



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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CAROLE JOHNSON
Commissioner

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Lt. Governor

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 07794-18 A.S.

AGENCY DKT. NO. C161648002 (BERGEN COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. The Agency denied Petitioner EA benefits, and imposed a six-month period of EA ineligibility, contending that he caused his own homelessness by being evicted from his Section 8 housing. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 5, 2018, the Honorable Thomas R. Betancourt, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On June 6, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner, a Supplemental Security Income benefits recipient, applied for EA benefits after losing his housing voucher. See Initial Decision at 2; see also Exhibit R-1 at 2. Specifically, Petitioner was given notice that his rental subsidy would be terminated February 10, 2018, after an inspection revealed that his apartment had unsanitary conditions and was infested with vermin. See Initial Decision at 2-3; see also Exhibit R-1 at 2, 9. Petitioner was served with eviction papers on April 24, 2018. See Initial Decision at 3; see also Exhibit R-1 at 4-8. On May 23, 2018, the Agency denied Petitioner's application for EA benefits and imposed a six-month EA ineligibility penalty. See Initial Decision at 3; see also Exhibit R-1 at 1. After finding that Petitioner's testimony concerning his circumstances was not credible, the ALJ concluded that Petitioner had caused his own homelessness and that the Agency's action in denying EA benefits and imposing a six-month EA ineligibility penalty was proper and must stand. See Initial Decision at 4-5; see also N.J.A.C. 10:90-6.1(c)(3), -6.1(c)(3)(ii). I agree.

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 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 determination is AFFIRMED.

Officially approved final version.

JUN 13 2018

Natasha Johnson

Director

