



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 10324-14 W.C.

AGENCY DKT. NO. GA566769 (OCEAN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 19, 2014, the Honorable Ronald W. Reba, Administrative Law Judge ("ALJ"), held an emergent plenary hearing, heard testimony, admitted documents, and issued an Initial Decision which affirmed the Agency determination.

Neither party submitted exceptions.

As the 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.

In late July 2014, Petitioner traveled from his home in Texas to New Jersey to help a friend move to Arizona. Shortly thereafter, the friend asked Petitioner to leave her home and he applied for Supplemental Nutrition Assistance Program ("SNAP"), f/k/a the Food Stamp Program, benefits, Work First New Jersey/General Assistance ("WFNJ/GA") and EA. The Agency granted SNAP benefits, is evaluating the WFNJ/GA application and denied EA because Petitioner came to New Jersey without a plan for housing or employment.

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 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). However, 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 ... where the adult applicant or recipient had the available funds and the capacity to prevent homelessness." N.J.A.C. 10:90-6.1(c)(3)(v).

Petitioner is not eligible for EA because he is not a WFNJ or Supplemental Security Income recipient. N.J.A.C. 10:90-6.2. Moreover, Petitioner came to New Jersey for the stated and limited purpose of helping a friend to move, not with the intention or effect of establishing domicile or residency based upon a reasonable plan for housing or employment. N.J.A.C. 10:90-6.1(c). To the contrary, it does not appear Petitioner had any intention to stay in New Jersey until after he was allegedly no longer able to remain in his friend's soon-to-be vacated home.

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

Signed Copy on File

at DFD, BARA

AUG 28 2014

Jeanette Page-Hawkins
Director