



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
P.O. Box 716
TRENTON, NEW JERSEY 08625

Chris Christie
Governor

Kim Guadagno
Lt. Governor

Elizabeth Connolly
Acting Commissioner

Natasha Johnson
Director
Tel. (609) 588-2400

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 673-16 C.H.

AGENCY DKT. NO. GA404778 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of her application for Emergency Assistance ("EA") benefits in the form of a shelter voucher. The Agency denied Petitioner EA benefits, and imposed a six-month EA ineligibility penalty upon her, for causing her own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 14, 2016, the Honorable Thomas R. Betancourt, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On January 14, 2016, the ALJ issued his Initial Decision affirming the Agency determination.

The record reflects that Petitioner is a Work First New Jersey/General Assistance ("WFNJ/GA") recipient. See Initial Decision at 2. Petitioner applied for EA on September 28, 2015, and was denied by the Agency because Petitioner's behavior directly caused her eviction. *Ibid.*; see also Exhibit R-3. Specifically, Petitioner was evicted from her aunt's home for destroying property, which resulted in police intervention. See Initial Decision at 2; see also Exhibit R-4. In addition, the Agency imposed a six-month EA ineligibility penalty against Petitioner for causing her own homelessness. See Initial Decision at 2; see also N.J.A.C. 10:90-6.1(c)(3). Petitioner then claimed that she was a domestic violence victim; however, when referred by the Agency for a WFNJ Family Violence Option ("FVO") risk assessment, Petitioner failed to appear, without good cause. See Initial Decision at 3; see also Exhibit R-4 and N.J.A.C. 10:90-20.1(c). On December 8, 2015, the Agency issued another adverse action notice to Petitioner, in which it again denied her EA because,

by her actions, she had caused her own homelessness. See Initial Decision at 3; see also Exhibit R-7. Finally, Petitioner submitted an Affidavit declining shelter placement. See Initial Decision at 3; see also Exhibit R-6. Based on the foregoing, the ALJ concluded that the Agency's denial of EA to Petitioner, as well as the prior imposition of a six-month EA ineligibility penalty upon her, was appropriate and should be affirmed. See Initial Decision at 4.

No Exceptions to the Initial Decision were filed.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the record in this matter and the Initial Decision and, having made an independent evaluation of the record, I concur with the ALJ's Initial Decision and hereby adopt the Findings of Fact and Conclusions of Law in this matter.

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

JAN 29 2016

Signed Copy on File

at DFD, BARA

Natasha Johnson
Director