



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 13993-24 N.S.

AGENCY DKT. NO. C875635007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits contending that he was not a Work First New Jersey (WFNJ) benefits recipient, moved to Essex County from another state without a plan, and that there was no verification of an imminent emergency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 9, 2024, the Honorable William J. Courtney, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On October 11, 2024, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the ALJ found, and the record substantiates that Petitioner is a WFNJ/General Assistance ("GA") benefits recipient, is homeless, had been residing in New Jersey ("NJ") since his 2018 breakup with his girlfriend, who resides in New York ("NY"), and was not a non-resident/transient as alleged by the Agency. See Initial Decision at 2-3; see also Exhibits R-2, R-4, R-5, R-6 and N.J.A.C. 10:90-2.11(a), (b). The ALJ also found the Agency's contention, that Petitioner had moved to NJ without a plan for supporting himself, was not supported by the record, and that, moreover, Petitioner had been employed in NJ until 2024, has a NJ driver's license, and is currently enrolled in NJ school in an effort to attain self-sufficiency. See Initial Decision at 2-4; see also Exhibit R-5. Based on the foregoing, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was improper and must be reversed. See Initial Decision at 4; see also Exhibit R-2, and N.J.A.C. 10:90-6.1 et seq. 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 the Agency shall determine the most appropriate form of emergency housing required to address the needs of an EA recipient, which may include shelter placement. See N.J.A.C. 10:90-6.3(a)(1).

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



Officially approved final version. October 16, 2024

Natasha Johnson
Assistant Commissioner

