



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 02213-21 L.W.

AGENCY DKT. NO. C090663018 (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 she refused appropriate shelter placement offered by the Agency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 8, 2021, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On March 9, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination.

The Agency shall determine the most appropriate form of EA benefits, which may include shelter placement, that are "required to address the need and authorize payment of the costs of adequate emergency shelter/housing, taking into consideration individual/family circumstances and services provided." N.J.A.C. 10:90-6.3(a)(1).

Here, the record reflects that the Agency had initially referred Petitioner and her three children to Franklin House for temporary housing, but Petitioner failed to follow through with the intake process, and as such, Franklin House ("FH") declined Petitioner's housing application for failure to complete said intake. See Initial Decision at 2-3; see also R-1 at Exhibits 2, 3. Thereafter, the Agency again referred Petitioner to FH, but FH declined to extend housing to Petitioner. See Initial Decision at 3; see also R-1 at Exhibit 5. The Agency then offered Petitioner shelter placement, but she refused such placement, claiming that she had been assaulted at a previous shelter, and that the shelter was too far away from her children's schools. See Initial Decision at 2-3; see also R-1 at Exhibit 5. However, the record reflects that Petitioner failed to substantiate her claim of assault, and that her children were attending school remotely. See Initial Decision at 2-3. Based on the foregoing, the ALJ concluded that Petitioner had refused appropriate shelter placement, without good cause, and therefore, concluded that the Agency's



termination of Petitioner's EA benefits was proper and must stand. Id. at 3-4; see also R-1 at Exhibit 6, and N.J.A.C. 10:90-6.1(c)(3), -6.3(a)(1), and DFD Instruction 21-02-03. I agree.

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

By way of further comment, as the record indicates that Petitioner may have an open case with the Division of Child Protection and Permanency ("DCP&P"), a copy of the Initial and Final Agency Decisions shall be forwarded to DCP&P.

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

Officially approved final version. APR - 1 2021

Natasha Johnson
Assistant Commissioner

