



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 12856-14 A.S.

AGENCY DKT. NO. C318626 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of her request for a transfer of her Emergency Assistance ("EA"). Because Petitioner appealed, this matter was transmitted to the Office of Administrative Law for a hearing. On December 1, 2014, the Honorable James A. Geraghty, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. On December 5, 2014, the ALJ issued an Initial Decision affirming the Agency determination.

Neither party filed exceptions to the Initial Decision.

As Director of the Division of Family Development, Department of Human Services, I have considered the record for this matter and the ALJ's Initial Decision, and having made an independent evaluation of the record, I ADOPT the Initial Decision and AFFIRM the Agency determination.

EA shall be made available through the Work First New Jersey ("WFNJ") program as a supportive service to meet the emergent needs of WFNJ recipients, so that recipients shall not be prevented from complying with the work requirement due to disruptions caused by homelessness and related emergencies. EA is also available to Supplemental Security Income ("SSI") recipients. N.J.A.C. 10:90-6.1(a).

Here, Petitioner has received twenty-two months of EA (See Exhibit R-4) and she has an application for SSI pending due to a hip replacement. Petitioner requested a transfer to a new apartment due to street violence in her current neighborhood.

The ALJ concluded, and I agree, that the Petitioner has not provided any proof that her neighborhood is unsafe or that she has been the victim of a crime. As such, the Petitioner has failed to provide credible evidence that an emergency exists.

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

JAN 05 2015

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director