptions. Petitioner did just that, yet the June 18, 2015, was "viewed as a HAP application only and denied since there is an employable adult in the household." Ibid. Noting that Petitioner's wife is compliance with her Work First New Jersey requirements, the Agency requested that the ALJ's Initial Decision in the present matter be rejected to allow for settlement of the matter "with an approval of [Petitioner's wife's] HHE application." Ibid.

Based upon the representations made in the Exceptions by the Agency, that EA benefits will be extended to Petitioner and his wife, thereby effectively rescinding its prior denial, as the Director of the Division of Family Development, Department of Human Services, I hereby find that this matter has now been rendered moot, and I therefore DISMISS Petitioner's appeal.

Should the represented settlement efforts of the Agency fail, resulting in Petitioner being then denied EA benefits under HHE, Petitioner is without prejudice to request another fair hearing.

Accordingly, Petitioner's appeal now being deemed moot, the matter is hereby DISMISSED.

**SEP 25 2015**

*Signed Copy on File*  
at DFD, BARA

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Natasha Johnson  
Director