



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 8466-15 S.D.

AGENCY DKT. NO. GA87601 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from Respondent Agency's denial of his application for Emergency Assistance ("EA") benefits. The Agency denied Petitioner's application for EA on the basis that Petitioner voluntarily left his affordable housing and relocated to housing that he could not afford. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 12, 2015, the Honorable Sandra Ann Robinson, 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 affirming the Agency's determination. The ALJ noted that Petitioner, a Supplemental Security Income ("SSI") benefits recipient, moved from his residence where his monthly income was sufficient to pay his monthly rent and also leave him with surplus funds for personal expenses. See Initial Decision at 4. Moreover, Petitioner moved to a new residence, without the Agency's approval, where he could not afford the rent. *Id.* at 5. The record also reflects that Petitioner stated that although he moved into the new residence, he may be able to return to the residence where his rent was affordable. *Ibid.* Due to Petitioner's condition, for which he, as reflected in the record, is to receive treatment, the ALJ concluded that she could not conclude that Petitioner had the realistic capacity to plan in advance and make the decision not to move into the residence that he could not afford. *Id.* at 7. The ALJ ordered that the Agency's denial of Petitioner's application for EA be affirmed. *Ibid.*

No Exceptions to the Initial Decision were filed by either party.

As the Director of the Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision and I hereby ADOPT the Findings of Fact and Conclusions of Law in this matter.

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

Signed Copy on File
at DFD, BARA

JUN 25 2015 _____
Natasha Johnson
Director