



State of New Jersey

CHRIS CHRISTIE
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716
TRENTON, NJ 08625-0716

ELIZABETH CONNOLLY
Acting Commissioner

KIM GUADAGNO
Lt. Governor

NATASHA JOHNSON
Director
Tel: (609) 588-2000

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 15401-17 J.D.

AGENCY DKT. NO. C416285016 (PASSAIC COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits contending that she moved to New Jersey ("NJ") without a plan for self-sufficiency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 13, 2017, the Honorable John P. Scollo, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On November 20, 2017, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found that Petitioner moved to NJ without an offer of employment, and without a plan for permanent housing. See Initial Decision at 2-3. Moreover, the ALJ found that Petitioner is not homeless because she is residing with the grandfather of one of her children, and that there is no indication that she cannot continue to reside with him. Id. at 3. Further, the ALJ found that Petitioner does not have an open case with the Division of Child Protection and Permanency ("DCP&P"), as she had only gone to DCP&P for housing assistance, and, was then, simply referred to the Agency for such assistance; therefore, Petitioner is ineligible for EA benefits in accordance with N.J.A.C. 10:90-6.1(c)(6). Id. at 4-5; see also Exhibit R-1 at 7. Based on the foregoing, the ALJ concluded that Petitioner is ineligible for EA benefits, and that the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 4-5; see also Exhibit R-1 at 14, and N.J.A.C. 10:90-6.1(c)(3). I agree.

Exceptions to the Initial Decision were filed by Legal Services, on behalf of Petitioner, on December 1, 2017.

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 Exceptions submitted on behalf of Petitioner, and I find that the arguments made therein do no alter my decision in this matter.



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

Officially approved final version.

Natasha Johnson
Director

JAN 10 2018

