



## State of New Jersey

### DEPARTMENT OF HUMAN SERVICES

Division of Family Development  
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Chris Christie  
*Governor*

Kim Guadagno  
*Lt. Governor*

Elizabeth Connolly  
*Acting Commissioner*

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 678-15 A.S.

AGENCY DKT. NO. GA275757 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits because he, purportedly, had the realistic capacity to plan for substitute housing. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 25, 2015, the Honorable Tiffany M. Williams, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On April 6, 2015, the ALJ issued her Initial Decision, reversing the Agency's determination. The record indicates that after Petitioner's incarceration he was placed in transitional housing as part of a reentry program. See Initial Decision at 2. Additionally, the record shows that the Agency knew Petitioner had been placed in temporary housing in September of 2014, and confirmed that Petitioner qualified for EA benefits to pay for that housing. Accordingly, the Agency paid for Petitioner's transitional housing until he was released from the program on November 21, 2014. Ibid. After Petitioner's release from the reentry program, in December 2014, the Agency terminated Petitioner's EA benefits, alleging he had the capacity to plan for substitute housing. See Exhibit R-1. Based on the foregoing facts, the ALJ found that the termination of Petitioner's EA benefits was unwarranted, and that Petitioner's benefits be fully reinstated immediately. Ibid.

No Exceptions to this 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 final conclusion in this matter 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 determination is REVERSED.

**MAY 18 2019**

*Signed Copy on File*

at DFD, BARA

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Natasha Johnson  
Director