



*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 14884-14 S.F.

AGENCY DKT. NO. GA326021 (OCEAN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's denial of Emergency Assistance ("EA") in the form of emergency shelter expenses, and the imposition of a six-month period of ineligibility because he caused his own homelessness by leaving approved placement and by rejecting alternative approved placement offered. Because Petitioner appealed, this matter was transmitted to the Office of Administrative Law for a hearing. On November 21, 2014, the Honorable Susan M. Scarola, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. On November 21, 2014, the ALJ issued an Initial Decision, which affirmed the Agency's action.

No exceptions to the Initial Decision were received.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record and I ADOPT the ALJ's Initial Decision and AFFIRM the Agency's determination.

The purpose of the 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 the 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 provides, in pertinent part, that the individual must have "an actual or imminent eviction from housing, and the assistance unit is in a state of homelessness or imminent homelessness due to circumstances beyond their control or the absence

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of a realistic capacity to plan in advance for substitute housing." However, when the recipient causes his own homelessness, as Petitioner did here, he is ineligible for EA and, additionally, no EA benefits will be provided for a period of six months. N.J.A.C. 10:90-6.1(c)(3)

According to the record, Petitioner was receiving EA benefits in the form of a motel placement in Seaside Heights, NJ. The motel advised the Petitioner that renovations were going to be taking place at the motel and he would have to be temporarily moved to an Agency approved room at another nearby motel.

The Petitioner checked out of the motel in Seaside Heights and refused to relocate to the other Agency approved motel. See R-4. He temporarily moved in with his girlfriend and later moved into a motel in Point Pleasant, NJ, because of various complaints about his prior EA motel placement and because he wanted to live in Point Pleasant and not Seaside Heights. However, according to the testimony of the Respondent, the motel in Point Pleasant is not an Agency approved motel so no EA benefits are allowed to pay for this room. Additionally, Petitioner has not made any significant effort to locate affordable housing. Based on these actions, the ALJ concluded, and I agree, that the Petitioner caused his own homelessness by intentionally choosing to leave his placement and declining placement at the temporary hotel. As such, the Agency appropriately denied Petitioner's request for EA and imposed the six month EA penalty. N.J.A.C. 10:90-6.1(c)(3).

Accordingly, the Initial Decision is ADOPTED and the Board's determination is AFFIRMED.

*Signed Copy on File*

at DFD, BARA

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Jeanette Page-Hawkins  
Director

DEC - 2 2014