



State of New Jersey

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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 **09817-22 K.A.**

AGENCY DKT. NO. **C138200006 (CUMBERLAND COUNTY BD OF SOC SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits in the form of a furniture voucher. The Agency denied Petitioner EA benefits contending that she failed to provide documentation required to determine her eligibility for a furniture voucher, and that she had available resources which she failed to use towards a resolution of her emergent situation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 14, 2022, the Honorable William T. Cooper, III, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On January 4, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found that on April 11, 2022, the Agency had requested that Petitioner provide certain documentation needed to determine her eligibility for EA benefits, in the form of a furniture voucher, for the purchase of a refrigerator. See Initial Decision at 3, 6-8. The record also reflects that, on or about June 23, 2022, Petitioner provided the Agency with some of the required documentation, however, additional documentation was still required. *Id.* at 3, 7; see also Exhibit R-1 at 12. Petitioner acknowledged that she had failed to provide all the requested documentation. See Initial Decision at 5, 8. Based on the testimony and evidence provided, the ALJ concluded that Petitioner had failed to provide all the required documentation, without good cause, and on that basis, further concluded that the Agency's denial of EA benefit to Petitioner was proper and must stand. See Initial Decision at 6-7, 9; see also Exhibit R-1 at 3-5, and N.J.A.C. 10:90-2.2(a)(5). I agree.

Further, the ALJ found that Petitioner had spent \$2,994.92 in funds from the New Jersey Violent Crimes Compensation Office ("VCCO"), which were to be used for housing relocation, on a lengthy, unnecessary stay at a motel, when she had access to free housing while awaiting her Section 8 housing relocation. See Initial Decision at 3-7; see also Exhibit R-1 at 13-18. Due to the use of such funds on said motel stay, Petitioner was unable to pay for necessary relocation costs, such as her security deposit, her first month's rent, or for the purchase of the needed refrigerator. See Initial Decision at 4. Based on the foregoing, the ALJ found that Petitioner had available resources to avoid her emergent situation, but failed to use such resources accordingly, and on that basis, also concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 8-9; see also Exhibit R-1 at 3-5, and N.J.A.C. 10:90-6.1(c)(2). I also agree.

No Exceptions to the Initial Decision were received.

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.



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

Officially approved final version. February 9, 2023

Natasha Johnson
Assistant Commissioner

