



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 4323-15 F.P.

AGENCY DKT. NO. GA560662 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals the Respondent Agency's denial of Emergency Assistance ("EA") benefits because she sought four months of retroactive Temporary Rental Assistance ("TRA"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 6, 2015, the Honorable Caridad F. Rigo, Administrative Law Judge ("ALJ"), held an emergent hearing, took testimony and admitted documents. On April 7, 2015, the ALJ issued an Initial Decision which reversed the Agency determination.

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.~~

I agree with the ALJ that "the case at bar is an excellent example of when EA/TRA should be provided. Here, Petitioner is facing eviction; it is only a matter of time. Petitioner has a daughter that is willing to return home and assist her parents. Petitioner has 50% of the arrears to contribute immediately towards the rent. EA/TRA in this case is almost certain to be temporary. It is preferable to provide Petitioner with EA/TRA now, on a short term basis, than to house her and her ill husband in a hotel or shelter long term." N.J.A.C. 10:90-6.3(a)(5). Initial Decision at 4.

Accordingly, the Initial Decision is ADOPTED and the Agency determination is REVERSED.

APR 17 2015

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director