



**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 14612-14 N.O.

AGENCY DKT. NO. GA564173 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 17, 2014, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. On November 19, 2014, the ALJ issued an Initial Decision affirming the denial of EA by the Agency.

No exceptions to the Initial Decision were received.

As the 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 ALJ's 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). 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." When an individual has

caused his own homelessness, without good cause, he is ineligible for EA for a period of six months. N.J.A.C. 10:90-6.1(c)(3).

The record for the present matter demonstrates that the Petitioner is a Work First New Jersey/General Assistance and Supplemental Nutritional Assistance Program, f/k/a the Food Stamp Program, recipient. Initial Decision at 2. On October 21, 2014, Petitioner applied for EA benefits. Exhibit R-1. On his application, Petitioner indicated that he was, "living with a friend" and that his "time to move out is up." Ibid. Based upon the information provided by the Petitioner, the Agency gave the Petitioner a shelter voucher effective that day. Initial at 2-3. The voucher expired October 31, 2014. Petitioner did not use the voucher, instead returning to his friend's residence. He did not inform the Agency that he did not need the voucher. Ibid. On November 9, 2014, Petitioner went to the shelter but was told that he would need a new voucher as the voucher issued by the Agency on October 21, 2014, had expired. Petitioner returned to the Agency to request a new voucher, and was denied. Exhibit R-5.

Because the Petitioner failed to use the voucher that was issued to him on October 21, 2014, after he represented to the Agency that he was homeless, and failed to notify the Agency that he was able to remain at his friend's residence for several days, the ALJ concluded, and I agree, that the Petitioner caused his homelessness. N.J.A.C. 10:90-6.1(c). As such, the Petitioner is ineligible for EA for a period of six months. N.J.A.C. 10:90-6.1(c)(3).

Accordingly, the Initial Decision is ADOPTED and the Agency action is AFFIRMED

DEC - 4 2014

*Signed Copy on File*  
at DFD, BARA

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Jeanette Page-Hawkins  
Director