



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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Commissioner

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Lt. Governor

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 09955-18 M.L.

AGENCY DKT. NO. C175191007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits in the form of back utilities. The Agency denied Petitioner EA benefits contending that she had exhausted her lifetime limit of EA benefits, plus all applicable extensions. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 17, 2018, the Honorable Margaret M. Monaco, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On July 18, 2018, the ALJ issued an Initial Decision, reversing the Agency's determination.

Exceptions to the Initial Decision were filed by the Agency on July 20, 2018.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby MODIFY the ALJ's Initial Decision, and REVERSE the Agency's determination.

Based on an independent review of the record, I find that Petitioner has exhausted her lifetime limit of EA benefits, plus available extreme hardship extensions. See Initial Decision at 3; see also Exhibit R-1 at 17-30, and N.J.A.C. 10:90-6.4(a), (b), (c). However, based on Petitioner's particular circumstances, I direct the Agency to provide Petitioner with EA benefits in the form of back utilities only, in an amount required to bring her current. See Initial Decision at 2, 6; see also N.J.A.C. 10:90-6.3(a)(5). Petitioner is advised that she is ineligible for any further EA benefits should she again become delinquent on her utility payments. See N.J.A.C. 10:90-6.4(a), (b), (c). The Initial Decision is modified to reflect this finding.

By way of comment, I have reviewed the Agency's Exceptions, and I find that the arguments made therein do not alter my decision in this matter.



Accordingly, the Initial Decision is hereby MODIFIED, and the Agency's action is REVERSED.

Officially approved final version.

JUL 30 2018

Natasha Johnson

Director

