



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 **08356-23 N.A.**

AGENCY DKT. NO. **C284477009 (HUDSON COUNTY DEPT OF FAM 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 caused her own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 1, 2023, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On September 5, 2023, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the ALJ found that Petitioner had credibly testified that she had provided the Agency with substantively accurate letters indicating that no person, family, or friend, was willing to house her and her one-year old son. See Initial Decision at 2-3; see also Exhibits R-3 through R-7. Although the Agency was unable to verify the letters submitted by Petitioner, the ALJ found that the Agency had failed to submit any evidence to prove that she had caused her own homelessness by quitting employment, by being evicted from private, public or subsidized housing through her own fault, by failing to pay rent, or by refusing to accept housing. See Initial Decision at 1-3; see also N.J.A.C. 10:90-6.1(c)(3). It appears from the record that Petitioner is homeless. See Exhibit R-1. Based on the testimony and documentary evidence provided, the ALJ concluded that Petitioner is eligible for EA benefits, and as such, reversed the Agency's denial of EA benefits to Petitioner, and the imposition of a six-month EA ineligibility penalty. See Initial Decision at 4-5; see also Exhibit R-2, and N.J.A.C. 10:90-6.1(a), (c). I agree. Further the ALJ concluded that the Agency may require Petitioner, as a condition of continued eligibility for EA benefits, to comply with mandatory activities set out in an EA service plan. See Initial Decision at 4; see also N.J.A.C. 10:90-6.6(a). I also 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 12, 2023

Natasha Johnson

Assistant Commissioner

