



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 **00612-24 N.B.**

AGENCY DKT. NO. **C016313015 (OCEAN COUNTY BOARD OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that she refused appropriate housing offered by the Agency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 16, 2024, the Honorable Michael R. Stanzone, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On January 17, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, based on Petitioner's substance abuse history, and the recommendation of Petitioner's opioid addiction counselor, the ALJ found that Agency the Agency had properly offered Petitioner EA benefits in the form of sober living housing. See Initial Decision at 2-4; see also Exhibits R-3, R-4. The record also indicates that the Agency had advised Petitioner that, in the alternative, she could apply for assisted living housing through Medicaid, but Petitioner refused the information offered. See Initial Decision at 3. Based on the credible testimony of the Agency, the ALJ found that Petitioner had refused the Agency's placement offer. *Ibid.* Further, although Petitioner claimed that she had not refused the Agency's offer of sober living housing, the ALJ found that Petitioner had failed to produce any credible evidence to support such claim. *Id.* at 2-4. Based on the foregoing, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. *Id.* at 5; see also Exhibit R-1, and N.J.A.C. 10:90-6.3(a)(1). 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, 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 is hereby ADOPTED, and the Agency's determination is AFFIRMED.



Officially approved final version. February 14, 2024

Natasha Johnson
Assistant Commissioner

