



**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 12979-14 F.G.

AGENCY DKT. NO. C190610 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's denial of her application for Emergency Assistance ("EA"). Because Petitioner appealed, this matter was transmitted to the Office of Administrative Law for a hearing. On October 10, 2014, the Honorable Richard McGill, Administrative Law Judge ("ALJ"), held an emergent hearing, admitted documents, and took testimony. On October 14, 2014, the ALJ issued an Initial Decision affirming the Agency determination.

Neither party filed exceptions to the Initial Decision.

As Director of the Division of Family Development, Department of Human Services, I have reviewed the record for this matter and the ALJ's Initial Decision, and having made an independent evaluation of the record, I accept and 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 relevant 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." N.J.A.C. 10:90-6.1(c). Documentation must be presented to the Agency demonstrating that an eviction is pending or has already occurred. N.J.A.C. 10:90-6.3(a)(1)(ii).

Here, the ALJ found that the Petitioner currently resides in her mother's apartment and offered no evidence that she is unable to continue to reside with her mother. As such, the ALJ concluded, and I agree, the Petitioner has not established that she is in a state of actual or imminent homelessness, and does not meet the requirements for EA under N.J.A.C. 10:90-6.1(c).

Petitioner is free to reapply for EA at any time, but must demonstrate that she is homeless or imminently homeless in accordance with N.J.A.C. 10:90-6.1(c) and meet all other EA eligibility criteria.

Finally, as the record indicates that the Petitioner may have an open case with the Division of Child Protection and Permanency ("DCP&P), f/k/a the Division of Youth and Family Services, copies of the Initial and Final Decisions shall be forwarded to DCP&P.

Accordingly, the Agency's denial of EA is AFFIRMED.

*Signed Copy on File*  
at DFD, BARA

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Jeanette Page-Hawkins  
Director