



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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SARAH ADELMAN
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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 **05114-23 C.T.**

AGENCY DKT. NO. **S491014012 (MIDDLESEX 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 he was evicted from his prior residence for voluntary non-payment of rent, thereby causing his own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 21, 2023, the Honorable Rebecca C. Lafferty, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On that same date, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, in relevant part, the record reflects that Petitioner resided at a rooming house, and was responsible to pay a total monthly rent of \$425. See Initial Decision at 2; see also Exhibit R-1 at 12. Petitioner testified that he became aware of others residing at the rooming house and not paying rent, and decided to stop paying his monthly rent. See Initial Decision at 3; see also Exhibit R-1 at 12. Petitioner further testified that he believed that the money he paid would not be applied to his rent by the landlord's representative. *Ibid.* The ALJ found that Petitioner voluntarily stopped payment of his rent, despite having more than enough funds to pay the \$425 monthly rent, thereby causing his own homelessness, without good cause. See Initial Decision at 4. Moreover, Petitioner did not dispute the nonpayment of rent, and further concedes that that he was evicted from his residence for non-payment of rent. *Ibid.*; see also Exhibit R-1 at 12-13. Based on the foregoing, the ALJ concluded that Petitioner had caused his own homelessness, and accordingly, 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 4; see also Exhibit R-1 at 15-17, and N.J.A.C. 10:90-6.1(c)(3)(ii). 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, Petitioner's six-month EA ineligibility penalty shall run from May 3, 2023, the effective date of the Agency's denial, through November 2, 2023. See Exhibit R-1 at 15-17.

By way of further comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with his 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. June 29, 2023

Natasha Johnson
Assistant Commissioner

