



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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Commissioner

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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 **00344-24 R.K.**

AGENCY DKT. NO. **C818506007 (ESSEX COUNTY DIVISION OF WELFARE)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits in the form of Temporary Rental Assistance ("TRA"). The Agency denied Petitioner EA benefits, contending that he, via his landlord, failed to provide all required documentation needed to determine EA benefits eligibility. Specifically, his landlord failed to submit a completed Cease to Evict form to the Agency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 25, 2024, the Honorable Thomas R. Betancourt, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. Also on March 25, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination.

The record reflects that Petitioner previously received Work First New Jersey/Temporary Assistance to Needy Families ("WFNJ/TANF"), which ended during January 2024. See Initial Decision at 2. At the time Petitioner received WFNJ/TANF benefits, he had custody of his minor child, which custody was terminated by order of the Superior Court on October 11, 2023. *Ibid.*; see also Exhibit R-1.

During April 2023, Petitioner advised the Agency that he had found an apartment. See Initial Decision at 3; see also Exhibit R-1. Petitioner applied for EA benefits on April 25, 2023, and was denied on June 12, 2023. See Initial Decision at 2; see also Exhibit R-1. Petitioner testified during the hearing that he moved into his current apartment during July 2023. See Initial Decision at 3. Petitioner reapplied for EA benefits on June 29, 2023, which was denied on August 1, 2023. See Initial Decision at 2; see also Exhibit R-1. Petitioner most recently applied for EA benefits on November 3, 2023, which was denied on December 4, 2023. See Initial Decision at 2; see also Exhibit R-1. Petitioner's applications were all denied due to his landlord failing to timely return required documentation. See Initial Decision at 3. As to the December 2023 denial, the landlord failed to return the required Cease to Evict form. See Initial Decision at 3; see also Exhibit R-1. During February 2024, Petitioner received a landlord/tenant summons and complaint. See Initial Decision at 3; see also Exhibit P-2.

Based on the testimonial and documentary evidence presented, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 3-4; see also Exhibit R-1. I agree. Moreover, because Petitioner is no longer receiving WFNJ/TANF benefits, nor currently receiving WFNJ/General Assistance ("GA") benefits, and is not a Supplemental Security Income ("SSI") benefits recipient, the ALJ further found that Petitioner was ineligible for EA benefits, and on that basis, concluded that the Agency's denial of EA benefits to Petitioner was also proper and must stand. See Initial Decision at 3-4; see also Exhibit R-1, and N.J.A.C. 10:90-6.2(a) (stating that only WFNJ/TANF, GA, or SSI benefits recipients are eligible for EA benefits). I also agree.

No Exceptions to the Initial Decision were received.



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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, Petitioner is without prejudice to reapply for EA benefits should his circumstances change provided he continues to need EA benefits and is otherwise eligible for EA in accordance with N.J.A.C. 10:90-6.1 and 6.2.

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

Officially approved final version. April 30, 2024

Natasha Johnson
Assistant Commissioner

