



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 13994-15 T.D.

AGENCY DKT. NO. V567858 (BURLINGTON COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of his application for Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits because it contended he had exhausted his lifetime limit and all available extensions of EA. Because Petitioner appealed, this matter was transmitted to the Office of Administrative Law for a hearing. On September 16, 2015, the Honorable John S. Kennedy, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On September 17, 2015, the ALJ issued his Initial Decision affirming the Agency determination.

Neither party filed Exceptions to the Initial Decision.

Based upon the record presented, Petitioner is a Supplemental Security Income ("SSI") recipient who has received 16 months of EA, including four months under the Housing Assistance Program ("HAP") pilot. See Initial Decision at 2; see also Exhibit R-1 at 32. Petitioner applied for, and was denied, an extreme hardship extension in June 2015 due to a failure by Petitioner to supply necessary documentation. See Initial Decision at 2; see Exhibit R-1 at 15-16. On August 28, 2015, Petitioner again returned to the Agency seeking EA, this time with a Warrant of Removal due to a failure to pay his share of the rent. See Initial Decision at 2. On September 4, 2015, Petitioner again applied for EA because he had been locked out of his apartment since September 4, 2015. See Exhibit R-1 at 2. Petitioner was again denied EA because he had exhausted his lifetime limit and did not meet the criteria for an extension. See Initial Decision at 2; see also Exhibit R-1 at 12-13. Additionally, Petitioner was assessed a six-month EA penalty because he caused his own

homelessness by not paying his portion of the rent for several months. See Initial Decision at 2-3. Based on the foregoing, the ALJ found the Agency's action to deny EA and apply a six-month EA penalty was appropriate. See id. at 5. 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.

Petitioner shall be ineligible for EA benefits for a period of six months, effective from the date of the Agency's denial, September 4, 2015. See N.J.A.C. 10:90-6.1(c)(3).

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

Natasha Johnson
Director

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