



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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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 12884-14 G.D.

AGENCY DKT. NO. V603680 (MERCER COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA"). Because Petitioner appealed, this matter was transmitted to the Office of Administrative Law for a hearing. On October 10, 2014, the Honorable John S. Kennedy, Administrative Law Judge ("ALJ"), held a hearing and took testimony. On October 14, 2014, the ALJ issued an Initial Decision affirming the Agency determination.

Neither party filed exceptions to the Initial Decision.

As Director of the Division of Family Development, Department of Human Services, I have reviewed the record for this matter and the ALJ's Initial Decision, and having made an independent evaluation of the record, I accept and adopt the Findings of Fact and the Conclusions of Law as contained in the Initial Decision.

The purpose of EA is to meet the emergent needs of Work First New Jersey ("WFNJ") and Supplemental Security Income ("SSI") recipients. N.J.A.C. 10:90-6.1(a). In order to be eligible for EA benefits, N.J.A.C. 10:90-6.1(c) provides, in relevant part, that the individual must have "an actual or imminent eviction from prior housing, and 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."

EA shall not be provided for a period of six months when the EA applicant or recipient has caused his or her own homelessness, without good cause, for reasons that may include, but are not limited to, the applicant's or recipient's behavior directly caused the eviction or the adult applicant or recipient abandoned permanent affordable housing. N.J.A.C. 10:90-6.1(c)(3).

The ALJ concluded, and I agree, that Petitioner caused her own homelessness by leaving permanent affordable housing. Therefore, a six-month penalty shall be applied. Since Petitioner refused to provide testimony on her own behalf, the ALJ relied solely on the Agency's testimony to render a decision.

Accordingly, the Agency action is AFFIRMED.

OCT 31 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director