



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
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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 05371-20 R.D.

AGENCY DKT. NO. C359938007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits in the form of moving expenses. The Agency denied Petitioner's request for EA benefits, contending that she used a mover that was not approved by the Agency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 12, 2020, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. The record was held open to allow Petitioner the opportunity to provide documentation the Agency had required from the unapproved mover used by Petitioner. No such documentation was forthcoming and the record then closed on June 15, 2020.

On June 15, 2020, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that the Agency had approved EA benefits in the form of moving expenses for a specific moving vendor that was pre-approved. See Initial Decision at 3; see also Exhibit R-3. However, Petitioner claimed that she had gotten into a dispute with the pre-approved vendor, and decided to use a different vendor which had not been approved by the Agency. See Initial Decision at 4; see also Exhibits R-1, R-2. Further, Petitioner had failed to provide the Agency with the required documentation needed to approve said unauthorized vendor. See Initial Decision at 4-5; see also Exhibits R-1, R-2, R-5. Although given the opportunity after the hearing to provide proof of payment and the business tax identification information required by the Agency to approve the unauthorized vendor that Petitioner had used for her move, she failed to do so. See Initial Decision at 3. Based on the foregoing, the ALJ found that Petitioner had failed to use an Agency approved moving vendor, and as such, concluded that the Agency's denial of EA benefits in the form of moving expenses to Petitioner was proper and must stand. *Id.* at 3-4; see also Exhibits R-4, R-5, and N.J.A.C. 10:90-6.3(a). I agree.

Exceptions to the Initial Decision were filed by Petitioner on June 17, 2020.

As Assistant Commissioner, 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, I have reviewed Petitioner's Exceptions, and I find that the arguments made therein do not alter my decision in this matter.

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

Officially approved final version.

JUN 23 2020

Natasha Johnson

Assistant Commissioner

