



State of New Jersey

PHILIP D. MURPHY  
Governor

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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SARAH ADELMAN  
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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 05432-21 H.R.

AGENCY DKT. NO. C061662018 (SOMERSET COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits, contending that he refused appropriate permanent housing offered. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 6, 2021, the Honorable Elaine B. Frick, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On July 7, 2021, the ALJ issued an Initial Decision, reversing the Agency's determination, with contingencies. Here, the ALJ found that Petitioner had refused two permanent housing placements offered by the Agency, and had failed to complete the application for a third permanent housing placement offered by the Agency, without good cause. See Initial Decision at 6-9; see also Exhibits R-2, R-3, R-4, R-5, R-7. Nevertheless, based on Petitioner's particular circumstances, namely his testimony wherein he claimed to have completed the required application, and his professed willingness to cooperate with the application process, the ALJ concluded that if Petitioner provides the Agency with the completed and signed housing assistance application by July 9, 2021, then the Agency's termination of Petitioner's EA benefits shall be reversed. See Initial Decision at 4-9; see also Exhibit R-1. However, the ALJ further concluded that should Petitioner fail to provide said completed and signed application to the Agency by July 9, 2021, then the Agency's termination of Petitioner's EA benefits shall be affirmed and must stand. See Initial Decision at 9-10; see also Exhibits R-1, R-6, 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.

By way of comment, should the Agency's termination stand, I find that Petitioner is also ineligible for EA benefits for a period of six-months, beginning May 2, 2021, the effective date of the Agency's termination, through November 1, 2021. See Exhibit R-1; see also N.J.A.C. 10:90-6.1(c)(3).



Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is REVERSED WITH CONTINGENCIES, as discussed above.

Officially approved final version.

Natasha Johnson  
Assistant Commissioner : JUL 22 2021

