



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 10619-14 H.A.

AGENCY DKT. NO. GA565298 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals Respondent Agency's grant of Emergency Assistance ("EA") in the form of a rooming house placement. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 25, 2014, the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, admitted documents and issued an Initial Decision which modified 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 MODIFY the Agency determination.

Petitioner receives Work First New Jersey/General Assistance.

The Agency granted EA in the form of a rooming house placement. Petitioner contends he cannot live alone or walk long distances, suffers from serious medical conditions and the apartment he shares with a friend is close to his doctors' offices. The Agency contends there is no guarantee the friend would allow Petitioner to stay in the apartment. The ALJ agreed with the Agency based upon the absence of evidence Petitioner cannot live alone, but nevertheless directed the Agency to provide a placement closer to Petitioner's doctors.

N.J.A.C. 10:90-6.3(a)(1) authorizes the Agency to determine the most appropriate form of emergency housing which is required to address the need, taking into consideration individual/family circumstances and services provided.

The Agency determination to place Petitioner in a rooming house is supported by sufficient credible evidence, and is not unreasonable, arbitrary or capricious. However, under the circumstances I agree with the ALJ that the Agency should consider a placement closer to Petitioner's doctors if such a placement is available. However, if placement closer to the Petitioner's doctors is not possible, the Petitioner is reminded that he must accept the placement determined by the Agency.

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

SEP - 9 2014

Signed Copy on File

at DFD, BARA

Jeanette Page-Hawkins
Director