



State of New Jersey

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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 00537-18 T.G.

AGENCY DKT. NO. C663261007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of an extension of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits contending that she failed to comply with her EA service plan ("SP") by failing to conduct, and provide, housing searches on a monthly basis. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 8, 2018, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The hearing continued on February 13, 2018, and the record then closed.

On February 16, 2018, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the ALJ found Petitioner credible when she testified that she had done the housing searches, and had provided those searches to the Agency, as required pursuant to her SP. See Initial Decision at 3. The ALJ also found that the housing searches Petitioner had provided on the second day of hearing substantiated her testimony. Id. at 3-4; see also Exhibits P-3, R-1. Based on the foregoing, the ALJ concluded that the Agency's denial of an extension of EA benefits, on the basis that Petitioner failed to comply with her SP, was improper and must be reversed. See Initial Decision at 4-5; see also Exhibit R-1, and N.J.A.C. 10:90-6.6(a).

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, the record reflects that Petitioner has received 21 months of EA benefits. See Exhibit R-4. Therefore, Petitioner is reminded that the maximum amount of EA benefits that a WFNJ/TANF benefits recipient may receive is 24 months. See N.J.A.C. 10:90-6.4(a), (b), (d). Although an exhaustion of Petitioner's EA benefits is not currently at issue, it may soon be.

By way of further comment, I note that Petitioner's complete home address appears in the Initial Decision which is not appropriate. See Initial Decision at 3; see also N.J.A.C. 10:90-7.7(a),(c).



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

Officially approved final version.

FEB 27 2018

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Natasha Johnson

Director

