



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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NATASHA JOHNSON
Assistant Commissioner

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 17277-19 F.L.

AGENCY DKT. NO. C263597009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. The Agency denied Petitioner EA benefits, and imposed a six-month EA ineligibility penalty, contending that Petitioner moved to New Jersey ("NJ") without a plan, and that she failed to provide documentation required to determine her EA benefits eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 16, 2019, the Honorable Mumtaz Bari Brown, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On December 17, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner and her minor child arrived in NJ from the Dominican Republic on July 24, 2019, with plans and tickets to return to the Dominican Republic in September of 2019. See Initial Decision at 2. Upon her arrival in NJ, Petitioner resided with her grandmother, and shortly thereafter was placed in a shelter where she resided until September 6, 2019. Ibid. However, Petitioner ultimately decided not to leave NJ, moved back in with her grandmother, where she currently resides, and applied for EA benefits on September 20, 2019, without providing the Agency a reason for leaving her home in the Dominican Republic. See Initial Decision at 2. The Agency requested that Petitioner provide documentation explaining why she left permanent affordable housing in the Dominican Republic, as well as other documentation required to complete her EA benefits application. Ibid. Petitioner failed to provide the requested documentation, and consequently, on September 20, 2019, the Agency denied Petitioner's EA benefits application, and imposed a six-month EA ineligibility penalty, finding that Petitioner left stable housing in the Dominican Republic, and came to NJ without a plan for a permanent residence, and that she had failed to provide required documentation. Id. at 2-3; see also Exhibit R-1. The ALJ agreed with the Agency and affirmed its denial of EA benefits to Petitioner, finding that Petitioner relocated without a plan, and failed to timely complete her application and submit requested documentation. See Initial Decision at 4-5; see also N.J.A.C. 10:90-6.1(c). I agree.

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 ALJ's Initial Decision, and following an independent review of the record, I concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

By way of comment, because I agree with the ALJ that Petitioner caused her own homelessness by moving to NJ without a plan, I hereby affirm the Agency's imposition of the six-month EA ineligibility penalty. See Exhibit R-1; see also N.J.A.C. 10:90-6.1(c)(3). Petitioner's six-month EA penalty shall run from the effective date of the Agency's denial of EA benefits, September 19, 2019, through March 18, 2020. See Exhibit R-1 at 2.



Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is AFFIRMED.

Officially approved final version.

Natasha Johnson
Assistant Commissioner

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