



## State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
PO BOX 716

SARAH ADELMAN  
*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 **00882-23 B.S.**

AGENCY DKT. NO. **C039943005 (CAPE MAY COUNTY BD. 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 she had provided false information to the Agency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 2, 2023, the Honorable Elaine B. Frick, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On February 3, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. The ALJ in this matter issued a very thorough and comprehensive Initial Decision, providing a detailed and well thought out analysis, applying law to fact. See Initial Decision at 2-8. Specifically, the ALJ found that Petitioner had deliberately misrepresented information to the Agency by admittedly submitting a letter fraudulently authored by her, under another person's name, for the purpose of making herself eligible for EA benefits. See Initial Decision at 3-6; see also Exhibit R-1 at 16-17, 19. Moreover, the ALJ found that Petitioner had signed her EA benefits application, certifying that the statements made therein were true, that she would be subject to punishment if any statements were willfully false, and that the Agency would contact any named individual or other source to verify the information provided. See Initial Decision at 6; see also Exhibit R-1 at 27-40. Based on the foregoing, the ALJ found that Petitioner had caused her own homelessness, and as such, 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 6-8; see also Exhibit R-1 at 11-13, and N.J.A.C. 10:90-6.1(c)(3)(i). 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. February 16, 2023

---

Natasha Johnson  
Assistant Commissioner

