



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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TRENTON, NJ 08625-0716

NATASHA JOHNSON  
Director

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 03640-19 M.R.

AGENCY DKT. NO. C253478009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that she caused her own homelessness by being fired from her employment. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 19, 2019, the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

Also on March 19, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reveals that Petitioner applied for EA benefits in December of 2018. See Initial Decision at 2. At that time, Petitioner was not granted EA benefits as she did not provide documentation that she was experiencing an emergency, although she had signed a statement that she was fired from her job due to work performance and because business was slow. Ibid.; see also Exhibit R-1. Petitioner reapplied for EA benefits in the form of Temporary Rental Assistance on February 4, 2019, and at that time, owed back rent for December of 2018, and January of 2019. See Initial Decision at 2. The Agency denied Petitioner EA benefits, finding that she had caused her own homelessness because her cessation of employment was due to her own actions. Ibid.; see also Exhibits R-1, R-4, and N.J.A.C. 10:90-6.1(c)(3). Based on the facts presented, the ALJ found that Petitioner's cessation of employment was due to her own actions, without good cause, and concluded that the Agency's denial of EA benefits was proper. See Initial Decision at 3; see also Exhibit R-4, and N.J.A.C. 10:90-6.1(c)(3). I agree.

Exceptions to the Initial Decision were filed by Legal Services, on behalf of Petitioner, on March 25, 2019.

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 that Petitioner caused her own homelessness, Petitioner is subject to a six-month period of ineligibility for EA benefits. See N.J.A.C. 10:90-6.1(c)(3). Petitioner's six-month EA ineligibility penalty shall run from March 12, 2019, the effective date of the Agency's denial notice, through September 11, 2019. See Exhibit R-4.

By way of further comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with her current needs, including Social Services for the Homeless.

Also by way of comment, I have reviewed Petitioner's Exceptions and find that the arguments made therein do not alter my decision in this matter.



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

Officially approved final version. MAR 26 2019

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Natasha Johnson  
Director

