



State of New Jersey

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*Governor*

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DIVISION OF FAMILY DEVELOPMENT  
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TRENTON, NJ 08625-0716

NATASHA JOHNSON  
*Director*

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 16327-18 M.C.

AGENCY DKT. NO. S754848009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that he failed to provide documentation required to determine his EA benefits eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for November 20, 2018, but was adjourned to allow Petitioner the opportunity to provide additional documentation. On November 27, 2018, the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On November 27, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

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.

Here, in order to determine Petitioner's eligibility for EA benefits the Agency, by notice dated August 9, 2018, instructed Petitioner to provide certain documents within 30 days from the date of that notice, including a copy of his 2017 tax transcript. See Initial Decision at 2; see also "30 Day Notice." The ALJ found, and Petitioner acknowledged, that he failed to timely provide the required tax transcript to the Agency. See Initial Decision at 2-3. Moreover, it was not until the date of the hearing that Petitioner provided a letter from the Internal Revenue Service ("IRS") indicating that it had no record of 2017 tax forms filed for Petitioner. See Initial Decision at 3; see also "IRS letter" dated November 20, 2018. Based on the foregoing, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 3; see also "Notification Form" dated October 4, 2018, and N.J.A.C. 10:90-2.2(a)(5), -6.1(a)(1). I agree.

By way of comment, Petitioner may reapply for EA benefits, and in light of Petitioner's recent eviction, the Agency is instructed to reevaluate Petitioner's eligibility for EA benefits on an expedited basis. See Initial Decision at 3; see also "Tenancy Summons."



Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is AFFIRMED.

Officially approved final version.

DEC 03 2018

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Natasha Johnson  
Director

