



State of New Jersey

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 6791-15 M.F.

AGENCY DKT. NO. GA162653 (UNION COUNTY DIVISION OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's finding that he failed to find affordable housing as required by his Emergency Assistance ("EA") service plan and thus requiring him to accept housing placement in either a boarding house or apartment where rents meet the Fair Market Rent ("FMR") for the subject housing area. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 5, 2015, the Honorable Jeffrey A. Gerson, Administrative Law Judge ("ALJ"), held a plenary hearing took testimony and admitted documents into evidence.

On June 17, 2015, the ALJ issued an Initial Decision which affirmed the Agency determination. Petitioner asserted that he did not find affordable housing because the Agency did not provide him with enough assistance. See initial Decision at 1. The ALJ, referencing Petitioner's testimony that he had searched for affordable housing during the prior six months, explained that it is within the Agency's authority to determine the type of EA to be provided to the Petitioner. *Id.* at 2. The ALJ further explained that the Agency is not terminating Petitioner's EA, but merely requiring Petitioner to accept housing at a more affordable rate. *Ibid.* The ALJ therefore ordered the Agency to provide Petitioner shelter in a boarding home or an apartment, if one should be available, at FMR. *Id.* at 3.

Neither party filed Exceptions to the Initial Decision.

As the Director of the Division of Family Development, Department of Human Services, I have considered the Initial Decision and following an independent review

of the record, I concur with the ALJ's decision and hereby adopt the Findings of Fact and Conclusions of Law in the matter.

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

Signed Copy on File
at DFD, BARA

JUL - 6 2015

Natasha Johnson
Director