



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 16613-15 S.A.

AGENCY DKT. NO. GA357166 (UNION COUNTY DIVISION OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits in the form of temporary rental assistance ("TRA"). The Agency terminated Petitioner's EA benefits contending that he voluntarily left affordable housing without good cause. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 21, 2015, the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On October 22, 2015, the ALJ issued an Initial Decision, reversing the Agency's determination. The ALJ found that Petitioner left his affordable housing due to the poor conditions of the rooming house, as substantiated by an inspection done by the local health department. See Initial Decision at 2-3. Additionally, the record shows that Petitioner contacted his landlord on several occasions to make repairs, but the landlord failed to do so. *Id.* at 2. Accordingly, the ALJ found that Petitioner had good cause for leaving the rooming house. *Id.* at 4. Further, it appears from the record that Petitioner advised the Agency that he was moving out, and he returned the security deposit and first month's rent to the Agency, as required. See *id.* at 3; see also Exhibit P-9. Moreover, the ALJ found that the Agency failed to properly notice Petitioner that his EA/TRA would be terminated. See Initial Decision at 5. Based on the foregoing, the ALJ found that the Agency improperly terminated Petitioner's EA benefits. *Id.* at 6.

No Exceptions to the 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.

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

Signed Copy on File
at DFD, BARA

NOV 04 2015

Natasha Johnson
Director