



State of New Jersey

PHILIP D. MURPHY  
Governor

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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TRENTON, NJ 08625-0716

NATASHA JOHNSON  
Assistant Commissioner

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 04879-21 R.W.

AGENCY DKT. NO. C019410019 (SUSSEX COUNTY DIVISION OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that he had resolved his homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for July 6, 2021, but a telephone conference with the parties was held instead, and the plenary hearing was then rescheduled to August 25, 2021. On that date, the Honorable John P. Scollo, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On August 30, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination. Here the ALJ found that Petitioner has a "Room Rental Agreement," which allows him to reside in a single room in his sister's home until November 30, 2021. See Initial Decision at 3; see also Exhibit R-3. The ALJ also found that, except for two days in February 2021, Petitioner had resided with his sister since 2012/2013, and continues to reside with her, to date. See Initial Decision at 2-4; see also Exhibit R-1 at 1-8. Further, the ALJ found that Petitioner's rent and utility payments are current, and that there is no eviction action pending. See Initial Decision at 4. Based on the testimony and evidence provided, the ALJ found that Petitioner had resolved any housing issues that he may have had with his sister, and that he is not currently homeless or imminently homeless. *Id.* at 3-5. Accordingly, the ALJ concluded that Petitioner is ineligible for EA benefits, and as such, the Agency's denial of EA benefits to Petitioner was proper and must stand. *Id.* at 4-5; see also Exhibit R-1 at 13-17, and N.J.A.C. 10:90-6.1(c). I agree.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, 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, Petitioner is advised that should his housing circumstances change, he may reapply for EA benefits.

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



SEP 30 2021

Officially approved final version.

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Natasha Johnson  
Assistant Commissioner

