



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 **04604-23 L.H.**

AGENCY DKT. NO. **C213389007 (ESSEX COUNTY DIVISION OF WELFARE)**

Petitioner appeals from the Respondent Agency's failure to reissue EA benefits in the form of an already approved security deposit check. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 26, 2023, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On May 30, 2023, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the ALJ found that in January 2023, Petitioner was approved to receive EA benefits in the form of a security deposit in the amount of \$2,475, and that, through no fault of Petitioner, said security deposit check had not been received by, nor cashed by, Petitioner's landlord, and was voided by the Agency. See Initial Decision at 2-3; see also Exhibit R-1 at 7. Consequently, Petitioner is facing imminent eviction. See Initial Decision at 3. Based on the Agency's previous security deposit approval, the ALJ ordered the Agency to reissue, and resend, a check for the payment of Petitioner's security deposit in the amount of \$2,475, on an expedited basis. *Id.* at 3-4. I agree. Of note, it appears from the record that on May 18, 2023, the Agency had again approved Petitioner for a security deposit in the amount \$2,475, and may have already re-issued and sent the security deposit check to Petitioner's landlord. See Exhibit R-1 at 2. However, if such is not the case, then as ordered by the ALJ, the Agency is directed to reissue and resend said security deposit check, on an expedited basis.

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 REVERSED.



Officially approved final version.

June 01, 2023

Natasha Johnson

Assistant Commissioner

