



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

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Governor

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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 21007-15 A.R.

AGENCY DKT. NO. C298301 (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 Temporary Rental Assistance ("TRA"). The Agency denied Petitioner EA/TRA because she caused her own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 5, 2016, the Honorable Michael Antoniewicz, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On January 5, 2016, the ALJ issued his Initial Decision affirming the Agency determination.

The record reflects that Petitioner is the mother of five children. See Initial Decision at 2. In September 2014, the Department of Child and Family Well-Being ("the Department"), in the municipality where Petitioner resided, arranged for Petitioner and her children to be placed in lead safe housing through a program offered by the municipality's Department of Health and Community Wellness ("DHCW"). See Exhibit R-4. The family's continued occupancy in the lead safe housing was contingent upon Petitioner's obligation to have her children tested for lead on a monthly basis; to obtain employment; and to obtain permanent housing. See Initial Decision at 2; see also Exhibit R-4. However, Petitioner failed to comply with all three of those obligations and, as a result, she was terminated from the lead safe housing program effective January 4, 2016, by letter from the Department dated December 2, 2015. See Initial Decision at 2; see also Exhibit R-4. Thereafter, Petitioner applied to the Agency for EA, and her application was denied effective December 24, 2015, because she caused her own homelessness by failing to follow

the rules and regulations of the Department. See Initial Decision at 2; see also Exhibit R-1. Based on the foregoing, the ALJ found that Petitioner had not complied with the Department's obligations. See Initial Decision at 2-3; see also Exhibits R-4 and P-1. Therefore, the ALJ concluded that the Agency's denial of EA to Petitioner was appropriate and should be affirmed. See Initial Decision at 3.

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 15 2016

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director