



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 00299-21 Y.C.

AGENCY DKT. NO. C294874016 (PASSAIC COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. The Agency denied Petitioner EA benefits, and imposed a six-month EA ineligibility penalty, contending that Petitioner's behavior caused her homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 14, 2021, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On January 15, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found that Petitioner had been living with her mother all her life, rent free, including such time as when she had two children, and that she was asked to leave her mother's residence because she had argued with her mother and had refused to follow her mother's house rules. See Initial Decision at 2-3; see also Exhibits R-2, R-4. Although Petitioner did not dispute that she argued with her mother, she stated that said argument was not about her failure to follow house rules, but rather, was about an issue with her children, and was justified. See Initial Decision at 3. However, the ALJ found that Petitioner should have kept her difference of opinion "to herself" in order to retain rent free house, but instead she had chosen to argue with her mother, which resulted in her being directed to leave the residence. Id. at 4; see also Exhibit R-2. Based on the foregoing the ALJ concluded that Petitioner had caused her own homeless, without good cause, and as such, further concluded that the Agency's denial of EA benefits to Petitioner, and the imposition of a six-month EA ineligibility penalty, were proper and must stand. See Initial Decision at 3-4; see also Exhibit R-1, and N.J.A.C. 10:90-6.1(c)(3)(vi). 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 her current needs, including Social Services for the Homeless.



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

