

## **DEPARTMENT OF HUMAN SERVICES**

Chris Christie Governor

Kim Guadagno Lt. Governor Division of Family Development P.O. Box 716 TRENTON, NEW JERSEY 08625

Elizabeth Connolly
Acting Commissioner

Natasha Johnson Director Tel. (609) 588-2400

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 16769-15 J.B.

AGENCY DKT. NO. C198583 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from Respondent Agency's denial of her application for Emergency Assistance ("EA") benefits. The Agency denied Petitioner's EA application and imposed a six-month EA penalty because she came to New Jersey without a plan. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 27, 2015, the Honorable Thomas R. Betancourt, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On the same day, the ALJ issued an Initial Decision affirming the Agency's determination. The ALJ noted Petitioner formerly lived in affordable housing in Puerto Rico, where her rent was \$13.00 per month. See Initial Decision at 2; see also Exhibit R-1. Petitioner moved from Puerto Rico in search of better care for her daughter, who is disabled. See Initial Decision at 3. Originally, Petitioner moved to Connecticut to live with a friend, but subsequently moved to New Jersey to reside with her sister due to illicit drug use in the Connecticut home. Id. at 2. However, due to matrimonial and family problems, Petitioner was forced to vacate the sister's residence. Ibid. The ALJ found that Petitioner left Puerto Rico without a plan for alternate housing and is not imminently homeless. Id. at 3. I agree.

No Exceptions were filed.

HPW Number: 16769-15 Case Number: C198583 09-90

Page 2

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 decision and hereby adopt the Findings of Fact and Conclusion of Law in this matter. As I find that Petitioner caused her own homelessness and agree with the Agency's imposition of a six-month EA penalty, Petitioner is ineligible for EA benefits for a period of six months from the effective date of denial, October 8, 2015. See Initial Decision at 6.

Accordingly, the Initial Decision in this matter is hereby ADOPTED and the Agency's action in this matter is AFFIRMED.

Signed Copy on File
NOV 0 4 2015

at DFD, BARA

Natasha Johnson Director