



State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT  
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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 00754-20 Z.R.

AGENCY DKT. NO. C035709017 (SALEM COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. The Agency terminated Petitioner's EA benefits, and imposed a six-month EA ineligibility penalty, contending that she voluntarily left shelter placement, thereby causing her own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 31, 2020, the Honorable Tama B. Hughes, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On February 6, 2020, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the ALJ found that Petitioner, a domestic violence ("DV") survivor, had good cause for leaving her shelter placement. See Initial Decision at 5. Specifically, the ALJ found Petitioner credible when she testified that she had left the shelter out of fear for her safety, after an incident had occurred where she had awoken one night and found a stranger hovering over her, watching her sleep. See Initial Decision at 3-4. Moreover, the ALJ found that Petitioner's decision to leave the shelter was understandable given her past history of DV. *Id.* at 5. Petitioner also testified that she had informed her Case Manager at the shelter of that incident, which the ALJ found had been substantiated in a call between the Case Manager and the Agency. *Id.* at 2-3, 5. Although Petitioner had failed to inform the Agency of the actual reason for leaving the shelter, the ALJ found that the Agency had been informed by Petitioner's Case Manager of the incident that precipitated Petitioner's departure. *Ibid.* Based on the foregoing, the ALJ concluded that Petitioner had not caused her own homelessness and that the Agency's termination of Petitioner's EA benefits, and the imposition of a six-month period of ineligibility, were improper and must be reversed. See Initial Decision at 4-5; see also Exhibit R-1 at 1-5, and N.J.A.C. 10:90-6.1(c)(3). I 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.



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

Officially approved final version.

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Natasha Johnson  
Assistant Commissioner

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