



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 11213-14 P.B.

AGENCY DKT. NO. V861980 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA"). Because Petitioner appealed, this matter was transmitted to the Office of Administrative Law for a hearing. On October 24, 2014, the Honorable Leland S. McGee, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. On October 27, 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 was provided with EA in the form of a motel placement in October 2013. In January 2014, Petitioner left the hotel placement and did not notify the Agency. Her plan was to relocate to North Carolina, transferring her mother's section 8 housing voucher, which she was a part of.

Petitioner applied for a storage voucher and after entering into a stipulation of settlement (docket number HPW-05503-14) with the Agency, storage payments were made for January 2014 to June 2014. She reapplied for EA on August 7, 2014, but the application was denied because she voluntarily left the transitional housing facility that she had been placed in by the Agency.

The ALJ concluded, and I agree, that Petitioner was not in a state of actual or imminent homelessness due to circumstances beyond her control. She acknowledged that the Agency placed her in temporary housing and that she moved out without notifying the Agency.

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

NOV 07 2014.

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director