



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 04549-21 M.H.

AGENCY DKT. NO. C769364007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA") and Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's WFNJ/GA benefits, contending that he failed to provide required documentation regarding his whereabouts, and terminated Petitioner's EA benefits, contending that he abandoned his shelter placement, thereby causing his own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for May 28, 2021, but was adjourned. On June 8, 2021, the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. The record was held open until June 14, 2021, to allow Petitioner the opportunity to provide medical documentation regarding his inability to walk up and down stairs. No such documentation was forthcoming, and the record then closed on that date.

On June 15, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found that Petitioner admittedly abandoned his shelter placement and had failed to advise the Agency of his whereabouts. See Initial Decision at 2, 4. Petitioner claimed that he had abandoned that shelter placement because his room was on the fourth floor, and that due to his medical condition, he had trouble walking up and down the stairs, and that the elevator was not reliable. *Id.* at 2. Although the record was held open for six days to allow Petitioner the opportunity to submit medical documentation to substantiate his claim, no such documentation was submitted. *Ibid.* Based on the foregoing, the ALJ concluded that Petitioner had caused his own homelessness, without good cause, and as such, concluded that the Agency's termination of Petitioner's EA benefits was proper and must stand. *Id.* at 2-4; see also N.J.A.C. 10:90-6.1(c)(3). I agree. Additionally, the ALJ concluded that Petitioner failed to provide the Agency with documentation regarding his whereabouts after he left the shelter, and accordingly, concluded that the Agency's termination of Petitioner's WFNJ/GA benefits was also proper and must stand. See Initial Decision at 4; see also N.J.A.C. 10:90-2.2(a)(5). I also 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 AFFIRMED.

Officially approved final version. JUN 15 2021

Natasha Johnson
Assistant Commissioner

