



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 1185-18 M.F.

AGENCY DKT. NO. C056445017 (SALEM COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA"). The Agency denied Petitioner EA benefits because she came to New Jersey ("NJ") without a plan. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 25, 2018, the Honorable Jeffrey R. Wilson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On January 26, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that on October 6, 2017, Petitioner left another state and came to NJ. See Initial Decision at 2. Once in NJ, Petitioner planned to stay temporarily with a family member until she qualified for assistance. Ibid. After the relationship had become contentious with the family member, Petitioner purportedly left the residence. Ibid. The record further reflects that on January 18, 2018, Petitioner completed an application for EA benefits and was denied because she came to NJ without a permanent residence and that the state of her homelessness began in another state. See Initial Decision at 3; see also Exhibit R-1 at 2, 6-12. Moreover, Petitioner was under the care of a psychiatrist for medication management via a licensed community mental health agency. See Initial Decision at 3. The ALJ found that Petitioner is ineligible for EA benefits because she caused her own homelessness when she left the family member's home of her own accord. Ibid.; see also N.J.A.C. 10:90-6.1(c). The ALJ further found that Petitioner moved to NJ with no promise of employment or permanent housing. Ibid. Based on the foregoing, the ALJ concluded that Agency's denial of Petitioner's EA benefits was proper and must stand. See Initial Decision at 3-4; see also Exhibit R-1 at 2, and N.J.A.C. 10:90-6.1(c)(3). 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 concur with the ALJ's conclusion that Petitioner caused her own homelessness, without good cause, I hereby impose upon her a six-month period of ineligibility for EA benefits. See Initial Decision at 4; see also N.J.A.C. 10:90-6.1(c)(3). Petitioner's six-month EA ineligibility penalty shall run from January 18, 2018, the date of the Agency's denial of EA benefits, through July 17, 2018. See Initial Decision at 3; see also Exhibit R-1 at 2.

By way of further 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.



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

Officially approved final version.

FEB - 5 2016

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Natasha Johnson

Director

