



## 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 7116-15 B.C.

AGENCY DKT. NO. GA289316 (ESSEX COUNTY DIVISION OF WELFARE)

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 penalty because he failed to report to his approved shelter placement on the appointed date, thereby causing his own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 21, 2015, the Honorable Richard McGill, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On May 22, 2015, the ALJ issued his Initial Decision, reversing the Agency's determination. The ALJ found that Petitioner had good cause for failing to report to his approved shelter placement on the appointed date, therefore he did not cause his own homelessness, and the Agency's denial of his EA benefits and imposition of a six-month penalty was unwarranted. See Initial Decision at 3; see also N.J.A.C. 10:90-6.1(c)(3). Specifically, the ALJ found that Petitioner had good cause for failing to report to the shelter because on the date Petitioner was to report to his shelter placement, he found out that his sister had died, and spent the next few days engaged in activities related to his sister's death and funeral. *Ibid.*

Accordingly, the agency is to provide Petitioner with EA benefits provided he continues to need EA benefits and is otherwise eligible for EA in accordance with N.J.A.C. 10:90-6.1.

No Exceptions to this 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.

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

*Signed Copy on File*  
at DFD, BARA

**JUN 01 2015**

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Natasha Johnson  
Director