



State of New Jersey

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 183-15 C.M.

AGENCY DKT. NO. C167961 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner's EA request because she left a job in Florida and came to New Jersey with no plan for self-sufficiency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 9, 2015, the Honorable Jeffrey A. Gerson, Administrative Law Judge ("ALJ"), held an emergent hearing and took testimony. On January 12, 2015, the ALJ issued an Initial Decision affirming the Agency determination.

Exceptions to the Initial Decision were submitted by Petitioner on January 15, 2015.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the Initial Decision and ADOPT the ALJ's Initial Decision and AFFIRM the Agency determination.

The purpose of EA is to meet the emergent needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work activities without disruption and continue on a path to self-sufficiency. N.J.A.C. 10:90-6.1(a). In order to be eligible for EA benefits, N.J.A.C. 10:90-6.1(c) provides, in relevant part, that the individual must have an "actual or imminent eviction from prior housing, and the assistance unit is in a state of homelessness or imminent homelessness due to circumstances beyond their control or the absence of a realistic capacity to plan in advance for substitute housing." However, when the recipient causes his own homelessness, he is ineligible for EA for a period of six months. N.J.A.C. 10:90-6.1(c)(3).

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The record for this matter establishes that Petitioner previously moved to Florida from New Jersey in 2006. See Initial Decision at 2. Petitioner was employed in Florida when she decided to return to New Jersey in November 2014 with no job prospects or plans for alternate housing. Ibid. Petitioner moved in with her mother, who resides in Section 8 housing, and cannot stay with her as Petitioner is not on the lease. See Initial Decision at 2; see also Exceptions at 1.

The ALJ found that Petitioner has caused her own homelessness by forfeiting employment in Florida and coming to New Jersey without any prospect of employment or plan for self-sufficiency. See Initial Decision at 2. Based upon the record presented in this matter, I agree with the ALJ. As I find that Petitioner has caused her own homelessness, Petitioner will be ineligible for EA benefits for six months pursuant to N.J.A.C. 10:90-6.1(c)(3).

Based upon the foregoing, the Initial Decision in this matter is ADOPTED and the Agency's determination is AFFIRMED.

Signed Copy on File
at DFD, BARA

JAN 20 2015

Jeanette Page-Hawkins
Director