



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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SARAH ADELMAN  
Acting Commissioner

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Lt. Governor

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 01957-21 G.D.

AGENCY DKT. NO. C112700015 (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 he refused appropriate housing offered by the Agency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for December 29, 2020, but Petitioner had a failed to appear due to a good cause medical condition. On March 1, 2021, the Honorable Mary Ann Bogan, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On March 2, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that when Petitioner applied for EA benefits, he presented with certain medical and mental health issues which the Agency addressed by referring him to the Substance Abuse Initiative/ Behavioral Health Initiative ("SAI/BHI") program and by offering him housing placement in a residential facility. See Initial Decision at 2-3; see also Exhibits R-2, R-4 through R-7, and R-9. Although Petitioner completed his SAI/BHI assessment, he failed to take part in the SAI/BHI program and refused the residential housing placement offered by the Agency. See Initial Decision at 2-3; see also Exhibit R-8. Consequently, the Agency denied EA benefits to Petitioner. See Initial Decision at 2; see also Exhibit R-1. Petitioner testified that he had lied about having mental health issues when he applied for EA benefits in order to get housing, and that he had refused residential housing because he is a private person who likes his privacy, and as such, he believes that he belongs in a private placement. See Initial Decision at 3. Based on the testimony and evidence presented, and in accordance with regulatory authority, the ALJ found that the Agency had offered appropriate housing to Petitioner, and that Petitioner had refused such housing placement, without good cause. *Id.* at 3-4; see also N.J.A.C. 10:90-6.3(a)(1). Based on the foregoing, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 4; 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.



By way of comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with his current needs, including Social Services for the Homeless.

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

MAR 18 2021

Officially approved final version.

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Natasha Johnson  
Assistant Commissioner

