



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 **03919-23 L.M.**

AGENCY DKT. NO. **C157982015 (OCEAN COUNTY BOARD OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that she was not currently homeless, and that her current circumstances were not beyond her control. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 15, 2023, the Honorable Susan L. Olgiati, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On May 16, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record indicates that Petitioner had been evicted from her apartment due to non-payment of rent. See Initial Decision at 2-3; see also Exhibits R-6 through R-12. The record also indicates that, at the time of the Agency's denial of EA benefits, Petitioner was not homeless or imminently homeless, as her mother was willing to pay for rent at a hotel for "as long as needed," or allow Petitioner to temporarily live with her. See Initial Decision at 3; see also Exhibits R-1, R-2, R-5. Further, the record reflects that Petitioner is currently living in Camden County. See Initial Decision at 2. Based on the foregoing, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was 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). 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, as the record indicates that Petitioner's circumstances have changed since the issuance of the Agency's denial, it is recommended that she reapply for EA benefits in Camden County, where she currently resides, or if she still wishes to relocate to Ocean County, she should discuss with the Camden County welfare agency how that relocation may be accomplished. See Initial Decision at 3 fn1.



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

Officially approved final version. May 30, 2023

Natasha Johnson
Assistant Commissioner

