



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 01373-18 J.C.

AGENCY DKT. NO. C292932016 (PASSAIC COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits contending that he was terminated from employment due to his own misconduct, thereby causing his own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 29, 2018, the Honorable John P. Scollo, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On January 30, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found, and the record substantiates, that Petitioner's misconduct caused the termination from his employment, as well as, the loss of the free use of an apartment located in the basement of the building where he worked. See Initial Decision at 3-5; see also Exhibits P-1, P-2, R-3, R-5, and R-6. As such, the ALJ concluded that Petitioner caused his own homelessness.

See Initial Decision at 7; see also N.J.A.C. 10:90-6.1(c)(3)(vi). Based on the foregoing, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. Id. at 5-7; see also Exhibit R-1, and N.J.A.C. 10:90-6.1(c)(3)(vi). 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 in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

By way of comment, 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 January 19, 2018, the date of the Agency's denial, through July 18, 2018. See Initial Decision at 7; see also Exhibit R-1 and N.J.A.C. 10:90-6.1(c)(3).

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

Officially approved final version.

FEB - 5 2018

Natasha Johnson
Director



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