



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 15741-14 D.B.

AGENCY DKT. NO. C404091 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals the Respondent Agency's termination of Emergency Assistance ("EA") benefits on the basis that she had exhausted all available EA benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 12, 2015, the Honorable Leland S. McGee, Administrative Law Judge ("ALJ"), held a plenary hearing and took testimony.

On January 13, 2015, the ALJ issued an Initial Decision which reversed the Agency determination. The ALJ noted that the Agency failed to meet its burden of proof to establish that Petitioner was not eligible for EA benefits. See Initial Decision at 3. The Agency representative at the hearing acknowledged that he had no prior knowledge of the case and was not familiar with any of the facts in the matter. See *id.* at 2.

No exceptions to the Initial Decision were received.

As the Director of the Division of Family Development, Department of Human Services, I have considered the record in this matter and the ALJ's Initial Decision, and having made an independent evaluation of the record, I ADOPT the Findings of Fact and Conclusions of Law in the Initial Decision, and REVERSE the Agency determination.

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 is ADOPTED and the Agency determination is REVERSED.

MAR 02 2015

Signed Copy on File
at DFD, BARA

Natasha Johnson
Deputy Director