



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 14269-14 T.A.

AGENCY DKT. NO. C084105 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's denial of her request for Emergency Assistance ("EA") in the form of one month back rent and retroactive utility payments. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 12, 2014, the Honorable Margaret M. Monaco, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On November 13, 2014, the ALJ issued her Initial Decision affirming the Agency's determination as to the denial of EA for the one month of back rent, but reversing the Agency's denial of EA towards back utilities. Petitioner was requesting an amount to be paid to the utility company after which she would be able to establish a payment plan for the balance. See Initial Decision at 3, 4. The ALJ found this request to be reasonable given the totality of the circumstances, and directed that the Agency pay the amount deemed necessary in order for Petitioner to establish a payment plan. See Initial Decision at 4-5.

Exceptions were filed to the Initial Decision by the Agency on November 17, 2014.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the record and the ALJ's Initial Decision, and I hereby ADOPT the Initial Decision. I concur with the ALJ's determination that the Petitioner is not eligible for EA in the form of back rent. With regard to the Petitioner's request for utility assistance, the Agency shall pay the back utilities in the amount necessary to establish a payment plan and to avoid any interruption in service.

By way of comment, if Petitioner's brother or relatives continue to assist her with payments of her rent, those payments are to be paid directly to the landlord.

Based upon the foregoing, I hereby ADOPT the ALJ's Initial Decision as outlined above.

NOV 26 2018

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director