



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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CAROLE JOHNSON
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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 08698-19 R.K.

AGENCY DKT. NO. S565818012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits in the form of a security deposit and first month's rent. The Agency denied Petitioner benefits, contending that EA benefits could not be provided under the EA regulations. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 19, 2019, the Honorable Carl V. Buck, III, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was held open to allow the submission of additional documents by the parties. The record then closed on July 31, 2019.

On August 20, 2019, the ALJ issued an Initial Decision, reversing the Agency's determination. Based on the particular circumstances of this case, specifically, the fact the Petitioner had timely secured affordable subsidized housing and was given a very short move-in time by the Housing Authority, I concur with the ALJ's conclusion that the Agency's denial of EA benefits to Petitioner in the form of a security deposit and first month's rent was improper and must be reversed. See Initial Decision at 6-8; see also Exhibits P-1, R-5, R-8, R-12, and N.J.A.C. 10:90-6.3(a), -6.6(a).

Exceptions to the Initial Decision were filed by the Agency on August 28, 2019.

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.

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 ADOPTED, and the Agency's determination is REVERSED.



Officially approved final version.

SEP 25 2018

Natasha Johnson
Director

