



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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CAROLE JOHNSON
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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 05953-20 R.D.

AGENCY DKT. NO. C383372007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals the Respondent Agency's determination to place Petitioner at a particular shelter. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for July 2, 2020, before the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"). In the course of that hearing, it was determined that the Agency needed to investigate some claims made by Petitioner. The hearing then continued on July 7, 2020, at which time the matter concluded and the record then closed.

On July 9, 2020, the ALJ issued an Initial Decision, dismissing Petitioner's appeal. The record in this matter reflects that Petitioner is presently receiving Emergency Assistance ("EA") benefits. See Initial Decision at 2. The record further shows that Petitioner was moved from a prior placement at the Village Hotel, where Petitioner had resided for approximately two years, to his present placement, following an altercation amongst several residents at the Village Hotel. Ibid. Through the present appeal, Petitioner seeks to be placed back at the Village Hotel. Ibid. However, in light of the fact that Petitioner is not presently homeless, or imminently homeless, the ALJ dismissed Petitioner's appeal. Id. at 3. I agree, and further note that it is the Agency that determines the appropriate placement. See N.J.A.C. 10:90-6.3(a)(1).

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and dismiss Petitioner's appeal in this matter.

Accordingly, the Initial Decision is hereby ADOPTED, and Petitioner's appeal is DISMISSED.

Officially approved final version.

JUL 16 2020

Natasha Johnson
Assistant Commissioner

