



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 10056-15 C.V.

AGENCY DKT. NO. S515752 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits and imposition of a six-month EA penalty. The Agency denied Petitioner EA benefits and imposed a six-month EA penalty because it contended she was not in a state of homelessness beyond her control and that she voluntarily left her motel placement. Because Petitioner appealed, this matter was transmitted to the Office of Administrative Law for a hearing. On September 21, 2015, the Honorable John P. Scollo, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On September 25, 2015, the ALJ issued an Initial Decision affirming the Agency determination.

Neither party filed Exceptions to the Initial Decision.

Based upon the record presented, Petitioner previously lived in an apartment with her son, but was forced to vacate the premises because the landlord needed the space for herself. See Initial Decision at 2. After vacating the premises on February 28, 2015, Petitioner applied for and received a motel placement for six to nine days, but left after one night's stay. *Id.* at 3-4. After leaving the hotel, Petitioner was able to stay with her cousin, and later her mother, in a neighboring county. *Id.* at 3. On May 27, 2015, Petitioner applied for EA, but was denied because she was not homeless or imminently homeless due to circumstances beyond her control. *Ibid*; see also Exhibit J-2. The ALJ concluded that Petitioner caused her own homelessness by leaving her motel placement after one night and is not currently homeless. See Initial Decision at 4. I agree.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the record and the ALJ's Initial Decision and, following an independent evaluation of the record, I hereby adopt the ALJ's Findings of Fact and Conclusions of Law in this matter. Therefore, I find that Petitioner caused her own homelessness and she is subject to an EA penalty and is ineligible for EA benefits for a period of six months from the effective date of denial, May 27, 2015. See N.J.A.C. 10:90-6.1(c)(3); see also Exhibit J-2.

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

Signed Copy on File

at DFD, BARA

NOT 2, 4 2015

Natasha Johnson
Director