



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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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 11684-15 A.P.

AGENCY DKT. NO. GA568313 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from Respondent Agency's denial of his application for Emergency Assistance ("EA") benefits. The Agency denied Petitioner's EA application because it found Petitioner had a realistic capacity to plan for his emergency and failed to do so. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 26, 2015, the Honorable Thomas R. Betancourt, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On August 27, 2015, the ALJ issued an Initial Decision affirming the Agency's determination. The ALJ noted Petitioner is a Work First New Jersey/General Assistance ("WFNJ/GA") recipient who resided with his mother for the previous two years. See Initial Decision at 2. Petitioner was last employed in 2011, but did not attempt to find his own housing during the period he was residing with his mother. Ibid. Petitioner now seeks EA because his mother is moving to a one-bedroom apartment where he can no longer reside with her. Ibid; see also Exhibit P-1. The ALJ found that Petitioner had the realistic capacity to plan for his housing emergency while living with his mother for the past two years, and therefore, the Agency was correct to deny Petitioner EA. I concur.

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 concur with the ALJ's decision and hereby adopt the Findings of Fact and Conclusion of Law in this matter.

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

Signed Copy on File
at DFD, BARA

SEP 18 2015

Natasha Johnson
Director