



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 10623-18 M.P.

AGENCY DKT. NO. S571604012 (MIDDLESEX COUNTY BD. OF SOC. 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 ineligibility penalty, contending that Petitioner caused his own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for June 29, 2018; however, at the hearing, Petitioner withdrew his request for a fair hearing. On July 25, 2018, Petitioner reinstated his request for a fair hearing. On July 31, 2018, the Honorable David M. Fritch, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On August 1, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner's mental and physical issues require that he be placed in supervised residential housing. See Initial Decision at 3; see also Exhibit R-1 at 5. Catholic Charities had provided Petitioner with several appropriate housing options, taking into consideration his mental and physical health issues. See Initial Decision at 2-4; see also Exhibit R-10. However, Petitioner had been evicted from a number of those placements due to disruptive behavior and/or safety violations; and had refused other placement offers. *Ibid.*; see also Exhibits R-1, R-6, R-7. Petitioner also refused placement offered by the Agency. See Initial Decision at 3; see also Exhibits R-4, R-10 at 2. Petitioner testified that he refused such placement offers because their environments were unacceptable to him; that he did not want to be placed in supervised house; and that he wanted to be placed in a motel. See Initial Decision at 5. The ALJ found that Petitioner did not have good cause for refusing housing placement, and as such, that he had caused his own homelessness. *Id.* at 6. Based on the foregoing, the ALJ concluded that the Agency's denial of EA benefits to Petitioner, and the imposition of a six-month EA ineligibility penalty, were proper and must stand. See Initial Decision at 6-7; see also Exhibit R-11, and N.J.A.C. 10:90-6.1(c)(3), -6.3(a)(1), (f). 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.

By way of comment, based on Petitioner's mental and physical issues, and the ALJ's finding regarding same, I direct the Agency to refer Petitioner to the New Jersey Division of Developmental Disabilities, as well as any and all other agencies and organizations that may be able to assist with his current needs. See Initial Decision at 5.



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

Officially approved final version.

AUG - 6 2018

Natasha Johnson

Director

