



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 **09386-22 R.S.**

AGENCY DKT. NO. **C234379020 (UNION COUNTY DIVISION OF SOC. 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 he moved to Union County ("Union") without a plan for self-sufficiency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 18, 2022, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was held open to allow Petitioner the opportunity to provide documents. Documents were submitted, and the record then closed on November 23, 2022.

On November 29, 2022, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found that Petitioner moved to Union from Hudson County ("Hudson") without a plan for permanent affordable housing, and that at the time he had applied for EA benefits in Union, he had been residing in Hudson. See Initial Decision at 2-3; see also Exhibits R-1 through R-5. Although Petitioner claimed that he had been residing in Union for some time prior to his application for EA benefits, the ALJ found that the documents Petitioner had provided failed to substantiate his claim. See Initial Decision at 2-3; see also Exhibits P-1 through P-10. Based on the foregoing, the ALJ concluded that Petitioner had caused his own homelessness, without good cause, and as such, further concluded that the Agency's denial of EA benefits to Petitioner, and imposition of a six-month EA ineligibility penalty, were proper and must stand. See Initial Decision at 3-4; see also Exhibit R-6, 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 in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

By way of comment, because Petitioner has been receiving continued assistance pending the outcome of the fair hearing, I find that Petitioner's six-month EA ineligibility penalty shall begin to run as of the date of this Final Agency Decision.



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. May 02, 2023

Natasha Johnson
Assistant Commissioner

