



**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 7030-15 W.B.

AGENCY DKT. NO. C160630 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits because there was no emergent situation, as Petitioner's friend had promised to lend her the funds to pay her past due rent. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 21, 2015, the Honorable Imre Karaszegi, Jr., Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On May 21, 2015, the ALJ issued an Initial Decision, reversing the Agency's determination. The record shows that Petitioner applied for EA benefits in the form of back rent, and was denied by the Agency because there was no emergency, as her friend had offered to lend her the money to pay the back rent owed to her landlord. See Initial Decision at 2; see also Exhibits R-1 at 2 and R-2. However, at the hearing, Petitioner provided a letter, from that same friend, revoking his offer to lend her the money to pay her back rent. See Exhibit P-1.

Here, the ALJ found that the Agency's denial of EA benefits was based solely on the promise from Petitioner's friend to pay her back rent, Petitioner's friend has revoked his promise to pay her back rent, and now Petitioner faces imminent homelessness. See Initial Decision at 3. Additionally, the ALJ found that there was no dispute that Petitioner's rent was affordable, and that she had provided the Agency with all requested information. *Ibid.* Based on the foregoing, the ALJ directed the Agency to

provide Petitioner with EA benefits in the form of back rent for the months of March, April, and May of 2015, and remanded the matter back to the Agency to determine Petitioner's eligibility for prospective EA benefits. Id. at 4.

No Exceptions to this 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, the Agency's determination is REVERSED, and the matter is REMANDED back to the Agency to evaluate Petitioner's eligibility for prospective EA benefits.

*Signed Copy on File*  
MAY 29 2015 at DFD, BARA

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Natasha Johnson  
Director