



## State of New Jersey

### DEPARTMENT OF HUMAN SERVICES

Division of Family Development  
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Kim Guadagno  
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Elizabeth Connolly  
*Acting Commissioner*

Nalasha 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 4498-15 A.M.

AGENCY DKT. NO. GA579198 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals Respondent Agency's denial of her application for Work First New Jersey/General Assistance ("WFNJ/GA") and Emergency Assistance ("EA") benefits in the form of Temporary Rental Assistance ("TRA"). The Agency denied Petitioner benefits because she purportedly failed to provide the Agency with requested verification documentation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 7, 2015, the Honorable JoAnn LaSala Candido, Administrative Law Judge ("ALJ"), held an emergent plenary hearing, took testimony, and admitted documents into evidence. On April 7, 2015, the ALJ issued an Initial Decision, which reversed the Agency's action.

No exceptions to the Initial Decision were received.

As Director of the Division of Family Development, Department of Human Services, I have reviewed the record for this matter and the ALJ's Initial Decision and following an independent evaluation of the record, I hereby ADOPT the ALJ's Initial Decision and REVERSE the Agency determination.

The purpose of the WFNJ Program is to assist needy individuals by providing them with transitional support that enables them to become self-sufficient and avoid the need for public assistance in the future. N.J.S.A. 44:10-56. GA is a component of WFNJ that provides assistance to adults without dependent children. N.J.A.C. 10:90-1.1(b). An applicant/recipient, as a condition of eligibility for WFNJ/GA benefits, shall, among other things, provide all necessary documentation. See N.J.A.C. 10:90-2.2(a)(5).

The purpose of EA is to meet the needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work related activities without disruption in order to continue on the path to self-sufficiency. See N.J.A.C. 10:90-6.1(a). In order to be eligible for EA benefits, N.J.A.C. 10:90-6.1(c) provides, in pertinent part, that the individual must have "an actual or imminent eviction from prior housing, and the assistance unit is in a state of homelessness or imminent homelessness due to circumstances beyond their control or the absence of a realistic capacity to plan in advance for substitute housing."

Here, Petitioner applied on December 5, 2014, for WFNJ/GA and EA benefits. See Initial Decision at 2. On March 19, 2015, Petitioner was denied EA/TRA because she was not a WFNJ/GA recipient, which is a prerequisite for EA eligibility. See Initial Decision at 2; Exhibit P-1 at 2. Petitioner was, on March 23, 2015, denied WFNJ/GA benefits, effective March 17, 2015, because she failed to provide requested documentation. See Exhibit P-3.

My independent review of the record shows that Petitioner was requested, via the Agency's Notice of Verification, dated December 12, 2014, to provide certain documents to the Agency by January 4, 2015. See Exhibit P-4. The Agency acknowledged in writing, dated December 15, 2014, the receipt of documents from the Petitioner. See Exhibit P-5. Additionally, Petitioner provided proof, dated January 7, 2015, that she had completed the 28-day WFNJ/GA work requirement. See Exhibit P-6. Lastly, Petitioner provided the Landlord/Tenant Civil Action Summons for eviction with a court date of April 9, 2015. See Initial Decision at 2; Exhibit P-2 at 1-4.

The ALJ in this matter found that it was "uncontroverted that petitioner provided the requested documentation outlined in the Agency's Notice of Verification, dated December 5, 2014." See Initial Decision at 2. On the other hand, the ALJ also noted that the Agency representative who appeared at the hearing candidly testified that she was not in possession of a file and was unaware of the facts of the matter. *Ibid.*

The ALJ therefore concluded that Petitioner had provided all of the documents requested by the Agency needed to make a determination on her WFNJ/GA and EA applications, and that she is entitled to the requested benefits. Based on the record presented, I concur with the ALJ. WFNJ/GA benefits shall be provided retroactive to the completion of Petitioner's 28-day work activity. See N.J.A.C. 10:90-1.2(f)(8).

By way of comment, the Agency is reminded of its responsibilities in representation and presentation of a matter at a plenary hearing before an ALJ, pursuant to N.J.A.C. 10:90-9.12(b).

Accordingly, the Initial Decision in this matter is ADOPTED, and the Agency's action is hereby REVERSED.

*Signed Copy on File*  
at DFD, BARA

**APR 17 2015**

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Natasha Johnson  
Director