



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 17538-19 S.G.

AGENCY DKT NO C341005007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits in the form of storage costs. The Agency denied Petitioner EA benefits, contending that she had exhausted her six-month limit for receipt of storage costs. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 18, 2019, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On December 19, 2019, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, based on Petitioner's particular circumstances, I agree with the ALJ's conclusion that the Agency's denial of EA benefits in the form of storage costs was improper and must be reversed. See Initial Decision at 3-4; see also Exhibit R-1 at 22-25. Accordingly, I direct the Agency to provide Petitioner with EA benefits in the form of retroactive storage costs for the months of November and December 2019, on an expedited basis. See Exhibit R-1 at 10; see also N.J.A.C. 10:90-6.3(a)(4)(iv). Further, the Agency is directed to provide Petitioner with EA benefits for her January, February, and March 2020, storage costs, which will allow Petitioner time to complete her education, secure employment, and pay her own storage costs going forward. See Initial Decision at 3-4; see also N.J.A.C. 10:90-6.3(a)(4)(iv).

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, Petitioner is advised that her last storage payment will be in March 2020, and is therefore advised to plan accordingly.

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



Officially approved final version. DEC 24 2019

Natasha Johnson
Assistant Commissioner

