



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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TRENTON, NJ 08625-0716

NATASHA JOHNSON
Director

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 10031-18 C.J.

AGENCY DKT. NO. C639678007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits contending that he caused his own homelessness when he failed to report his income changes and work status. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 18, 2018, the Honorable Kelly J. Kirk, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On July 19, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that on July 2, 2018, Petitioner applied for EA benefits in the form of temporary rental assistance ("TRA") and back rent. See Initial Decision at 2; see also Exhibit R-1 at 25-31. Petitioner resides in a Section 8 subsidized apartment. See Initial Decision at 2. On July 3, 2018, Petitioner's rent was adjusted based upon information Petitioner had provided to the housing authority regarding his income and household composition. *Id.* at 3; see also Exhibit R-1 at 16. Petitioner was also reminded on July 3, 2018, that "all changes of household income and composition must be reported within 10 days." *Ibid.* The ALJ found that Petitioner had not reported his income changes until July 2018. See Initial Decision at 3. The ALJ further found that it was Petitioner's responsibility to report the income changes so that his rent could be adjusted. *Id.* at 4. Based on the foregoing, the ALJ concluded that Petitioner caused his own homelessness, without good cause, when he failed to notify the housing authority of his change in income, which resulted in eviction proceedings, and that the Agency's denial of EA benefits to Petitioner was proper and must stand. *Ibid.*; see also Exhibit R-1 at 1-5, 23, 24, and N.J.A.C. 10:90-6.1(c)(3)(vi). I agree.

Additionally, because I agree with the ALJ's conclusion that Petitioner caused his own homelessness, I hereby impose upon him a six-month period of ineligibility for EA benefits, beginning July 13, 2018, the date of the Agency's denial, through January 12, 2019. See N.J.A.C. 10:90-6.1(c)(3) and Exhibit R-1 at 2.

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 ALJ's Initial Decision, and following an independent review of the record, I concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

By way of comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with his current needs, including Social Services for the Homeless.



Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is AFFIRMED.

Officially approved final version.

JUL 31 2018

Natasha Johnson
Director

