



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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Director

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 17874-18 M.C.

AGENCY DKT. NO. C405411007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of an extension of Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. The Agency denied Petitioner an extension of EA benefits, and imposed a six-month EA ineligibility penalty, contending that he failed to comply with his EA service plan ("SP") by failing to provide the Agency with proof of housing searches. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 3, 2019, the Honorable Leslie Z. Celentano, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On January 3, 2019, the ALJ issued an Initial Decision, reversing the Agency's determination.

No Exceptions to the Initial Decision were received.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby MODIFY the ALJ's Initial Decision, and REVERSE the Agency's determination, as discussed below.

Here, the ALJ found, and the record substantiates, that Petitioner provided the Agency with proof of housing searches, and as such, that he had complied with his SP. See Initial Decision 2; see also Exhibit P-3. The ALJ also found that Petitioner has a valid MED-1 form and is unable to engage in any gainful employment. See Initial Decision at 2; see also Exhibit P-2. Based on the foregoing, the ALJ found that Petitioner is eligible for an additional five months of EA benefits, as well as Work First New Jersey/General Assistance ("WFNJ/GA") benefits. See Initial Decision at 2; see also Exhibit P-2, and N.J.A.C. 10:90-2.4(a)(3)(i). Accordingly, the ALJ concluded that the Agency's denial of EA benefits to Petitioner, and its termination of Petitioner's WFNJ/GA benefits, were improper and must be reversed. See Initial Decision at 3; see also Exhibit P-1. I agree that Petitioner is eligible for an extension of EA benefits; however, I find that Petitioner is only eligible for an additional five months of EA benefits provided he continues to need said benefits, and remains otherwise eligible for same. See N.J.A.C. 10:90-6.1 et seq. The Initial Decision is modified to reflect this finding.

Accordingly, the Initial Decision is hereby MODIFIED, and the Agency's determination is REVERSED, as outlined above.



Officially approved final version.

JAN 10 2013

Natasha Johnson

Director

