



State of New Jersey

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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 00147-18 E.L.

AGENCY DKT. NO. C423740004 (CAMDEN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits contending that she does not have an emergency, and that she has available funds to pay for housing. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 11, 2018, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On January 12, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner and her mother share a three bedroom apartment, and that their rent is paid current. See Initial Decision at 2; see also Exhibit R-1 at 1. Also, the record reflects that Petitioner has the ability to continue to pay her current housing costs, as well as any temporary housing that may be required. See Initial Decision at 3; see also Exhibit R-1 at 3-4. Petitioner and her mother are moving into a new apartment on February 1, 2018, due to Petitioner's fear that her ex-boyfriend, against whom she has obtained a Temporary Restraining Order ("TRO"), will show back up at their home. See Initial Decision at 2; see also Exhibit R-1 at 5-8, and P-3. Petitioner testified that her ex-boyfriend had not been back to the apartment since she had obtained the TRO on December 21, 2017. See Initial Decision at 2-3. The Agency offered to place Petitioner in a safe shelter, but she refused to go without her mother. Ibid. Based on the foregoing, the ALJ concluded that Petitioner is not homeless, that she has the capacity to plan for alternative housing, and that she declined shelter placement. Id. at 3. Therefore, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. Ibid.; see also Exhibit R-1 at 15-18, and N.J.A.C. 10:90-6.1(c). 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.



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

Officially approved final version.

JAN 19 2018

Natasha Johnson

Director

