



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 **03746-24 K.H.**

AGENCY DKT. NO. **C108095003 (BURLINGTON 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 ineligibility for EA benefits. The Agency terminated Petitioner's EA benefits, and imposed a six-month EA ineligibility penalty, contending that he had caused his own homelessness by not checking in to an arranged EA placement. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 22, 2024, the Honorable William T. Cooper, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On March 25, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner was receiving EA benefits and had been placed at a motel. See Initial Decision at 2, 5. Due to a complaint from the motel manager that Petitioner had engaged in disruptive behaviors, the Agency advised Petitioner, by notice dated January 11, 2024, that he would be relocated, and that he would need to report to the new EA placement location by 6:00pm that day. *Id.* at 2-3; see also Exhibit A. When the Agency was advised that Petitioner did not show at the new EA placement, the Agency then terminated Petitioner's EA benefits, and imposed a six-month EA ineligibility penalty. *Id.* at 3; see also Exhibits B, C, and N.J.A.C. 10:90-6.1(c)(3). While Petitioner denied that he had been disruptive at the motel, and further maintained that he had gone to the new EA placement, but decided to refuse said placement, the ALJ found that Petitioner's testimony was not credible. See Initial Decision at 4. Based on the testimony and documentary evidence presented, the ALJ concluded that Petitioner had caused his own homelessness, without good cause, and that the Agency's termination of EA benefits, and imposition of a six-month EA ineligibility penalty, were proper and must stand. *Id.* at 5-7; see also Exhibit C, and N.J.A.C. 10:90-6.1(c)(3)(vi). 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 January 12, 2024, through July 12, 2024. See Exhibit C.

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. April 4, 2024

Natasha Johnson
Assistant Commissioner

