



# 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 **05055-23 M.L.**

AGENCY DKT. NO. **C135375020 (UNION COUNTY DIVISION OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits and the imposition of a six-month period of ineligibility for EA benefits. The Agency terminated Petitioner's EA benefits, and imposed a six-month EA ineligibility penalty, contending that she failed to comply with her EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 2, 2023, the Honorable Daniel Brown, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On August 22, 2023, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the record reflects that Petitioner executed two SPs, wherein she agreed, among other things, to obtain subsidized housing before her Section 8 housing voucher expired on April 30, 2023. See Initial Decision at 2; see also Exhibits R-1 at 3, R-2 at 4, and R-3. Petitioner failed to obtain subsidized housing within the required time frame, and her Section 8 housing voucher expired. See Initial Decision at 3; see also Exhibit R-3. As a result, the Agency terminated Petitioner's EA benefits and imposed a six-month EA ineligibility penalty. See Initial Decision at 3; see also N.J.A.C. 10:90-6.6(a). However, the ALJ found that Petitioner had good cause for failing to obtain subsidized housing within the time frame required. See Initial Decision at 3. Specifically, the ALJ found that Petitioner had physical impairments which inhibited her ability to conduct housing searches, particularly her inability to walk long distances and inability to drive a car. See Initial Decision 3. Further, the ALJ found that the Agency had been aware of Petitioner's disabilities, yet failed to refer her for the medical or transportation services needed to accomplish the required housing searches. Ibid. Of note, with the assistance of transportation services provided by another Agency, Petitioner is able to conduct housing searches, and on June 11, 2023, obtained a new Section 8 housing voucher which is valid until November 11, 2023. Ibid.; see also Exhibit P-1. Based on the foregoing, the ALJ concluded that Petitioner had good cause for failing to comply with her SP, and therefore, the Agency's termination of Petitioner's EA benefits, and its imposition of a six-month EA ineligibility penalty, were improper and must be reversed. See Initial Decision at 4; see also N.J.A.C. 10:90-6.6(a). 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.

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



Officially approved final version. September 28, 2023

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Natasha Johnson  
Assistant Commissioner

