



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

CAROLE JOHNSON
Commissioner

SHEILA Y. OLIVER
Lt. Governor

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 00974-19 K.E.

AGENCY DKT. NO. S924119009 (HUDSON COUNTY DEPT OF FAM 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 EA ineligibility penalty, contending that he moved to New Jersey ("NJ") without a plan for self-sufficiency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 25, 2019, the Honorable Ernest M. Bongiovanni, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On January 28, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the Agency denied Petitioner's application for EA benefits on January 7, 2019, because Petitioner moved from Egypt to NJ without a plan. See Initial Decision at 4; see also Exhibit R-1. The Agency also noted that Petitioner moved into an apartment that was unaffordable, and had not worked since 2009. See Initial Decision at 4; see also Exhibits R-1, R-2. The ALJ found, and Petitioner admitted in testimony, that he had abandoned a living arrangement with his family in Egypt to move to NJ with neither an offer of employment, nor plans for housing. See Initial Decision at 4-5. Based on the foregoing, the ALJ concluded that Petitioner had caused his own homelessness and that the Agency's denial of EA benefits, as well as the imposition of a six-month EA ineligibility penalty, was proper and must stand. See Initial Decision at 4-5; see also Exhibit R-1, 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.

As I concur with the ALJ's conclusion that Petitioner failed to plan, thereby causing his own homelessness, I find that the six-month EA ineligibility penalty imposed upon Petitioner shall run from the effective date of the Agency's denial, January 7, 2019, through July 6, 2019. See Exhibit R-1, and N.J.A.C. 10:90-6.1(c)(3).

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 in this matter is hereby ADOPTED and the Agency's determination is AFFIRMED.



Officially approved final version.

Natasha Johnson
Director

JAN 30 2019

