



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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Chris Christie
Governor

Kim Guadagno
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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 16657-14 B.F.

AGENCY DKT. NO. C043680 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner's application for EA benefits because she was no longer a Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") recipient. On February 13, 2014, a plenary hearing was scheduled, at which time the Honorable Margaret Monaco, Administrative Law Judge, adjourned the matter to give the parties the opportunity to resolve the case. The hearing was later rescheduled for March 2, 2015, on which date the Honorable Leland S. McGee, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On March 19, 2015, the ALJ issued an Initial Decision, affirming the Agency's determination.

The Agency filed exceptions in this matter on March 26, 2015.

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 hereby ADOPT the Initial Decision and AFFIRM the Agency's action.

The purpose of EA is to meet the emergent needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work activities without disruption and continue on a path to self-sufficiency. 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." Only WFNJ and Supplemental Security Income ("SSI") recipients are eligible for EA benefits. N.J.A.C. 10:90-6.2(a).

The record in this matter reveals that Petitioner applied for EA in the form of back rent on October 24, 2014. See Initial Decision at 2; see also Exhibit R-2. However, on October 6, 2014, Petitioner was issued an adverse action notice advising that her WFNJ/TANF benefits were terminated as of November 1, 2014, because she had been removed from the case. See Initial Decision at 2; see also Exhibit P-1. Petitioner was removed from the case because she failed to comply with the work requirement. See Initial Decision at 2; see also Exhibit R-3. Furthermore, Petitioner began full-time employment on October 15, 2014. See Initial Decision at 2; see also Exhibit R-2 at 1. Therefore, because Petitioner was no longer a WFNJ/TANF recipient, the Agency determined she was not eligible for EA benefits. See Initial Decision at 2; see also Exhibit P-2. I agree.

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

MAY 18 2015

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director