



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

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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 538-16 J.C.

AGENCY DKT. NO. C105131 (BURLINGTON COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial her application for Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits because it determined that she had moved from Georgia to New Jersey without a plan for permanent housing, thereby causing her own housing emergency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 13, 2016, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On January 14, 2016, the ALJ issued an Initial Decision, affirming the Agency's determination. The record shows that Petitioner moved from Georgia to New Jersey to temporarily live with her friend, after she was terminated from her employment in Georgia. See Initial Decision at 2; see also Exhibit P-1. The record also shows that because Petitioner's friend was living in Section 8 housing, Petitioner was required to leave her friend's home. See Initial Decision at 3. Additionally, the record shows that Petitioner provided no documentation to support her claim that she was evicted from her apartment in Georgia. Ibid. The ALJ found that Petitioner provided no proof that her housing emergency was due to circumstances beyond her control, or that she did not have the realistic capacity to plan in advance for substitute housing, prior to moving to New Jersey. Ibid. Accordingly, the ALJ concluded, and I agree, that the Agency properly denied Petitioner EA benefits, because she had caused her own homelessness, without good cause. Id. at 3-4; see also N.J.A.C. 10:90-6.1(c)(3).

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 in this matter.

By way of comment, because I find that Petitioner caused her own homelessness, without good cause, she is hereby subject to a six-month period of EA ineligibility, effective January 4, 2016. See N.J.A.C. 10:90-6.1(c)(3).

By way of further comment, the Agency shall refer the Petitioner to any agencies or resources which may assist her with her housing needs.

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

JAN 22 2016

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director