



## 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 2104-15 Z.V.

AGENCY DKT. NO. S568645 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals the Respondent Agency's denial of Emergency Assistance ("EA") benefits and the imposition of a six-month period of ineligibility because Petitioner allegedly caused her own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 23, 2015, the Honorable Leland S. McGee, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence. On February 24, 2015, the ALJ issued an Initial Decision which reversed the Agency determination.

No exceptions to the Initial Decision were received.

As the Director of the Division of Family Development, Department of Human Services, I have considered the record in this matter and the ALJ's Initial Decision, and having made an independent evaluation of the record, I REJECT the Initial Decision and AFFIRM the Agency 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 relevant part, EA is available when the assistance unit is in a state of homelessness due to circumstances beyond its control or the absence of a realistic capacity to plan for substitute housing, and the Agency determines that EA is necessary for health and safety. N.J.A.C. 10:90-6.1(c). EA benefits shall not be provided for a period of six months when an adult EA benefits applicant or

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recipient has caused his or her own homelessness, without good cause. N.J.A.C. 10:90-6.1(c)(3).

The Agency denied EA benefits and imposed a six-month period of ineligibility for EA benefits because Petitioner was neither homeless nor imminently homeless because of circumstances beyond her control, or for which she had no opportunity to plan. Initial Decision at 2-3; Exhibit R-3. I agree with the Agency that Petitioner abandoned permanent affordable housing when she voluntarily left her mother's apartment without the prospect of substitute permanent housing or employment. I disagree with the ALJ's finding that Petitioner's move to a temporary shelter while her boyfriend looked for work constitutes an objectively reasonable plan for housing and employment. Initial Decision at 4.

The Agency appropriately denied EA benefits and imposed a six-month period of ineligibility for EA benefits because Petitioner caused her own homelessness, without good cause. Petitioner may reapply for EA benefits on August 10, 2015, subject to applicable eligibility criteria.

Accordingly, the Initial Decision is REJECTED and the Agency determination is AFFIRMED.

**MAR 27 2015**

*Signed Copy on File*  
at DFD, BARA

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Jeanette Page-Hawkins  
Director