



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 1721-15 T.M.

AGENCY DKT. NO. GA436301 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from Respondent Agency's termination of Emergency Assistance ("EA") benefits under the Housing Assistance Program ("HAP") pilot. The Agency terminated Petitioner's EA benefits under HAP because he had exhausted his six months of Agency approved EA benefits under HAP on February 1, 2015. On March 9, 2015, the Honorable Sandra Ann Robinson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On March 12, 2015, the ALJ issued her Initial Decision reversing the Agency's termination of Petitioner's EA benefits under HAP. Additionally, the ALJ found the matter to be essentially moot, because prior to the hearing, the Agency completed a recertification meeting with Petitioner, and testified at the hearing that Petitioner would be recertified for six more months of EA benefits under HAP, commencing March, 2015, pending final approval of the recertification. See Initial Decision at 3, 6-7. Based on the foregoing, the ALJ concluded that Petitioner had been recertified for six months of EA benefits under HAP, commencing March, 2015, pending final approval. See *id* at 6-7.

No Exceptions to the Initial Decision were filed.

As the Deputy 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.

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By way of comment, I find that had the Agency properly notified Petitioner of the termination of his EA benefits under HAP, prior to February 1, 2015, when his EA benefits under HAP were to terminate, then this matter could have been avoided. See N.J.A.C. 10:90-9.1(a), (b), (c).

By way of further comment, should the Agency deny Petitioner an extension of EA benefits under HAP, he may, without prejudice, request another fair hearing.

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

Signed Copy on File
at DFD, BARA

MAR 24 2015

Natasha Johnson
Deputy Director