



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 2425-15 R.B.

AGENCY DKT. NO. GA556796 (MORRIS CO. OFFICE OF TEMP ASSISTANCE)

Petitioner appeals from the Respondent Agency's termination of his Emergency Assistance ("EA") benefits. The Agency terminated the Petitioner's EA because he failed to accept a shelter placement. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 28, 2015, the Honorable Joan Bedrin Murray, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was reopened on May 5, 2015 to allow the Agency to submit additional documents. On May 14, 2015, the ALJ issued an Initial Decision affirming the Agency determination.

Neither party filed Exceptions to the Initial Decision.

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

The purpose of EA is to meet the needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work related activities without disruption in order to continue on the path to self-sufficiency. See N.J.A.C. 10:90-6.1(a). In order to maintain eligibility for EA benefits, the recipient must take reasonable steps to resolve the emergent situation. N.J.A.C. 10:90-6.6(a). Reasonable steps include, but are not limited to, the recipient participating in the creation of, and complying with, a service plan. *Ibid.* If a recipient fails to comply with the service plan, then the recipient is ineligible for EA benefits for a period of six months. *Ibid.*

When a WFNJ/GA recipient qualifies for EA benefits, the "county/municipal agency shall determine the most appropriate form of emergency housing which is required to address the need and authorize payment of the costs of adequate emergency shelter/housing, taking into consideration individual/family circumstances and services provided." N.J.A.C. 10:90-6.3(a)(1). Such emergency housing includes placement in a shelter. Ibid.

Here, the Petitioner previously lived with an elderly aunt until she passed away in July of 2013. See Initial Decision at 2. Petitioner remained on the premises until he was evicted by the deceased aunt's children in April of 2014, whereupon Petitioner utilized his own funds to secure housing at "Inn A". Ibid. After a brief attempt to relocate Petitioner to Hunterdon County, the Agency provided Petitioner with a list of available rooms beginning in January 2015 and continued to the present. Id. at 3; see also Exhibit R-1. However, Petitioner made clear he would not leave the accommodations of the Inn for, what the ALJ characterized as, inferior accommodations. See Initial Decision at 3-4. The ALJ found, and I agree, that Petitioner failed to comply with his service plan by refusing multiple rooming house opportunities afforded him and, as a result, caused his own homelessness. Id. at 4; see also Exhibit R-2 at 1. Therefore, Petitioner's EA is hereby terminated and, in addition, Petitioner is subject to a six-month penalty for failure to comply with his service plan.

Based upon the foregoing, I hereby ADOPT the Initial Decision of the ALJ and AFFIRM the Agency's determination in this matter.

JUN 04 2015

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director