



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 8063-15 C.B.

AGENCY DKT. NO. C289104 (PASSAIC COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits in the form of Temporary Rental Assistance ("TRA"). The Agency denied Petitioner's EA/TRA benefits application because she voluntarily abandoned her permanent housing causing her own emergent situation where she had the reasonable capacity to plan for substitute housing and failed to do so. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 8, 2015, the Honorable Sandra Ann Robinson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On June 10, 2015, the ALJ issued her Initial Decision, affirming the Agency's determination. The record shows that Petitioner presented testimony stating that she left the permanent housing she had with her two children at her mother's home because she had an argument with her mother over the type of education that Petitioner should pursue, resulting in her mother asking her to leave the home, and because the household was crowded. See Initial Decision at 1-2. The ALJ in assessing Petitioner's testimony found her not to be credible. *Id.* at 5. Further, the ALJ noted that Petitioner presented no "reasonable explanation" to explain why she voluntarily left her permanent housing. *Id.*

The ALJ therefore found that Petitioner moved out of her permanent housing without good cause. *Id.* Further, the ALJ concluded that the Agency presented sufficient evidence to show that Petitioner voluntarily abandoned her permanent housing. *Id.* Based on the foregoing facts, the ALJ found that the Agency properly denied Petitioner's EA/TRA benefits request and also properly imposed a six-month EA

ineligibility period because Petitioner caused her own homelessness without good cause. Id. at 7. The ALJ also noted that Petitioner shall remain ineligible to apply for EA until November 15, 2015. Id.

By way of comment, I have reviewed the Exceptions, filed on June 15, 2015, by Legal Services on behalf of Petitioner, and I find that the arguments made therein do not alter my decision in the matter.

By way of further comment, and consistent with the ALJ's Initial Decision, a copy of the Initial and Final Decisions shall be forwarded to DCP&P, f/k/a DYFS, to ensure the health, safety and welfare of Petitioner's children.

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 the matter and hereby ADOPT the Findings of Fact and Conclusion of Law in the matter.

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

Signed Copy on File
at DFD, BARA

JUN 25 2015

Natasha Johnson
Director