



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 **00319-24 R.B.**

AGENCY DKT. NO. **C036625005 (CAPE MAY COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits because he failed to provide the Agency with the documents required to determine EA benefits eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 10, 2024, the Honorable Rebecca C. Lafferty, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On January 11, 2024, the ALJ issued an Initial Decision, affirming Agency's determination. Here, the ALJ in this matter issued a very thorough and comprehensive Initial Decision, outlining the procedural history, and providing a detailed and well thought out analysis, applying law to fact. See Initial Decision at 2-8. The record reflects that Petitioner applied for EA benefits and was denied by the Agency because he failed to provide them with sufficient documentation of residency in Cape May County, and documentation of actual or imminent homelessness, a threshold criterion for EA eligibility. See Initial Decision at 2-5; see also Exhibit R-1 at 10-14, and N.J.A.C. 10:90-6.1(c). Specifically, the ALJ found that the documentation Petitioner had provided to the Agency as proof of residency, and of actual or imminent homelessness, was insufficient, and unverifiable by the Agency. See Initial Decision at 2-5; see also Exhibit R-1 at 20-84. The record also reflects that the Agency had made an attempt at verifying said documentation, but to no avail. See Initial Decision at 3, 5, 7; see also N.J.A.C. 10:90-6.3(a)(1) (ii). Based on the foregoing, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 7-8; see also Exhibit R-1 at 10-14. I agree. The ALJ further concluded that Petitioner was not precluded from reapplying for EA benefits. See Initial Decision at 7. 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.



By way of comment, Petitioner may re-apply for EA benefits provided he continues to need EA benefits and is otherwise eligible for EA in accordance with N.J.A.C. 10:90-6.1. However, Petitioner must provide the Agency with all requested, and verifiable, documents needed to determine his EA benefits eligibility. See Initial Decision at 7; see also N.J.A.C. 10:90-6.1(c).

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

Officially approved final version. January 25, 2024

Natasha Johnson
Assistant Commissioner

