



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

SARAH ADELMAN
Commissioner

TAHESHA L. WAY
Lt. Governor

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 **14783-24 K.D.**

AGENCY DKT. NO. **C177698007 (ESSEX COUNTY DIVISION OF WELFARE)**

Petitioner appeals from the Respondent Agency's denial of her hardship extension application for Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits contending that she failed to provide a signed copy of her service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On April 9, 2025, the Honorable William J. Courtney, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On April 15, 2025, the ALJ issued an Initial Decision, reversing the Agency's determination and remanding the matter to the Agency for further action.

No Exceptions to the Initial Decision were received.

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 hereby ADOPT the ALJ's Initial Decision, REVERSE the Agency's determination and REMAND this matter back to the Agency, based on the discussion below.

Here, the record reflects that, on August 8, 2024, Petitioner applied for a hardship extension of EA benefits, which was initially approved by the Agency for an additional three months. See Initial Decision at 3; see also Exhibits R-1, P-2. The Agency informed Petitioner that she would need to sign and comply with an updated SP. See Initial Decision at 3; see also Exhibit P-2. Petitioner thereafter typed her name on to the SP document, and returned it to the Agency via their web portal on August 16, 2024, as well as on August 21, 2024. See Initial Decision at 3; see also Exhibits P-2, P-4. An unidentified Agency representative, via the web portal, informed Petitioner that typing her name onto the bottom of the SP was an acknowledgement of her acceptance of the plan. Ibid. On September 13, 2024, Petitioner inquired with the Agency as to the status of her EA benefits, as her September 2024 rent had not been paid. See Initial Decision at 3. The Agency did not respond to the inquiry, however, on September 17, 2024, the Agency emailed Petitioner informing her that her hardship extension application was denied due to her failure to return a signed copy of her SP. Ibid. Petitioner immediately responded informing the Agency she had typed her name, as instructed, on the SP and previously submitted the document back to the Agency. See Initial Decision at 3; see also Exhibit P-5. At the time of the hearing, the Agency representative testified that there is no indication in Petitioner's file that she was ever informed an "original" signature was required on her SP. See Initial Decision at 4.

The ALJ found that, at no time was Petitioner informed that an original signature was needed on the SP, though the indication is that the Agency determined Petitioner was eligible to receive continued EA benefits, but for the signature on the SP. See Initial Decision at 4. In particular, the ALJ took issue with the communication records presented, as the client portal does not identify which Agency employee is communicating with the client although the client is always identified by name. See Initial Decision at 4-5. Based on the foregoing, and in reliance upon the Uniform Commercial Code ("UCC"),



the ALJ found that Petitioner typing her name onto the signature line of the SP sent to her by the Agency constitutes a signature and that Petitioner provided the signed document to the Agency on August 16, 2024, as well as on other occasions prior to the Agency's September 17, 2024, denial. See Initial Decision at 5-6; see also Exhibit P-4 and UCC Section 3-401. Accordingly, the ALJ found that the Agency improperly denied Petitioner's request for an extension of benefits. See Initial Decision at 6. I agree.

At the time of the hearing, evidence was presented that Petitioner began employment during November, 2024. See Initial Decision at 6; see also Exhibit R-4. Petitioner testified that, based upon her income, she is currently able to afford her rent but that she is in rental arrears such that she is seeking three months of rent for September, October, and November, 2024. See Initial Decision at 6. Based upon the ALJ concluding that her benefits were improperly denied, the ALJ further concluded that Petitioner shall be granted retroactive benefits for the months of September, October, and November, 2024. See Initial Decision at 6-7. I also agree, and direct the Agency to expeditiously issue same.

Accordingly, the Initial Decision is ADOPTED, the Agency's action is REVERSED and the matter is REMANDED to the Agency for action, as outlined above.

Officially approved final version. May 14, 2025

Natasha Johnson
Assistant Commissioner

