



## State of New Jersey

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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 **10923-19 D.C.**

AGENCY DKT. NO. **S924291009 (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 had resolved her emergent situation and was not homeless. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 28, 2019, the Honorable Susana E. Guerrero, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On September 16, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner applied for EA benefits and was placed in immediate need housing from July 3, 2019, through August 1, 2019, pending approval/denial of her application for EA benefits. See Initial Decision at 2; see also Exhibit R-3. Petitioner failed to sign in at the transitional rooming house placement until July 24, 2019. See Initial Decision at 2; see also Exhibit R-2. At no time did Petitioner notify the Agency that she was not staying at the rooming house. See Initial Decision at 2. Consequently, on July 24, 2019, the Agency denied Petitioner's application for EA benefits, on the basis that she had resolved her emergency. *Ibid.*; see also Exhibit R-1, and N.J.A.C. 10:90-6.1(c). Petitioner testified that she had not signed into the rooming house until July 24, 2019, because she had first stayed with a friend while she got her things together to move into the rooming house, and then, she had been house-sitting for her brother from July 7, through July 21, 2019. See Initial Decision at 3. The ALJ found that, at the time the Agency had provided Petitioner with immediate need housing on July 3, 2019, Petitioner had been offered temporary housing by a friend and by her brother. *Ibid.* The ALJ also found that Petitioner's housing emergency had not existed between July 3, 2019, and July 23, 2019. *Id.* at 3-4. Based on the foregoing, the ALJ concluded that Petitioner did not have a housing emergency at the time she applied for EA benefits, and therefore, the Agency's denial of EA benefits to Petitioner was proper and must stand. *Id.* at 4; see also Exhibit R-1, and N.J.A.C. 10:90-6.1(c). I agree. The ALJ also found that Petitioner's housing emergency had not been resolved after July 22, 2019, and as such, Petitioner may reapply for EA benefits if her emergency still exists. See Initial Decision at 4. I also 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.

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

Officially approved final version.

OCT 11 2019

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Natasha Johnson

Assistant Commissioner

