



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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CAROLE JOHNSON
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 08757-18 A.B.

AGENCY DKT. NO. C228334009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits contending that she failed to provide required documentation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 21, 2018, the Honorable Gail M. Cookson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On June 21, 2018, the ALJ issued an Initial Decision, reversing 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 reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and REVERSE the Agency's determination.

As a condition of eligibility for Work First New Jersey benefits, the applicant/recipient shall, subject to good cause exceptions, be required to provide all necessary documentation. See N.J.A.C. 10:90-2.2(a)(5).

Here, the Agency terminated Petitioner's EA benefits because she failed to provide a letter from her former employer explaining the reason why she was no longer employed, as required by EA Notices dated March 2, 2018, and April 5, 2018. See Initial Decision at 2; see also Adverse Action Notice dated April 16, 2018, "EA Notices," and N.J.A.C. 10:90-2.2(a)(5). However, the ALJ found Petitioner credible when she testified that she had attempted to get such documentation from her former employer, but that the employer had refused to cooperate. See Initial Decision at 3. Petitioner had provided the Agency with a letter from her new employer, indicating the date that she had started employment with them, and her current salary. See Initial Decision at 2; see also "Letter dated June 18, 2018." Based on the foregoing, the ALJ concluded that Petitioner had done all that she could do, in good faith, to provide the required documentation from her former employer, and that the Agency's termination of Petitioner's EA benefits was, therefore, improper. See Initial Decision at 4; see also Adverse Action Notice dated April 16, 2018. Accordingly, the ALJ found Petitioner eligible for EA benefits in the form of back rent for the months of May and June, rent for the month of July, and prospective EA benefits, thereafter, as warranted. See Initial Decision at 4. I agree, and for the sake of clarity, I find that Petitioner is eligible for prospective EA benefits provided she continues to need said benefits, and remains otherwise eligible for same. See N.J.A.C. 10:90-6.1 et seq.



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

Officially approved final version.

JUN 28 2018

Natasha Johnson

Director

