



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 7387-15 T.B.

AGENCY DKT. NO. GA312421 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of an extension of Emergency Assistance ("EA") benefits because she allegedly failed to meet the eligibility criteria. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 18, 2015, the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On June 19, 2015, the ALJ issued her Initial Decision, reversing the Agency's determination. The record indicates that Petitioner has received her cumulative lifetime limit of EA benefits. See Initial Decision at 3. On April 27, 2015, the Agency denied Petitioner an extension of EA benefits under the extreme hardship provision, as well as under the Housing Assistance Program ("HAP") pilot, because she did not meet the eligibility criteria. See Initial Decision at 3; see also N.J.A.C. 10:90-6.4(c) and N.J.A.C. 10:90-6.10. The record further shows that Petitioner has a pending Supplemental Security Income ("SSI") application, and a MED-1 form indicating a 12-month disability. See Initial Decision at 3, 5; see also Exhibits P-1 and P-2. Additionally, the record indicates that Petitioner provided documentation confirming same to the Agency prior to its denial of an extension of EA benefits under HAP. See Initial Decision at 3. Based upon the facts presented, the ALJ found that Petitioner met the criteria for an extension of EA benefits under HAP, and that the Agency improperly denied Petitioner EA benefits. *Id.* at 7-8; see also N.J.A.C. 10:90-6.10(a)(1)(i).

No Exceptions to this Initial Decision were filed.

As the Director of the Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision and following an independent review of the record, I concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law in this matter.

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

JUL 13 2015

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director