



**DEPARTMENT OF HUMAN SERVICES**

Division of Family Development  
P.O. Box 716  
TRENTON, NEW JERSEY 08625

Chris Christie  
*Governor*

Kim Guadagno  
*Lt. Governor*

Elizabeth Connolly  
*Acting Commissioner*

Natasha Johnson  
*Director*  
Tel. (609) 588-2400

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 8213-15 F.C.

AGENCY DKT. NO. GA21754 (OCEAN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits because his emergent situation was not due to circumstances beyond his control, and he had the capacity to plan for substitute housing. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 12, 2015, the Honorable Joseph A. Ascione, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On June 15, 2015, the ALJ issued his Initial Decision, affirming the Agency's determination. The record shows that Petitioner resides in a grant funded apartment, which was funded from April 2014 through March 31, 2015. See Initial Decision at 2. When the grant terminated, Petitioner applied for EA benefits and was denied because his emergent situation was not due to circumstances beyond his control, and he had the capacity to plan for substitute housing. *Ibid.*; see also Exhibit R-1 at 2, and N.J.A.C. 10:90-6.1(c). The ALJ found that Petitioner failed to provide any evidence to show that his emergency was due to circumstances beyond his control. See Initial Decision at 3-4. Additionally, the ALJ found that Petitioner had a year to plan for substitute housing, while receiving the one-year housing grant, but failed to do so, providing no evidence to show that he had made any attempts at planning for substitute housing. See *id.* at 4. Based on the foregoing facts, the ALJ found that the Agency had properly denied Petitioner EA benefits.

No Exceptions to this Initial Decision were filed.

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 in this matter.

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

*Signed Copy on File*  
at DFD, BARA

**JUN 19 2015**

---

Natasha Johnson  
Director