



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development

P.O. Box 716

TRENTON, NEW JERSEY 08625

Chris Christie
Governor

Kim Guadagno
Lt. Governor

Jennifer Velez
Commissioner

Jeanette Page-Hawkins
Director

Tel. (609) 588-2000

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 14631-14 L.M.

AGENCY DKT. NO. C156242 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals the Respondent Agency's termination of her Emergency Assistance ("EA") benefits in the form of housing assistance. The Agency terminated her EA benefits as she caused her own homelessness when she voluntarily left a shelter which the Agency had deemed appropriate. Because the Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 19, 2014, the Honorable Caridad F. Rigo, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On November 20, 2014, the ALJ issued her Initial Decision, reversing the Agency's termination of Petitioner's EA benefits. The ALJ found Petitioner's testimony credible that she had left the shelter after her son began to act out, she could not keep him quiet, and fearful of being thrown out for non-compliance with shelter rules, she returned to her father's apartment. See Initial Decision at 2-3. The ALJ recommended that the Agency assist Petitioner in being added to the father's lease, with rent to be shared equally between Petitioner and her father, which would also assist Petitioner to assure she did not again lose custody of her children. See *id.* at 3-4. In support of that recommendation, the ALJ cites to case notes from Petitioner's case worker where this option is mentioned. See Exhibit R-4.

No Exceptions to the Initial Decision were filed.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the Initial Decision and having made 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.

I note that the record in this matter indicates that the Division of Child Protection and Permanency ("DCP&P") was recently involved with the Petitioner and her family. See Exhibit R-4 and Initial Decision at 2. Because it is unclear whether there is presently an open case with DCP&P, a copy of the Initial and Final Decisions shall be forwarded to DCP&P to ensure the health, welfare, and safety of Petitioner's children.

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

DEC - 1 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director