



State of New Jersey

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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 04300-18 G.W.

AGENCY DKT. NO. C073977009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits contending that she caused her own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 27, 2018, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On that same day, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that in May 2017, Petitioner was issued a Section 8 housing voucher. See Exhibit R-2. In her application for EA benefits, Petitioner asserts that in July 2017, her landlord asked her to leave the apartment where she had been residing, and Petitioner and her child began living with a relative. See Exhibit R-3. After being granted an extension until November 21, 2017, on her Section 8 housing voucher, Petitioner had not yet secured alternate affordable housing. See Exhibit R-2. Petitioner was then approved for a short-term Section 8 housing voucher on January 5, 2018, which expired on February 5, 2018. Ibid. On February 9, 2018, Petitioner was notified that her Section 8 housing voucher had been terminated because she failed to find affordable housing. Ibid. On February 21, 2018, Petitioner and her child were asked to leave the relative's home. See Exhibit R-3. The ALJ in this matter found that Petitioner had voluntarily left an existing Section 8 apartment, and had been given eight additional months to find alternative housing, but failed to do so. See Initial Decision at 3. Based on the foregoing, the ALJ concluded that Petitioner had the capacity to plan in advance for alternative housing, but failed to do so, thereby causing her own homelessness. Ibid. Therefore, the ALJ determined that the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 4; see also Exhibit R-1, and N.J.A.C. 10:90-6.1(c). I agree.

Additionally, because I agree with the ALJ's conclusion that Petitioner caused her own homelessness, I hereby impose upon her a six-month period of ineligibility for EA benefits, beginning March 20, 2018, the date of the Agency's denial, through September 19, 2018. See Exhibit R-1; see also N.J.A.C. 10:90-6.1(c)(3).

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 her 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.

APR 06 2018

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Natasha Johnson

Director

