



## State of New Jersey

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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 **03181-22 M.A.**

AGENCY DKT. NO. **C705369007 (ESSEX COUNTY DIVISION OF WELFARE)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits in the form of a security deposit and moving expenses. The Agency denied Petitioner EA benefits, contending that she had failed to provide documentation required to determine eligibility for said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 18, 2022, the Honorable Ernest M. Bongiovanni, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On May 23, 2022, the ALJ issued an Initial Decision, affirming the Agency's determination. The record reflects that on March 9, 2022, Petitioner had applied for EA benefits in the form of a security deposit and moving expenses needed to allegedly relocate to other Section 8 housing in another county. See Initial Decision at 2; see also Exhibits R-2, R-5. As part of that application process, Petitioner was required to provide certain documentation to the Agency by April 9, 2022, verifying the reason(s) for the move from her current Section 8 housing, and verifying Section 8 administrative approval to move to another housing location. See Initial Decision at 2-3; see also Exhibit R-3 and N.J.A.C. 10:90-1.6(a), -2.2(a)(5). The ALJ found that, although the Agency had given Petitioner adequate notice, as well as an additional three weeks to provide the required Section 8 administrative approval letter, prior to the Agency's April 26, 2022, denial, Petitioner had failed to provide such documentation. See Initial Decision at 3-4; see also Exhibits R-3, R-4. Moreover, based on Petitioner's unwillingness to participate in the hearing, the ALJ found that the totality of facts presented supported that Petitioner had never acquired Section 8 approval to relocate. See Initial Decision at 5. 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 4-5; see also Exhibit R-4. I 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 is advised that she may reapply for EA benefits, but is reminded that she must provide the Agency with all documentation required to determine eligibility for said benefits. See N.J.A.C. 10:90-2.2(a)(5).

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

Officially approved final version.

June 15, 2022

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Natasha Johnson  
Assistant Commissioner

