



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 11767-14 C.R.

AGENCY DKT. NO. GA916570 (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 application for EA benefits on the basis that Petitioner was not a Work First New Jersey/General Assistance ("WFNJ/GA") or Supplemental Security Income ("SSI") benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 18, 2014, the Honorable Richard McGill, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On September 19, 2014, the ALJ issued an Initial Decision, reversing the Agency determination. The ALJ found Petitioner's testimony credible that he had originally applied for EA in June 2014, when he was not a WFNJ/GA recipient, but went to apply a second time in August 2014, after he had been approved for, and begun receiving, WFNJ/GA benefits. See Initial Decision at 3. The ALJ further found that the Agency sent Petitioner a denial letter on September 5, 2014, which was back dated to June 11, 2014. *Ibid.* The ALJ concluded that Petitioner had, in fact, applied for EA benefits in August 2014, was now a WFNJ/GA benefits recipient and was imminently homeless due to circumstances beyond his control and eligible to receive EA. See Initial Decision at 3-4. Thus, the ALJ ordered that Petitioner be granted EA benefits. See *id.* at 5.

Neither party filed Exceptions to the Initial Decision.

As the Director of the Division of Family Development, Department of Human Services, I have considered the 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 Conclusions of Law in this matter.

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

SEP 29 2014

Signed Copy on File
at DFD, BARA.

Jeanette Page-Hawkins
Director