



## State of New Jersey

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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 **00102-23 N.S.**

AGENCY DKT. NO. **S640362012 (MIDDLESEX COUNTY BD. 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 EA benefits ineligibility. The Agency terminated Petitioner's EA benefits, and imposed a six-month EA ineligibility penalty, contending that she had abandoned housing placement, and had refused alternate housing placement, thereby causing her own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 16, 2023, the Honorable Jeffrey N. Rabin, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On March 2, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found, and the record substantiates, that Petitioner had abandoned her Agency housing placement, and thereafter, refused alternate Agency offered housing placement. See Initial Decision at 2-3, 5-6; see also Exhibits R-8, R-9, R-12, R-17, R-20, and R-21. Although Petitioner claimed that she had left her housing placement temporarily, to visit her ailing grandmother who resided in another state, and that her visit was extended due to the death of her grandmother, the ALJ found that Petitioner had failed to advise the Agency of such visit, had been absent from her housing placement for more than two months, and had failed to provide any evidence to substantiate her claim. See Initial Decision at 3, 5-6. Petitioner also claimed that she refused the Agency offered alternate housing placement because she had a bad back and could not sleep on a bunk bed. *Id.* at 6. However, the ALJ found that Petitioner had also not provided any evidence to substantiate that claim. *Ibid.* Based on the foregoing, the ALJ concluded that Petitioner had abandoned her housing placement and refused alternate housing placement, without good cause, thereby causing her own homelessness. *Id.* at 6-7. Accordingly, the ALJ concluded that the Agency's termination of Petitioner's EA benefits, and the imposition of a six-month EA benefits ineligibility penalty, were proper and must stand. *Id.* at 7; see also Exhibit R-10, and N.J.A.C. 10:90-6.1(c)(3). 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 and hereby ADOPT the Findings of Fact and Conclusion of Law in this matter.

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 in this matter is hereby ADOPTED and the Agency's determination is AFFIRMED.



Officially approved final version. April 18, 2023

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Natasha Johnson  
Assistant Commissioner

