



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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Governor

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Lt. Governor

Jennifer Velez
Commissioner

Jeanette Page-Hawkins
Director
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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 14271-14 E.T.

AGENCY DKT. NO. C624084 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals the Respondent Agency's denial of Emergency Assistance ("EA"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 13, 2014, the Honorable Richard McGill, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, admitted documents and issued an Initial Decision which affirmed the Agency determination.

Neither party submitted exceptions.

As the Director of the Division of Family Development, Department of Human Services, I independently reviewed the record and hereby ADOPT the Initial Decision and AFFIRM the Agency determination.

Petitioner receives Work First New Jersey/Temporary Assistance for Needy Families, Supplemental Security Income and Supplemental Nutrition Assistance Program, f/k/a the Food Stamp Program, benefits.

EA is available where the assistance unit is in a "state of homelessness or imminent homelessness due to circumstances beyond their control or the absence of a realistic capacity to plan in advance for substitute housing." N.J.A.C. 10:90-6.1(c). "A pending eviction or foreclosure must be documented, either through a tenancy complaint filed by the landlord or an order from a court for eviction or foreclosure." N.J.A.C. 10:90-6.3(a)(1)(ii).

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Petitioner has countable income of nearly \$1,200.00, is presently living with her boyfriend's sister, and has no document evidence she is imminently homeless. N.J.A.C. 10:90-6.3(a)(1). The Agency should rescind any penalty in the absence of any credible evidence Petitioner caused her own homelessness. Petitioner may reapply for EA, and the Agency should in turn coordinate potential assistance with the Division of Child Protection and Permanency ("DCP&P"), f/k/a the Division of Youth and Family Services.

As the record indicates that the Petitioner has an open case with the DCP&P, a copy of the Initial and Final Decision shall be forwarded to DCP&P to ensure the health, safety, and welfare of Petitioner's children.

For the foregoing reasons, I ADOPT the Initial Decision and AFFIRM the Agency determination.

NOV 21 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director