



## State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT  
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*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 **14681-24 J.B.**

AGENCY DKT. NO. **C710127007 (ESSEX COUNTY DIVISION OF WELFARE)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner's application for EA benefits, contending that she was not a Work First New Jersey ("WFNJ") benefits recipient, nor a Supplemental Security Income ("SSI") benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 19, 2025, the Honorable William J. Courtney, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On February 25, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were filed.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, the ALJ's Initial Decision is hereby ADOPTED, and the Agency determination is AFFIRMED, based on the discussion below.

Only WFNJ cash benefits recipients and SSI recipients are eligible for EA benefits. See N.J.A.C. 10:90-6.2(a).

Here, the record reflects that Petitioner applied for EA benefits, and was noticed by the Agency, on July 17, 2024, that she was ineligible for such benefits as she was not a WFNJ or SSI benefits recipient. See Initial Decision at 2; see also Exhibit R-1 at 2-5; see also N.J.A.C. 10:90-6.2(a). Further, Petitioner was informed that she was presumed ineligible because she had been previously denied benefits for failure to return documents, as well as failing to plan to avoid homelessness. See Initial Decision at 2. The Agency representative testified that, at the time of her July 2024, application for EA benefits, Petitioner had moved to an apartment without the ability to pay rent, was three months in arrears for rental payments, and had received an eviction notice, regardless, Petitioner was neither a WFNJ or SSI benefits recipient at that time. Ibid. Although Petitioner reapplied for, and was granted, WFNJ benefits in August of 2024, said granting of benefits came after the Agency's denial of EA benefits. Id. at 2-3; see also Exhibit R-1. The ALJ also found that there was no testimonial or documentary evidence presented that Petitioner was homeless prior to her residing at the new apartment, nor that there was any pending eviction from the new apartment. See Initial Decision at 2-3. Based on the foregoing, the ALJ found that, at the time of her July 2024 application, Petitioner was not a WFNJ or SSI recipient, nor is she currently homeless or at risk of becoming so, and as such, concluded that the Agency's July 17, 2024, denial of Petitioner's application EA benefits was proper and must stand. See Initial Decision at 2-3; see also Exhibit R-1 at 2-5, and N.J.A.C. 10:90-6.2(a). I agree.

By way of comment, the Initial Decision references testimony from Petitioner that she experienced theft of her benefits. As the ALJ determined that the fair hearing was solely to address the July 17, 2024, denial of EA benefits, Petitioner was informed she may file a request for an additional fair hearing on the stolen benefits matter. See Initial Decision at 3.



By way of further comment, Petitioner is without prejudice to reapply for EA benefits should her circumstances have changed.

Accordingly, the Initial Decision in this matter is ADOPTED, and the Agency's determination is hereby AFFIRMED, as outlined above.

Officially approved final version. April 02, 2025

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Natasha Johnson  
Assistant Commissioner

