



State of New Jersey

PHILIP D. MURPHY
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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 **07396-23 T.E.**

AGENCY DKT. NO. **C633175007 (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 he had exhausted his 12-month lifetime limit of EA benefits, and did not qualify for an extreme hardship extension of said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 16, 2023, the Honorable Ernest M. Bongiovanni Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On August 17, 2023, the ALJ issued an Initial Decision, affirming 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 considered the ALJ's Initial Decision, and following an independent review of the record, I hereby MODIFY the Initial Decision, and MODIFY the Agency determination, based on the discussion below.

Here, the ALJ found, and the record substantiates, that Petitioner has received 11 months of EA benefits, and as such, Petitioner has not yet exhausted his 12-month lifetime limit of EA benefits. See Initial Decision at 4; see also Exhibits R-1, R-2, and N.J.A.C. 10:90-6.4(a). Regardless, the ALJ found that Petitioner had failed to present credible testimony or evidence to indicate that he was homeless or imminently homeless. See Initial Decision at 4-6; see also Exhibit R-7, and N.J.A.C. 10:90-6.1(c). Based on an independent review of the record, it is on this basis, that Petitioner is not presently homeless or imminently homeless, that I find that Petitioner is ineligible for EA benefits. Ibid. The Initial Decision, and the Agency determination are both modified to reflect this finding.

By way of comment, Petitioner is advised that should his circumstances change (i.e., he becomes homeless or imminently homeless), he is without prejudice to reapply for EA benefits.

By way of further comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with his current needs, including Social Services for the Homeless.



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

Officially approved final version. August 23, 2023

Natasha Johnson
Assistant Commissioner

