



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 15140-19 T.J.

AGENCY DKT. NO. S764156009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits, contending that she failed to secure permanent, affordable housing, and refused housing offered by the Agency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 30, 2019, the Honorable Susana E. Guerrero, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On October 31, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner, a Supplemental Security Income ("SSI") benefits recipient, had been receiving EA benefits in the form of transitional housing since June 2019. See Initial Decision at 2. As a condition for continued receipt of EA benefits, Petitioner was required to search for and secure permanent affordable housing. *Ibid.*; see also Exhibits R-2, R-3. The record also reflects that the Agency had provided Petitioner with a list of affordable single-room housing options to contact. See Initial Decision at 3; see also Exhibit R-3. However, Petitioner failed to conduct any housing searches, and refused to contact the single-room housing options provided by the Agency. See Initial Decision at 3. Although Petitioner testified that she had searched for affordable housing, she failed to provide any proof at the hearing to substantiate her claim. *Ibid.* The ALJ found that Petitioner had at least five months to secure affordable housing as required, had not searched for housing during that time, yet refused the single-room housing offered by the Agency. *Id.* at 3-5. Further, in accordance with regulatory authority, the ALJ found that the Agency had properly required Petitioner to accept such housing. *Id.* at 4. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits was proper and must stand. *Id.* at 4-5; see also Exhibit R-4, and N.J.A.C. 10:90-6.3(a)(1), and Exhibit R-4. I agree.

No Exceptions to the Initial Decision were received.

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.



Additionally, because the ALJ has found that Petitioner refused housing when offered, I find that Petitioner has caused her own homelessness, and as such, I hereby impose upon her a six-month period of ineligibility for EA benefits. See Initial Decision at 5; see also N.J.A.C. 10:90-6.1(c)(3). Petitioner's six-month EA ineligibility penalty shall run from October 1, 2019, the effective date of the Agency's termination, through March 31, 2020. See Exhibit R-4 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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