



*State of New Jersey*

**DEPARTMENT OF HUMAN SERVICES**

Division of Family Development  
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*Director*  
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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 16546-15 M.R.

AGENCY DKT. NO. C640526 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's non-payment of her Emergency Assistance ("EA") in the form of Temporary Rental Assistance ("TRA"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 21, 2015, the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"), held a plenary hearing and took testimony. No documents were admitted into evidence. On the same day, the ALJ issued an Initial Decision reversing the Agency's determination as to Petitioner's EA benefits.

No Exceptions to the Initial Decision were filed.

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 hereby ADOPT the Initial Decision and REVERSE the Agency determination.

I agree with the ALJ's conclusion in this matter that the Agency improperly failed to pay Petitioner's EA benefits via TRA because the Agency failed to issue an adverse action notice to the Petitioner, as required by N.J.A.C. 10:90-9.1. Therefore, the Agency shall provide Petitioner with retroactive TRA for the months of September 2015 and October 2015.

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

*Signed Copy on File*  
at DFD, BARA

**OCT 29 2015**

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Natasha Johnson  
Director