



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 **04555-24 L.S.**

AGENCY DKT. NO. **C155839001 (ATLANTIC CO. DEPT OF FAM. & COM. DEV)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that she has no emergency and that she moved into housing without a realistic plan to pay her rent. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 9, 2024, the Honorable Kimberley M. Wilson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On April 10, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

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

In order to be eligible for EA benefits, N.J.A.C. 10:90-6.1(c) provides, in pertinent part, that the individual must have an actual or imminent eviction from prior housing, and the assistance unit is in a state of homelessness or imminent homelessness due to circumstances beyond their control or the absence of a realistic capacity to plan to avoid their emergent situation.

Here, based on the testimonial and documentary evidence presented, the ALJ concluded that Petitioner was ineligible for EA benefits on the basis that she is not currently homeless or imminently homeless. See Initial Decision at 4, 6. Specifically, the ALJ's conclusion was based on the fact that there is no present imminent threat of eviction or that any back rent is owed. *Id.* at 6. Furthermore, the ALJ found that Petitioner had moved into her current housing without any plan for meeting her rental costs going forward. *Id.* at 7. Based on foregoing, the ALJ concluded that Agency's decision to deny Petitioner EA benefits was proper and must stand. *Ibid.*; see also N.J.A.C. 10:90-6.1(c) and Exhibit R-1. Based on an independent review of the record, I agree.

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



Officially approved final version. April 17, 2024

Natasha Johnson
Assistant Commissioner

