



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 9042-15 L.V.

AGENCY DKT. NO. C324516 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of her application for Emergency Assistance ("EA") in the form of shelter placement. The Agency denied Petitioner's application for EA. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 23, 2015, the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On June 23, 2015, the ALJ issued her Initial Decision affirming the Agency determination.

The record reveals that on June 2, 2015, Petitioner applied to the Agency for EA shelter placement. See Initial Decision at 2. On June 3, 2015, the Agency denied Petitioner's application because she did not provide proof imminent homelessness. Ibid. See Initial Decision at 2.

The record further reveals that the Petitioner formally lived in an apartment and was evicted therefrom at some point in 2014 due to nonpayment of rent, although the date of eviction is unclear. Initial Decision at 2. Moreover, the record reflects that Petitioner received Unemployment Insurance Benefits ("UIB") through February 2015, and it is also unclear whether the receipt of those UIB benefits was during the period for which the Petitioner had not paid rent on her apartment and was ultimately evicted. Ibid. Finally, at the time she applied for EA, the Petitioner provided a unsigned letter stating that she and her family could not longer live with the writer of the letter. The letter did not state who the writer was, the address where the writer lived, or a specific date when Petitioner had to leave the premises. Based on those

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factors, the ALJ concluded, and I agree, that the Agency's denial of EA to Petitioner was proper because Petitioner did not provide the Agency with proof of imminent homelessness at the time of her application. See Initial Decision at 3.

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 record and the ALJ's 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.

Petitioner is free to reapply for EA at any time but must provide proof of imminent homelessness. However, if she reapplies for EA, the Petitioner is advised that she will need to provide the Agency with further details regarding her 2014 eviction as well as how her UIB benefits were spent during that time period.

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

Signed Copy on File
at DFD, BARA

JUL - 1 2015

Natasha Johnson
Director