



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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TRENTON, NJ 08625-0716

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 **10530-22 M.S.**

AGENCY DKT. NO. **C238160020 (UNION COUNTY DIVISION OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that Petitioner failed to pay her 30 percent contribution of rent while residing in Agency placed housing. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 13, 2022, the Honorable Elissa Mizzone Testa, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record remained open to allow the parties an opportunity to submit additional documentation. Respondent submitted additional documentation and the record then closed on December 20, 2022.

On January 25, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, at the time of the hearing, it had been determined that Petitioner owed the Agency \$757.00, reflecting three-months of her unpaid required 30 percent rental contribution. See Initial Decision at 2-3; see also Exhibit R-2, and N.J.A.C. 10:90-6.5(a). Although Petitioner claimed that she only owed two-months of said unpaid rent, the ALJ found that the parties' testimony and the evidence provided, did not support Petitioner's claim. See Initial Decision at 2-3; see also Exhibits P-1, R-1 through R-4. The record also reflects that Petitioner had been found eligible for an extension of EA benefits in accordance with the Emergency Assistance for Specific Groups ("EASG") program, contingent upon her first repaying to the Agency the \$757.00 in unpaid rent. See Initial Decision at 3-4; see also Exhibit R-3, and State of New Jersey Senate Bill, No. S866, P.L. 2018, c. 164, effective December 20, 2018 ("S866"). Based on the foregoing, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand, and that the amount of \$757.00, representing three months of Petitioner's 30 percent rental contribution, must be paid to the Agency before EA benefits eligibility can be granted. See Initial Decision at 3-4; see also Exhibit R-3. I 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.



By way of comment, Petitioner is advised that she may reapply for EA benefits, with eligibility contingent upon her first repaying \$757.00 to the Agency.

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

Officially approved final version. March 21, 2023

Natasha Johnson
Assistant Commissioner

