



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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CAROLE JOHNSON
Commissioner

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Lt. Governor

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

FINAL DECISION

OAL DKT. NO. HPW 12539-18 A.R.

AGENCY DKT. NO. C238166020 (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 he failed to provide requested verifications required to determine eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 21, 2018, the Honorable Leslie Z. Celentano, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On October 11, 2018, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the Agency denied Petitioner EA benefits, contending that he failed to provide verification of residence in New Jersey ("NJ"), and proof of homelessness, or imminent homelessness. See Initial Decision at 2; see also Exhibits R-1, R-4. However, the ALJ found, and the record substantiates, that Petitioner had been residing in NJ with his mother until January 2017, and that he was homeless thereafter, until such time as he obtained Substance Abuse Program housing in May 2018. See Initial Decision at 4-5; see also Exhibits P-1 through P-4. The record also substantiates that Petitioner owes \$525 in past due rent for such housing, and that he is now facing discharge and imminent homelessness. See Initial Decision at 2; see also Exhibits R-2, R-3. Moreover, the ALJ found that, as Petitioner is a transient guest at a halfway house, no formal eviction proceedings are needed in order for the Agency to determine imminent homelessness, as it had maintained. See Initial Decision at 5; see also Exhibit R-1, and N.J.A.C. 10:90-6.3(a)(1)(ii). Based on the foregoing, the ALJ concluded that Petitioner had supplied the appropriate verifications to the Agency, and that the denial of EA benefits to Petitioner was improper, and must be reversed. See Initial Decision at 5; see also Exhibit R-4, and N.J.A.C. 10:90-6.1(c). I agree.

No Exceptions to the Initial Decision were received.

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 concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

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



Officially approved final version.

OCT 24 2018

Natasha Johnson

Director

