



## 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 8556-15 C.B.

AGENCY DKT. NO. C073100 (OCEAN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits because her emergent situation was not due to circumstances beyond her control. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 18, 2015, the Honorable Elia A. Pelios, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On June 18, 2015, the ALJ issued his Initial Decision, affirming the Agency's determination. The record indicates that Petitioner left her prior housing without a formal eviction, steps were not taken to preserve her prior housing, she had the realistic capacity to plan for substitute housing but failed to do so, and thereby caused her own emergent situation. See Initial Decision at 4. Accordingly, the ALJ found that the Agency properly denied Petitioner EA benefits. *Ibid.* Additionally, the record indicates that Petitioner is not a Work First New Jersey ("WFNJ") cash recipient, and therefore is not eligible for EA benefits. See N.J.A.C. 10:90-6.2 (stating that only WFNJ benefits recipients and Supplemental Security Income ("SSI") recipients are eligible for EA benefits).

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.

Further, because Petitioner abandoned her prior housing, pursuant to N.J.A.C. 10:90-6.1(c)(3)(vii), she is ineligible for EA benefits for a period of six months from June 9, 2015, through December 9, 2015.

Finally, because the Petitioner indicated in her EA application, R-1 at 5, that the Division of Child Protection and Permanency, ("DCP&P") is currently involved with her family, a copy of the Initial and Final Decisions shall be forwarded to DCP&P.

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

*Signed Copy on File*  
at DFD, BARA

**JUN 25 2015**

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Natasha Johnson  
Director