



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

AMENDED DECISION

OAL DKT. NO. HPW 6862-14 N.R.

AGENCY DKT. NO. C022027 (HUDSON COUNTY DEPT OF FAM SVCS)

On June 27, 2014, a Final Agency Decision ("FAD") was issued in this matter. That FAD incorrectly indicated that the Administrative Law Judge ("ALJ") who held the plenary hearing and issued the Initial Decision was the Honorable Irene Roberts. However, the ALJ who held the plenary hearing and issued the Initial Decision was the Honorable Irene Jones. The following Amended FAD corrects that typographical error. The Initial Decision remains ADOPTED, and the Agency determination remains AFFIRMED.

The following is the Amended FAD:

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") and the imposition of a six-month penalty. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 13, 2014, the Honorable Irene Jones, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. On June 18, 2014, the ALJ issued an Initial Decision which affirmed the Agency determination.

Neither party submitted exceptions.

As Director of the Division of Family Development, Department of Human Services, I independently reviewed the record and hereby ADOPT the Initial Decision and AFFIRM the Agency determination.

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Petitioner receives Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") and Supplemental Nutrition Assistance Program ("SNAP"), f/k/a the Food Stamp Program, benefits.

EA is a supportive service designed "to meet the emergent needs of WFNJ recipients, so that recipients shall not be prevented from complying with the work requirements due to disruptions caused by homelessness and related emergencies." N.J.A.C. 10:90-6.1(a).

EA is available when there has been "a substantial loss of housing, food, clothing or household furnishings or utilities by fire, flood or similar disaster ... and the assistance unit is in a state of homelessness or imminent homelessness due to circumstances beyond their control or in the absence of a realistic capacity to plan in advance for substitute housing." N.J.A.C. 10:90-6.1(c).

EA shall not be provided for a period of six months when an adult EA applicant or recipient has caused his or her homelessness, without good cause. N.J.A.C. 10:90-6.1(c)(3).

In February 2014, Petitioner voluntarily left prior permanent housing in New York to temporarily stay with a friend in New Jersey. In March, Petitioner leased an apartment for herself, her two children and now boyfriend. In April, Petitioner applied for and the Agency granted WFNJ/TANF and SNAP. In May, Petitioner applied for EA, stating that "since moving, I was fired from my job because of absence (sic) and no money for travel." In June, Petitioner moved in with her aunt after allegedly being locked-out of her apartment.

There is sufficient credible evidence to support the finding Petitioner abandoned permanent housing without good cause and thereby caused her own homelessness. N.J.A.C. 10:90-6.1(c). Petitioner voluntarily left her mother's home and apparently quit at least one job to move to New Jersey. Shortly after she moved, Petitioner was apparently fired from her second job for excessive absenteeism. Under the totality of the circumstances, the Agency appropriately denied EA and imposed a six-month penalty.

By way of comment, the Agency shall review the Petitioner for WFNJ/TANF and SNAP eligibility. With respect to WFNJ/TANF, the Agency should determine whether Petitioner voluntarily quit her employment, and if appropriate impose a penalty. N.J.A.C. 10:90-4.14. With respect to her SNAP benefits, the Agency should review the household composition, and if appropriate recalculate the allotment.

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

DEC - 4 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director