



## State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
PO BOX 716

TRENTON, NJ 08625-0716

CAROLE JOHNSON  
*Commissioner*

SHEILA Y. OLIVER  
*Lt. Governor*

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 16680-19 J.S.

AGENCY DKT. NO. C091565002 (BERGEN COUNTY BD. OF SOC. SVCS.)

Petitioner appeals the Respondent Agency's denial of Emergency Assistance ("EA") benefits in the form of storage costs. The Agency denied Petitioner EA benefits, contending that Petitioner had already received the six months of storage costs allowable pursuant to applicable regulatory authority. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 3, 2019, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was held open until December 4, 2019, for the Agency to provide additional information. On December 4, 2019, the record closed and the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As the Director of the Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination.

In pertinent part, N.J.A.C. 10:90-6.3(a) provides for up to six months of EA benefits for "reasonable costs of temporary storage." Payment of storage costs shall not exceed six months, unless the Agency requests and receives approval for additional EA benefits for such costs from DFD. See N.J.A.C. 10:90-6.3(a)(4)(iv).

Here, the record reflects that Petitioner was placed in a family shelter in July of 2019. See Initial Decision at 2. The record also reflects that the Agency provided Petitioner with six months of EA benefits in the form of storage unit payments, three months each for two storage units. Ibid.; see also Exhibits R-6, R-7. Petitioner then located an apartment and on September 16, 2019, moved from the shelter. See Initial Decision at 2. Petitioner was advised to take his belongings out of the storage unit at that time, however, the Agency provided two additional months of EA storage unit benefits for Petitioner to sort through his belongings. Ibid.; see also Exhibits R-6, R-7. When Petitioner asked for a further extension of storage unit benefits, the Agency requested an extension from DFD, which was denied. See Initial Decision at 2, 4; see also N.J.A.C. 10:90-6.3(a)(4)(iv). The Agency sent Petitioner a denial notice on November 18, 2019, and a revised denial notice on November 27, 2019. See Initial Decision at 2;



see also Exhibit R-2. At the hearing, the Agency confirmed that Petitioner had received the maximum allowable months of EA benefits in the form of storage unit costs for two storage units. See Initial Decision at 3; see also Exhibits R-6, R-7, R-11 through R-16. Petitioner argued that he had received verbal approval for additional months of storage unit benefits through the end of December, however, the Agency denied such claim. See Initial Decision at 3-4; see also Exhibits R-17, R-18. Based on the foregoing, the ALJ found that Petitioner was not eligible for additional EA storage unit benefits, and that the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 4; see also Exhibit R-2, and N.J.A.C. 10:90-6.3(a). I agree.

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

Officially approved final version.

DEC 12 2019

---

Natasha Johnson

Assistant Commissioner

