



## 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

REMAND DECISION

OAL DKT. NO. HPW 2379-15 G.S.

AGENCY DKT. NO. GA574281 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from Respondent Agency's denial of Petitioner's request for Emergency Assistance ("EA") benefits in the form of Temporary Rental Assistance ("TRA"). The Agency denied Petitioner's EA application because Petitioner failed to provide the Agency with required documentation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 23, 2015, the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence. On February 24, 2015, the ALJ issued her Initial Decision affirming the Agency's determination.

Exceptions to the Initial Decision were filed by Petitioner on February 25, 2015.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the record and the Initial Decision and hereby ADOPT the Initial Decision, AFFIRM the Agency's determination and REMAND the matter to the Agency for reevaluation as outlined below.

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). An applicant/recipient, as a condition of eligibility for Work First New Jersey/General Assistance (WFNJ/GA) benefits, shall, among other things, provide all necessary documentation. See N.J.A.C. 10:90-2.2(a)(5).

The record in this matter reveals that Petitioner was denied EA because she did not submit the requisite forms from her landlord to complete her application for TRA benefits. See Initial Decision at 2. Petitioner states her landlord would not complete the forms until Petitioner was approved for TRA. Ibid. The Agency states that it needed the completed forms in order to process and approve Petitioner for TRA. Ibid. Petitioner was to be locked out of her apartment on March 1, 2015. Ibid. The ALJ concluded that the Agency appropriately denied Petitioner EA benefits for failing to return the signed, completed forms to the Agency. See id. at 3.

It is clear from the record that Petitioner is imminently homeless, and may now be homeless given the March 1, 2015, lockout date stated in the Initial Decision. Petitioner is now receiving WFNJ/GA benefits, and was given retroactive benefits on January 28, 2015, to November 2014, the time of her initial application. Based upon an independent review of the record, it appears that Petitioner meets EA eligibility criteria. As such, I am remanding the matter back to the Agency to reevaluate Petitioner for EA benefits in a form to be determined by the Agency.

If the Agency again denies EA benefits, Petitioner is without prejudice to appeal that determination.

Accordingly, the Initial Decision in this matter is ADOPTED, the Agency's action is AFFIRMED and the matter is REMANDED to the Agency as discussed above.

MAR 10 2015

*Signed Copy on File*  
at DFD, BARA

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Natasha Johnson  
Deputy Director