



*State of New Jersey*

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**DIVISION OF FAMILY DEVELOPMENT**  
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*Director*  
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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 04655-18 C.P.**

**AGENCY DKT. NO. C231620009 (HUDSON COUNTY DEPT OF FAM SVCS)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits contending that she failed to provide documentation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 3, 2018, the Honorable Kelly J. Kirk, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On April 4, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that on March 19, 2018, Petitioner was notified that the Agency required additional documentation to process her application for EA benefits. See Initial Decision at 2; see also Exhibit R-2. On March 26, 2018, Petitioner submitted some, but not all, of the documentation requested by the Agency. See Initial Decision at 3; see also Exhibits R-2, R-3. On March 27, 2018, the Agency denied Petitioner's EA application for "failing to provide proof of [Petitioner's] current living situation and failure to provide the documentation needed to establish [Petitioner's] imminent homelessness." See Initial Decision at 3; see also Exhibit R-1. Petitioner testified that she was unable to locate some of the requested documentation because she has been living from place to place since her eviction in June 2017. See Initial Decision at 4; see also Exhibit R-3. The ALJ found that given the passage of nine months since Petitioner's eviction, the requirement that she provide documentation relative to that apartment, such as a lease and utility bills, was unreasonable. *Id.* at 4-5. However, the ALJ found that Petitioner must provide documentation from the persons with whom she has been living, in order to establish that eviction from her current living situation is imminent. *Id.* at 5; see also N.J.A.C. 10:90-6.3(a)(1)(ii). Accordingly, the ALJ concluded the Agency's denial of Petitioner's application for EA benefits was proper and must stand. See Initial Decision at 6; see also Exhibit R-1, and N.J.A.C. 10:90-2.2(a)(5). I agree.

No Exceptions to the Initial Decision were received.

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, Petitioner is without prejudice to reapply for EA benefits, but will need to provide the documentation requested by the Agency, as discussed herein.



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

Officially approved final version.

**APR 12 2018**

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Natasha Johnson

Director

