



State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
PO BOX 716

SARAH ADELMAN  
*Acting Commissioner*

SHEILA Y. OLIVER  
*Lt. Governor*

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 03002-21 D.B.

AGENCY DKT. NO. C107589015 (OCEAN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that his emergency was not due to circumstances beyond his control. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 7, 2021, the Honorable Kim C. Belin, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On April 8, 2021, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the record reflects that the Agency denied Petitioner EA benefits, contending that he was asked to leave his place of residence due to a disagreement with the homeowner's son, and because he was allegedly "free loading," thereby causing his own homelessness. See Initial Decision at 2-4; see also Exhibit R-1; and N.J.A.C. 10:90-6.1(c)(3). However, the ALJ found that no evidence was presented at the hearing to indicate that the disagreement was caused by Petitioner, or that Petitioner was "free loading," particularly as the homeowner herself had testified at the hearing. See Initial Decision at 5-6. Further, the ALJ found that, at the time Petitioner was asked to leave the residence, he was suffering from a medical condition which made it difficult for him to walk or see, and moreover, due to the COVID pandemic, alternative housing was limited and difficult to locate. Ibid. Based on the foregoing, the ALJ concluded that Petitioner had not caused his own homelessness, and that his homelessness was due to circumstances beyond his control. Id. at 6. Accordingly, the ALJ also concluded that the Agency's denial of EA benefits to Petitioner was improper and must be reversed. Ibid.; see also Exhibit R-1. 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. APR 13 2021

---

Natasha Johnson  
Assistant Commissioner

