



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 13299-14 Y.S.

AGENCY DKT. NO. C222235 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency determined that the Petitioner's application for benefits should be denied because Petitioner caused her own homelessness.

Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 24, 2014, the Honorable Kelly J. Kirk, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, admitted documents and closed the record. On October 27, 2014, the ALJ issued her Initial Decision affirming the Agency determination.

No exceptions were filed to the Initial Decision.

As the Director of the Division of Family Development, Department of Human Services, I have considered 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 Conclusions of Law as contained in the Initial Decision.

The record supports the conclusion that the Petitioner caused her own homelessness by failing to pay her rent when she had available financial resources to do so. Initial Decision at 4. Failure to pay her rent was the direct cause of Petitioner's landlord seeking to have her evicted from the premises through a Warrant for Removal. Exhibit R-2. After the initiation of the eviction proceedings, Petitioner signed a Consent Order agreeing to vacate public housing. Exhibit R-3. Petitioner caused her own homelessness because she was evicted from public housing for failing to pay her rent. Thus, she is ineligible to receive EA for a period of six months pursuant to N.J.A.C. 10:90-6.1(c)(3)ii.

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

Signed Copy on File
at DFD, BARA

NOV 06 2014

Jeanette Page-Hawkins
Director