



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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Chris Christie
Governor

Kim Guadagno
Lt. Governor

Elizabeth Connolly
Acting Commissioner

Natasha Johnson
Director

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 5038-15 L.B.

AGENCY DKT. NO. C395531 (PASSAIC COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from 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 Petitioner moved from affordable housing without a viable plan for substitute housing, thereby causing her own homelessness. On April 16, 2015, the Honorable JoAnn LaSala Candido, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On April 16, 2015, the ALJ issued his Initial Decision, which affirmed the Agency's denial of EA benefits, and the imposition of a six-month penalty. See Initial Decision at 4. After testimony by Petitioner, the ALJ found that Petitioner moved from her mother's house, to her friend's house, because it was closer to the school she was attending, and less crowded. *Ibid.* Therefore, I find that this plan was insufficient to satisfy the requirements of N.J.A.C. 10:90-6.1(c). Accordingly, the ALJ found, and I concur, that the Agency properly denied Petitioner EA benefits. Moreover, since Petitioner caused her own homelessness by moving without a plan for housing, she is ineligible for EA benefits for a period of six-months, beginning April 9, 2015. See N.J.A.C. 10:90-6.1(c)(3); see also Emergency Assistance Notification Form.

Exceptions to the Initial Decision were filed by Legal Services on behalf of Petitioner on April 20, 2015.

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

By way of comment, I have reviewed Petitioner's Exceptions, and I find that the arguments made therein do not alter my decision in this matter.

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

APR 24 2015

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director