



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

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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 6432-14 E.M.

AGENCY DKT. NO. GA483254 (MONMOUTH COUNTY DIV. OF SOC. SVCS)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits, as it had obtained Petitioner a residential housing placement which Petitioner refused. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 25, 2014, the Honorable Joseph A. Ascione, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On August 6, 2014, the ALJ issued his Initial Decision affirming the Agency determination. The ALJ noted that Petitioner had an obligation to seek permanent housing. See Initial Decision at 5. The Agency had successfully obtained a permanent residential housing placement for Petitioner, which Petitioner had rejected. Ibid. Testimony at the hearing indicated that attempts were then made to re-qualify Petitioner for the residential housing placement, but they were unsuccessful. See Initial Decision at 4. The Agency offered Petitioner other housing opportunities in Paterson, New Jersey, but Petitioner also refused these as "her family resources" are in Monmouth County. See Initial Decision at 5. Based upon the foregoing, the ALJ concluded that the Agency's determination to then terminate Petitioner's EA benefits was appropriate. Ibid.

No exceptions to the Initial Decision were filed.

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

The purpose of 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 a 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(c) provides, in pertinent part, that the individual must have an "actual or imminent eviction from prior housing, and the assistance unit is in a state of homelessness or imminent homelessness due to circumstances beyond their control or the absence of a realistic capacity to plan in advance for substitute housing." Pursuant to N.J.A.C. 10:90-6.3(a)(1), the Agency shall determine the most appropriate form of EA to be granted.

The record in this matter is abundantly clear that Petitioner refused several different opportunities for housing offered by the Agency. Accordingly, I concur with the ALJ's decision that the Agency's actions were appropriate.

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

SEP 29 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director