



*State of New Jersey*

**DEPARTMENT OF HUMAN SERVICES**

Division of Family Development  
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Chris Christie  
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Kim Guadagno  
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Elizabeth Connolly  
*Acting Commissioner*

Natasha Johnson  
*Director*

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 16873-14 V.B.

AGENCY DKT. NO. GA563470 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from Respondent Agency's denial of her application for Emergency Assistance ("EA") for back rent and a furniture voucher. The Agency denied the Petitioner's application because she refused shelter placement. See Initial Decision at 2. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 11, 2015, the Honorable Tiffany M. Williams, Administrative Law Judge ("ALJ"), conducted a plenary hearing and took testimony. No documents were admitted into evidence. On March 24, 2015, the ALJ issued her Initial Decision reversing the Agency determination.

Exceptions were filed by Respondent Agency on April 2, 2015.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the record and hereby REJECT the ALJ's Initial Decision and, AFFIRM the Agency determination.

The purpose of 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 a path to self-sufficiency. N.J.A.C. 10:90-6.1(a). When a WFNJ recipient qualifies for EA, the Agency has the discretion to determine the most appropriate form of EA required to address the need, taking into consideration individual/family circumstances and services provided. N.J.A.C. 10:90-6.3(a)(1).

The record for this matter indicates that Petitioner applied for EA on November 21, 2014. See Initial Decision at 3. On December 9, 2014, the Agency approved her application and offered the Petitioner EA placement in a rooming house. Ibid. That day, the Petitioner requested a Fair Hearing. See Fair Hearing transmittal sheet. Subsequently, Petitioner vacated the EA placement at the rooming house and moved into an apartment. It appears from the record that she did so without notifying the Agency or obtaining prior approval from the Agency because the Petitioner's EA ceased on January 31, 2015. Ibid. Petitioner then applied for EA in the form of back rent and a furniture voucher. See Initial Decision at 2.

Based upon the record, I respectfully disagree with the determination by the ALJ that the Agency's denial of EA was improper. As discussed above, the Agency has the authority in the first instance to determine the appropriate form of EA. Here, the Agency determined that the most appropriate form of EA placement for Petitioner was a rooming house. Petitioner vacated the rooming house, instead moving into an apartment for which she now seeks EA in the form of back rent and a furniture voucher. There is nothing on the record which would indicate that the Agency's chosen form of EA placement was inappropriate. As such, I find that the Agency appropriately denied Petitioner's application for EA in the form of back rent and a furniture voucher.

By way of comment, I note that the Agency's exceptions indicate that the Petitioner is no longer a Work First New Jersey ("WFNJ") recipient, which is a threshold requirement for EA eligibility. See N.J.A.C. 10:90-6.2 (Only WFNJ and Supplemental Security Income ("SSI") recipients are eligible for EA). Petitioner is free to reapply for EA at any time, but must be a WFNJ or SSI recipient and meet all other eligibility criteria.

The Initial Decision is REJECTED and the Agency determination is AFFIRMED.

**MAY 21 2015**

*Signed Copy on File*  
at DFD, BARA

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Natasha Johnson  
Director