



*State of New Jersey*

**DEPARTMENT OF HUMAN SERVICES**

Division of Family Development  
P.O. Box 716  
TRENTON, NEW JERSEY 08625

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*Governor*

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*Commissioner*

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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 15367-14 P.S.

AGENCY DKT. NO. C628089 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals the Respondent Agency's termination/denial of Emergency Assistance ("EA"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 26, 2014, the Honorable Tiffany Williams, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, admitted documents and issued an Initial Decision which reversed the Agency determination.

Neither party submitted exceptions.

As the Director of the Division of Family Development, Department of Human Services, I independently reviewed the record and hereby ADOPT the findings of fact and conclusions of law in the Initial Decision, as though set forth herein at length, and REVERSE the Agency determination.

The Agency must rescind any penalty imposed in connection with this matter and pay EA in the form of Temporary Rental Assistance from July 1 through December 31, 2014 in accordance with its determination dated October 9, 2014. Under the circumstances, and in the absence of a tenancy complaint, the Agency unreasonably asked Petitioner to submit a "cease to evict" letter from her landlord. Compounding this error, the Agency did not pay the retroactive EA it previously granted and instead issued an untimely and inadequate adverse action letter on November 13, 2014. Like the ALJ, I note the Agency did not present testimony from a representative with knowledge of the circumstances underlying the adverse action,

and did not introduce relevant documents, including but not limited to its request for a letter from the landlord.

DEC - 9 2014

*Signed Copy on File*  
at DFD, BARA

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Jeanette Page-Hawkins  
Director