



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 10172-14 I.G.

AGENCY DKT. NO. C613411 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's termination of her Emergency Assistance ("EA"). Because Petitioner appealed, this matter was transmitted to the Office of Administrative Law for a hearing. On September 4, 2014, the Honorable James A. Geraghty, Administrative Law Judge ("ALJ"), held a hearing and took testimony. On September 19, 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 considered the record for this matter and the ALJ's Initial Decision, and having made an independent evaluation of the record, I ADOPT the Initial Decision and AFFIRM the Agency determination.

The purpose of EA is to meet the emergent needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work activities without disruption and continue on a path to self-sufficiency. N.J.A.C. 10:90-6.1(a). Only Work First New Jersey ("WFNJ") recipients and Supplemental Security Income ("SSI") recipients are eligible for emergency assistance. N.J.A.C. 10:90-6.2.

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In order to be eligible for EA benefits, N.J.A.C. 10:90-6.1(c) provides, in pertinent 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 also not be provided for a period of six months when an applicant "has caused his or her own homelessness, without good cause." N.J.A.C. 10:90-6.1(c)(3). Pursuant to N.J.A.C. 10:90-6.3(a)(1), the Agency shall determine the most appropriate form of EA to be granted.

Here, Petitioner and her newborn child had been staying with her child's father's relatives but was kicked out in July 2014 for unknown reasons. She applied for EA and was provided with a shelter placement by the Agency. Petitioner failed to appear at the shelter and had been staying intermittently with friends and relatives. Petitioner did not return to the Agency to discuss her reason for not appearing at the shelter. Consequently, the Agency terminated her EA benefits. The ALJ concluded, and I agree, that Petitioner's homelessness is the result of her own actions or inactions.

By way of comment, The ALJ has recommended that the Initial and Final Decisions be forwarded to the Division of Child Protection and Permanency ("DCPP") to ensure that the health, safety and welfare of Petitioner's child is protected.

Accordingly, the Initial Decision is hereby ADOPTED and the Agency determination is hereby AFFIRMED.

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Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director