



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

SARAH ADELMAN
Commissioner

TAHESHA L. WAY
Lt. Governor

TRENTON, NJ 08625-0716

NATASHA JOHNSON
Assistant Commissioner

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 **02384-24 B.W.**

AGENCY DKT. NO. **C157449015 (OCEAN COUNTY BOARD OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that he had failed to provide documentation required to determine his EA benefits eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On February 28, 2024, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On February 29, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found that Petitioner had failed to provide the Agency with the requested documentation it required to determine his eligibility for EA benefits. See Initial Decision at 2-3. The record reflects that, in response to Petitioner's EA application on January 9, 2024, the Agency had emailed Petitioner a list of documents and information that needed to be submitted to the Agency by February 8, 2024. *Id.* at 2; see also Exhibits R-2, R-3. Petitioner could not acknowledge receipt of that email, but testified that he had provided the requested information in a letter to the Agency, specifically, that he had provided the letter to the person who had worked on Petitioner's Work First New Jersey/General Assistance ("WFNJ/GA") application, and that that person indicated that she would forward Petitioner's letter to the EA unit. See Initial Decision at 3. Petitioner represented that he would forward a copy of the letter to the OAL before the close of business on the date of the hearing, but failed to do so. *Ibid.* As a result, the ALJ found that Petitioner had failed to provide the Agency with the required documentation necessary to determine Petitioner's EA benefits eligibility, and accordingly, concluded that the Agency's denial of Petitioner's application for EA benefits was proper and must stand. *Id.* at 3-4; see also Exhibit R-1, and N.J.A.C. 10:90-1.6, -2.2(a)(5), -6.2(a). I agree.

No Exceptions to the Initial Decision were filed.

As Assistant Commissioner, 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.

By way of comment, as stated by the ALJ, Petitioner is without prejudice to reapply for EA benefits, if he has not already done so, but is advised that he must provide all documentation necessary to determine eligibility. See Initial Decision at 4. As further stated by the ALJ, Petitioner is advised to communicate directly with the Agency with regards to the application and any required documentation.

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



Officially approved final version. April 4, 2024

Natasha Johnson
Assistant Commissioner

