



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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CAROLE JOHNSON
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TRENTON, NJ 08625-0716

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 16475-19 D.V.

AGENCY DKT. NO. C174364009 (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 was not a Work First New Jersey ("WFNJ") benefits recipient, and that she failed to provide certain requested documentation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 27, 2019, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On November 29, 2019, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the ALJ found Petitioner credible when she testified that she could not provide all of the requested documentation to the Agency because some of the documentation had been lost to her as a result of the sale of her possessions through an auction of the contents of her storage unit. See Initial Decision at 3. Based on the foregoing, and the documents admitted into the record, the ALJ concluded that Petitioner had substantially complied with the Agency's document request, but could not produce all of the documents requested as they were unavailable to her. See Initial Decision at 3; see also Exhibit R-1 at 19 through 31. The record also indicates that Petitioner began receiving WFNJ/ Temporary Assistance for Needy Families ("TANF") benefits on October 30, 2019. See Exhibit R-1 at 16. Accordingly, the ALJ also concluded that the Agency's denial of EA benefits to Petitioner was improper and must be reversed. See Initial Decision at 4; see also Exhibit R-1 at 1-5, and N.J.A.C. 10:90-6.1(c), -6.2(a), -6.3(a). 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.

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



Officially approved final version.

Natasha Johnson
Assistant Commissioner

DEC - 5 2019

