



## 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 10492-14 T.G.

AGENCY DKT. NO. C211504 (UNION COUNTY DIVISION OF SOC. SVCS.)

Petitioner appeals the Respondent Agency's denial of Emergency Assistance ("EA") benefits in the form of back rent and prospective Temporary Rental Assistance. The Agency denied Petitioner's request for EA benefits because it contends that she allegedly moved from one county to another without a plan, thereby causing her homelessness. Because the Petitioner appealed, the matter was transmitted to the Office of Administrative Law for an emergent hearing. On August 21, 2014, the Honorable Kelly J. Kirk, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On August 22, 2014, the ALJ issued an Initial Decision, reversing the Agency's decision. The ALJ found Petitioner's testimony credible that Petitioner had determined to move from Monmouth County to Union County in order to be closer to her mother's family, and to move closer to her children's paternal grandmother. See Initial Decision at 3. Petitioner was employed at the time she began to make arrangements to move. *Ibid.* Petitioner located new housing in Union County, and also obtained new employment. See *id.* at 3-4. Petitioner had an agreement with the children's father and grandmother that they would share watching her children while Petitioner was at work once in Union County. See *id.* at 4. However, the children's father then decided that he would no longer assist with child care, and the grandmother was unable to assist as she had been placed in an inpatient facility and continued medical issues. *Ibid.* Due to the lack of child care, Petitioner was unable to work and found herself in her emergent situation. *Ibid.* The ALJ highlighted the

fact that Petitioner has a history of employment and had never been on public assistance previously. See Initial Decision at 3, 5. Taking all these facts into consideration, the ALJ concluded that Petitioner had good cause for voluntarily ceasing her employment, specifically a lack of child care, and that Petitioner had, in fact, come to Union County with a plan, but now found herself in a state of imminent homelessness. See Initial Decision at 7. The ALJ therefore ordered that the Agency's determination be reversed.

Neither party filed exceptions to the Initial Decision.

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.

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

**AUG 29 2014.**

*Signed Copy on File*  
at DFD, BARA

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Jeanette Page-Hawkins  
Director