



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 8188-15 J.M.

AGENCY DKT. NO. GA292479 (CAPE MAY COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits in the form of temporary shelter and the imposition of a six-month EA ineligibility period. The Agency denied Petitioner EA benefits because he caused his own homelessness and fraudulently attempted to procure benefits from the Agency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 23, 2015, the Honorable Bruce M. Gorman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On August 4, 2015, the ALJ issued his Initial Decision, affirming the Agency's determination. Here, Petitioner presented a fraudulent document to the Agency, in support of his application for EA benefits. See Initial Decision at 4; see also Exhibit R-1 at 7. Specifically, Petitioner provided a letter, purportedly from his landlord, stating that Petitioner had to leave the residence; however, it was clearly established that the landlord, in fact, did not write the letter. See Initial Decision at 4; see also Exhibit R-1 at 7, 24. The ALJ found that the letter was presented by Petitioner for the purpose of defrauding the Agency of EA benefits. See Initial Decision at 4. Accordingly, the ALJ ordered that the Agency's action denying Petitioner's EA application be affirmed. See Initial Decision at 4.

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.

As I concur with the ALJ that Petitioner caused his own homelessness, I also affirm the Agency's imposition of a six-month EA ineligibility. See Exhibit R-1 at 7; see also N.J.A.C. 10:90-6.1(c)(3). As such, Petitioner is ineligible to apply for EA benefits until after November 22, 2015.

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

Signed Copy on File

at DFD, BARA

AUG 20 2015

Natasha Johnson

Director