



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 13170-19 A.F.

AGENCY DKT. NO. C232271009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that she failed to provide required documentation, abandoned affordable housing in another state, and moved to New Jersey without a plan. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 26, 2019, the Honorable Gail M. Cookson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On September 26, 2019, the ALJ issued an Initial Decision, reversing the Agency's determination.

No Exceptions to the Initial Decision were received.

As the Director of the 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 REVERSE the Agency's determination.

Here, based on Petitioner's particular circumstances, specifically the fact that Petitioner has an open case with the Division of Child Protection and Permanency ("DCPP"), and in order to facilitate Petitioner's move toward self-sufficiency, I agree with the ALJ's reversal of the Agency's denial of EA benefits to Petitioner. See Initial Decision at 2-3; see also "DCPP Letter" dated September 24, 2019, and "Notification Form." Accordingly, I find that the Agency shall provide Petitioner with EA benefits. See Initial Decision at 4; see also N.J.A.C. 10:90-6.1(c).

Further, the ALJ ordered the Agency to provide Petitioner with sixty days of EA benefits in the form of hotel placement in Jersey City, Hudson County. See Initial Decision at 4. I respectfully disagree. Rather, I find that it is the Agency who shall determine the appropriate form of EA benefits required to meet Petitioner's needs. See N.J.A.C. 10:90-6.3(a)(1). Also, I find that Petitioner shall be provided with EA benefits so long as she remains otherwise eligible for same. See Initial Decision at 4; see also N.J.A.C. 10:90-6.1 et seq. The Initial Decision is modified to reflect these findings.

By way of comment, Petitioner is advised that she must provide the Agency with all required documentation, and that failure to do so may result in the termination of her EA benefits.



By way of further comment, as the record indicates that Petitioner has an open case with the DCP, a copy of the Initial and Final Decisions shall be forwarded to DCP.

Accordingly, the Initial Decision is hereby MODIFIED, and the Agency's action is REVERSED.

Officially approved final version.

Natasha Johnson
Assistant Commissioner

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