



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
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 00531-21 K.F.

AGENCY DKT. NO. C055816015 (OCEAN COUNTY BOARD OF SOC. SVCS.)

K.F. and C.K. (Petitioners) appeal from the Respondent Agency's denial of their application for Emergency Assistance ("EA") benefits. The Agency denied Petitioners EA benefits, contending that they refused appropriate housing offered by the Agency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 3, 2021, the Honorable Mary Ann Bogan, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On February 3, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found that, after having taken into consideration Petitioners' history of domestic and substance abuse, the Agency had appropriately offered Petitioners separate sober living housing placements. See Initial Decision at 2-3; see also Exhibits R-2 through R-5. The ALJ also found that Petitioners refused such placement. See Initial Decision at 3; see also Exhibit R-3. Of note, the record indicates that Petitioners refused the opportunity to present testimony on their own behalf. See Initial Decision at 3. Based on the foregoing, the ALJ concluded that the Agency's denial of EA benefits to Petitioners was proper and must stand. *Id.* at 3-5; see also Exhibit R-1, and N.J.A.C. 10:90-6.3(a)(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 transmittal in this matter indicates an additional contested issue pertaining to a denial of Work First New Jersey/General Assistance ("WFNJ/GA") benefits, which was not addressed by the ALJ in the Initial Decision. Therefore, if either Petitioner still has an issue concerning a denial of WFNJ/GA benefits, he/she may request another fair hearing on that issue alone.

By way of further comment, Petitioners' may reapply for EA benefits, and are advised that it is the Agency who shall determine the most appropriate form of housing necessary to address their individual circumstances. See N.J.A.C. 10:90-6.3(a)(1).



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

Officially approved final version.

FEB 11 2021

Natasha Johnson
Assistant Commissioner

