



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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Director
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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 18179-15 Y.S.

AGENCY DKT. NO. C363908 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's delay of its decision on her application for Emergency Assistance ("EA") benefits in the form of a furniture voucher. The Agency failed to render a decision on Petitioner's application despite Petitioner having complied with the Agency's requirements for same. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 29, 2015, the Honorable Gail M. Cookson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On December 30, 2015, the ALJ issued her Initial Decision reversing the Agency determination.

The record reflects that, while Petitioner was pregnant, she applied to the Agency for EA in the form of a furniture voucher in July 2015, requesting a crib for her unborn baby, a twin bed for her 9-year old son, two dressers, and a sofa. See Initial Decision at 2. On July 9, 2015, the Agency mailed Petitioner a Notification Form advising that her application was pending. *Ibid.*; see also Exhibit P-1. Because Petitioner did not hear from the Agency, she contacted them twice by phone and, in late July 2015, received a Shopping Guide form, as well as instructions from the Agency to obtain three estimates of the costs of the furniture items she requested. *Ibid.*; see also Exhibit P-2. Petitioner obtained the required three estimates, and delivered them to the Agency on August 24, 2015. See Initial Decision at 2; see also Exhibit P-3. In mid-September, and again in October, Petitioner returned to the Agency asking for its decision, but the Agency never provided a response. See

Initial Decision at 2. Based on the foregoing, the ALJ concluded that the Agency's lack of action was improper and contrary to the WFNJ regulations. See Initial Decision at 3; see also N.J.A.C. 10:90-1.5. Therefore, the ALJ ordered that the Agency immediately issue the requested furniture voucher to Petitioner. See Initial Decision at 3.

No Exceptions to the Initial Decision were filed.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the record and the Initial Decision and, having made an independent evaluation of the record, I concur with the Initial Decision and hereby adopt the ALJ's Findings of Fact and Conclusions of Law in this matter.

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

Signed Copy on File
at DFD, BARA

JAN 20 2016

Natasha Johnson
Director