



*State of New Jersey*

**DEPARTMENT OF HUMAN SERVICES**

Division of Family Development

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Chris Christie  
*Governor*

Kim Guadagno  
*Lt. Governor*

Elizabeth Connolly  
*Acting Commissioner*

Natasha Johnson  
*Director*

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

REMAND DECISION

OAL DKT. NO. HPW 598-16 L.H.

AGENCY DKT. NO. GA578681 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's refusal to accept an application for Emergency Assistance ("EA") benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 15, 2016, the Honorable Richard McGill, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. On January 19, 2016, the ALJ issued an Initial Decision, reversing the Agency's action.

No Exceptions to the Initial Decision were filed.

As the Director of the 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 ADOPT the ALJ's Initial Decision, REVERSE the Agency's determination, and REMAND this matter to the Agency.

The record shows that Petitioner was provided six-months of EA benefits via a Stipulation of Settlement signed on November 18, 2015. See Initial Decision at 2; see also Exhibit R-1 at 2. Although rent payments were made to the landlord, Petitioner claims eviction proceedings have continued, although no tenancy summons has been produced to determine the reason. See Initial Decision at 2. The ALJ determined that the Agency refused to accept Petitioner's application for EA and ordered the Agency to take Petitioner's application promptly, in order to prevent homelessness. Id. at 3. I concur with the ALJ and hereby remand this matter to the Agency in order to accept Petitioner's EA application to determine her eligibility for EA benefits. I further direct the Agency to evaluate Petitioner's EA application on an expedited basis.

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Accordingly, the Initial Decision in this matter is hereby ADOPTED and the Agency's determination is REVERSED and this matter REMANDED to the Agency in accordance with this opinion.

*Signed Copy on File*  
at DFD, BARA

**JAN 29 2016**

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Natasha Johnson  
Director