



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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Director
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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 10698-14 W.S.

AGENCY DKT. NO. C293428 (PASSAIC COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals 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 September 8, 2014, the Honorable Sandra Ann Robinson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. On September 10, 2014, the ALJ issued an Initial Decision which affirmed the Agency determination.

Petitioner submitted exceptions on September 11, 2014.

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.

Petitioner receives Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF"), Medicaid, and Supplemental Nutrition Assistance Program ("SNAP"), f/k/a the Food Stamp Program, benefits.

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 to self-sufficiency. N.J.A.C. 10:90-6.1(a). EA is available where 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).

EA shall not be provided for a period of 6 months when an adult EA applicant or recipient has caused his or her own homelessness, without good cause. N.J.A.C. 10:90-6.1(c)(3).

There is sufficient credible evidence Petitioner left permanent affordable housing in Puerto Rico and moved to New Jersey without a plan, specifically the offer or reasonable prospect of a job or substitute housing. N.J.A.C. 10:90-6.1(c)(1).

Petitioner's move to New Jersey does not appear prompted by emergent or extenuating circumstances, but instead an action of her own choice financed by her family. In addition, the same individual who invited Petitioner to come to New Jersey shortly thereafter is allegedly seeking to evict her.

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

SEP 17 2014 *Signed Copy on File*
at DFD, BARA

Jeanette Page-Hawkins
Director