



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 11311-22 W.D.

AGENCY DKT. NO. C021104019 (SUSSEX COUNTY DIVISION OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of his application for Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that he had refused affordable housing options offered. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for December 21, 2022, but was adjourned at the request of Petitioner so that he could have the opportunity to obtain counsel. The hearing was rescheduled for December 28, 2022, and on that date, the Honorable John P. Scollo, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On January 4, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ issued a very thorough and comprehensive Initial Decision, outlining the procedural history, and providing a detailed and well thought out analysis, finding that Petitioner had refused Agency offered affordable housing options, without good cause, thereby causing his own homelessness, and as such, concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 2-3, 5-10; see also Exhibits R-1, R-3, R-6, R-7, R-10, and N.J.A.C. 10:90-6.1(c)(3), -6.3(a) (1). Moreover, based on a thorough analysis of the testimony and record provided, the ALJ further concluded that Petitioner was not a resident of New Jersey at the time of his EA benefits application, and on that basis, was also ineligible for EA benefits. See Initial Decision at 3-10; see also Exhibits R-4 at 2, R-8, R-9, and N.J.A.C. 10:90-2.11, -6.2(a), -15.1. Based on an independent review of the record, I agree with the ALJ's conclusions in this matter, and find that the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 10.

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 AFFIRMED.



Officially approved final version.

January 12, 2023

Natasha Johnson
Assistant Commissioner

