



## State of New Jersey

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*Governor*

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DIVISION OF FAMILY DEVELOPMENT  
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TRENTON, NJ 08625-0716

NATASHA JOHNSON  
*Assistant Commissioner*

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 **01913-24 T.C.**

AGENCY DKT. NO. **C191550004 (CAMDEN-CCBSS)**

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 she caused her own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 14, 2024, the Honorable Nicole T. Minutoli, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. The record remained open until February 16, 2024, to allow Petitioner the opportunity to provide additional documents. Petitioner then requested additional time to provide documents and the record remained open until noon on February 20, 2024. No records having been provided by Petitioner the record then closed on that date.

On February 21, 2024, the ALJ issued an Initial Decision, affirming the Agency's denial of EA benefits to Petitioner, and reversing the Agency's imposition of a six-month EA ineligibility penalty. Here, the ALJ found, and Petitioner admitted, that she had failed to pay her portion of her Section 8 subsidized housing rent, and also subsequently failed to pay her past due rent pursuant to an eviction court issued Consent Order of Possession, resulting in her eviction from subsidized housing. See Initial Decision at 2-4, 7; see also Exhibits R-4, R-5, R-7, R-8, R-9. Based on the foregoing, the ALJ concluded that Petitioner had caused her own homelessness, and as such, the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 6-8; see also Exhibit R-10, and N.J.A.C. 10:90-6.1(c)(3)(ii). I agree. Nevertheless, the ALJ found that, based on the totality of Petitioner's circumstances, particularly her mental health issues, and certain legal issues surrounding her eviction, the imposition of a six-month EA ineligibility penalty was not appropriate, and as such, reversed the Agency's imposition of such penalty. See Initial Decision at 5-8; see also Exhibit R-10, and N.J.A.C. 10:90-6.1(c)(1)(iii). I also agree.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, 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, Petitioner is advised that the Agency "shall determine" the most appropriate form of emergency housing required to address the needs of an EA benefits applicant, which may include shelter placement. See N.J.A.C. 10:90-6.3(a)(1).

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is AFFIRMED in part, and REVERSED in part, as outlined above.



Officially approved final version. March 07, 2024

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Natasha Johnson  
Assistant Commissioner

