



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 **09153-23 R.S.**

AGENCY DKT. NO. **C086598018 (SOMERSET COUNTY BOARD 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 he violated rooming house rules. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 19, 2023, the Honorable Catherine A. Tuohy, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On September 20, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found that the property manager's testimony, and the record, substantiate that Petitioner had been terminated from his rooming house placement for violating rooming house rules by engaging in threatening/disruptive actions and behaviors which resulted in police involvement, and a restraining order being placed against him. See Initial Decision at 2-4; see also R-1 at Exhibits 2 through 6, and N.J.A.C. 10:90-6.3(c)(3). Moreover, the ALJ found that Petitioner had been provided with the rooming house rules, and was advised, and had acknowledged, that his EA benefits would be terminated for a period of six-months if he violated those rules. See Initial Decision at 3, 5; see also R-1 at Exhibit 6. Further, it appears from the record that no good cause was found for such violations by Petitioner. See Initial Decision at 4. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits, and the imposition of a six-month EA ineligibility penalty, were proper and must stand. See Initial Decision at 5-6; see also R-1 at Exhibit 1, and N.J.A.C. 10:90-6.3(c)(3). I agree.

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 is advised that his six-month EA ineligibility penalty shall run from August 15, 2023, the effective date of the Agency's termination, through February 14, 2024. See R-1 at Exhibit 1.



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. September 27, 2023

Natasha Johnson
Assistant Commissioner

