



State of New Jersey

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 10693-14 A.A.

AGENCY DKT. NO. C642434 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from Respondent Agency's denial of her application for Emergency Assistance ("EA") benefits. The Agency denied Petitioner's application for EA on the basis that she had come to New Jersey without a plan, no evidence of an emergency and no proof of domestic violence. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 2, 2014, the Honorable Ellen S. Bass, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On September 2, 2014, the ALJ issued an Initial Decision which reversed the Agency determination. Based upon the credible evidence presented, the ALJ determined that Petitioner was eligible for EA benefits. The ALJ noted that Petitioner was now facing imminent eviction and further noted that Petitioner had credibly testified that she came to New Jersey "due to domestic violence ... presented [a] PA restraining order [supporting her testimony that] she was fearful for herself and her children in PA." See Initial Decision at 3; see also Exhibit P-2. The ALJ also indicated that Petitioner was now employed, thus evidencing future self-sufficiency. See Initial Decision at 3-4. The ALJ ordered that Petitioner be granted EA in the form of security deposit and three months rent in a new apartment that was affordable. See Initial Decision at 4. The ALJ further directed that Petitioner participate in a domestic violence assessment and the Agency develop a service plan with Petitioner that would continue Petitioner on the path to self-sufficiency.

Neither party filed Exceptions to the Initial Decision.

As the Director of the Division of Family Development, Department of Human Services, I have considered the Initial Decision and following an independent review of the record, I concur with the ALJ's decision and hereby adopt the 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.

SEP 11 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director