



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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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 16855-15 Y.F.

AGENCY DKT. NO. GA600185 (OCEAN COUNTY BOARD OF SOC. SVCS.)

Petitioners (Y.F. and F.R.) appeal from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. Y.F.'s appeal was revised to include F.R., who lived with her. The Agency denied EA benefits contending that her emergency was not due to circumstances beyond her control, and that she moved into an unaffordable rental. Because Petitioners appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 14, 2016, the Honorable Robert Bingham II, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On January 15, 2016, the ALJ issued an Initial Decision, affirming the Agency's determination. The ALJ found that Y.F. moved from New York, voluntarily abandoning housing she was receiving through a residential housing program, and moved into an unaffordable apartment in New Jersey. See Initial Decision at 2, 3. Additionally, the record shows that Petitioners refused gender-specific shelter options because they wanted to stay together. *Id.* at 3-4. Based on the foregoing, the ALJ found that the Agency properly denied Petitioners EA benefits.

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 in this matter.

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Additionally, because the record shows that Y.F. caused her own homelessness by voluntarily abandoning her residential housing, she is ineligible for EA benefits for six months, effective November 5, 2015. See N.J.A.C. 10:90-6.1(c)(3). Additionally, because the record shows that Petitioners refused gender-specific shelter options, both Y.F. and F.R. are ineligible for EA benefits for a period of six months, effective November 5, 2015. Ibid.

By way of comment, the record shows that Y.F.'s Work First New Jersey/General Assistance ("WFNJ/GA") denial has been resolved, as substantiated by her payment history, and is therefore not addressed in this decision. See Initial Decision at 2; see also Exhibit R-7. Additionally, the record indicates that F.R. has filed a separate appeal regarding the denial of his WFNJ/GA benefits. See Initial Decision at 2.

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

Signed Copy on File

at DFD, BARA

JAN 25 2016

Natasha Johnson

Director