



State of New Jersey

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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 06922-19 T.B.

AGENCY DKT. NO. C118004009 (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 benefits ineligibility penalty, contending that her Section 8 housing assistance was terminated for violating the terms of her lease, thereby causing her own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 6, 2019, the Honorable Mumtaz Bari-Brown, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On June 7, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination.

Exceptions to the Initial Decision were filed by Petitioner on June 25, 2019.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision and AFFIRM the Agency's determination.

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

Here, the ALJ found, and the record substantiates, that Petitioner's Section 8 housing assistance was terminated because she violated the terms of her lease agreement by allowing three unauthorized persons to reside with her, and for failing to report a monthly payment of \$250 from one of those persons. See Initial Decision at 2, 4; see also Exhibit R-1 at 13-16. Based on the foregoing, the ALJ found that Petitioner had caused her own homelessness, and concluded that the Agency's denial of EA benefits to Petitioner, and the imposition of a six-month EA benefits ineligibility penalty, were proper and must stand. See Initial Decision at 4; see also Exhibit R-1 at 1-4, and N.J.A.C. 10:90-6.1(c)(3) (vi). I agree.

By way of comment, Petitioner's six-month EA benefits ineligibility penalty shall begin to run from May 16, 2019, the date of the Agency's denial, through November 15, 2019. See Exhibit R-1 at 2.



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 I 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.

JUL 17 2019

Natasha Johnson

Director

