



## State of New Jersey

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*Governor*

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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 **04375-23 S.H.**

AGENCY DKT. NO. **C603638007 (ESSEX COUNTY DIVISION OF WELFARE)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that his actions caused him to be evicted from his last residence, thereby causing his own emergency, and that he was not a Work First New Jersey ("WFNJ") or Supplemental Security Income ("SSI") benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 22, 2023, the Honorable Gail M. Cookson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On May 23, 2023, the ALJ issued an Initial Decision, modifying the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby MODIFY the ALJ's Initial Decision, and MODIFY the Agency's determination, based on the discussion below.

Only WFNJ and Supplemental Security Income ("SSI") benefits recipients are eligible for EA benefits. See N.J.A.C. 10:90-6.2(a).

Here, based on the circumstances of this case, particularly the Agency's delay in processing Petitioner's WFNJ/GA benefits application due to an inexplicable backlog, the ALJ concluded that the Agency is to provide Petitioner with immediate need housing assistance through June 30, 2023, giving the Agency time to expedite the processing of Petitioner's WFNJ/GA benefits application. See Initial Decision at 2-5. The ALJ further concluded that during that time period, Petitioner must cooperate with all appointments, provide the Agency with all required documentation, pursue employment opportunities, and abide by all shelter rules. *Id.* at 5. Based on the foregoing the ALJ modified the Agency's determination. *Ibid.*; see also Exhibit R-1 at 3-7. I agree. However, I find that the Agency shall provide Petitioner with immediate need housing assistance through June 30, 2023, or until such time as his eligibility for WFNJ/GA benefits has been determined, whichever comes first. The Initial Decision is modified to reflect this finding.



By way of comment, the Agency is directed to allow Petitioner to apply for EA benefits pending the processing of his WFNJ/GA benefits application, and to assist him in that process.

Accordingly, the Initial Decision is hereby MODIFIED, and the Agency's determination is MODIFIED, as outlined above.

Officially approved final version. June 01, 2023

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Natasha Johnson  
Assistant Commissioner

