



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 10214-14 J.J.

AGENCY DKT. NO. C211607 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals the Respondent Agency's denial of Emergency Assistance ("EA") benefits in the form of back rent/Temporary Rental Assistance. The Agency denied Petitioner benefits because it contends that she failed to provide necessary information in a timely manner. Because the Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 21, 2014, the Honorable Caridad F. Rigo, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On August 22, 2014, the ALJ issued an Initial Decision, reversing the Agency's decision. The ALJ found that due to Petitioner's psychological issues, as evidenced by the ALJ's first hand opportunity to view Petitioner's demeanor and behavior at the hearing, Petitioner had been unable to comply with the Agency's request at the time the documentation was requested, but Petitioner had now provided the requested documentation. See Initial Decision at 2-3. The ALJ further concluded the Agency had failed to assist Petitioner, in accordance with our regulations, to obtain the verifying information. See *id.* at 3. Therefore, the ALJ reversed the Agency's determination. *Id.* at 3-4.

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 ALJ's 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 Conclusion of Law in this matter.

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

AUG 29 2014 *Signed Copy on File*
at DFD, BARA

Jeanette Page-Hawkins
Director