



## State of New Jersey

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*Governor*

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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 **04775-24 R.P.**

AGENCY DKT. NO. **C250629009 (HUDSON COUNTY DEPT OF FAM 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 she moved to New Jersey ("NJ") without a plan for self-sufficiency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 18, 2024, the Honorable Nanci G. Stokes, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On April 19, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

Here, the record in this matter reveals that Petitioner had been employed, and residing in the Commonwealth of Pennsylvania. See Initial Decision at 2-3. Petitioner had been residing with her boyfriend's parents, when allegedly, in February, 2024, following an argument with the boyfriend's mother, Petitioner was asked to leave. *Id.* at 2. The record further shows that Petitioner did not seek assistance in Pennsylvania, but rather, decided to come to NJ. *Id.* at 2. Petitioner's employer, UPS, did not have a transfer program, so Petitioner came to NJ without a plan for employment or self-sufficiency. *Id.* at 3. Since arriving in NJ, Petitioner has been residing with relatives in their apartment, but that is only temporary, as Petitioner has been advised that she will need to leave by July. *Ibid.* Petitioner applied for Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") and EA benefits with the Agency on February 23, 2024. *Ibid.* On March 21, 2024, the Agency denied Petitioner's application for EA benefits, and imposed a six-month EA ineligibility penalty, on the basis that Petitioner had voluntarily left her employment and moved to NJ with a plan for self-sufficiency or substitute affordable housing. *Ibid.*; see also N.J.A.C. 10:90-6.1(c)(1)(i), (3). The ALJ found that Petitioner had voluntarily left employment in another state, and moved to NJ without a plan to support herself or her family, or without a plan for substitute housing arrangements. See Initial Decision at 4. Additionally, the ALJ found that Petitioner did not demonstrate that she lacked the capacity to plan for housing in NJ prior to her move, and that she had caused her own homelessness by failing to make such plans. *Ibid.* Based on the foregoing, the ALJ concluded that the Agency's denial of EA benefits to Petitioner, and the imposition of a six-month EA penalty, were proper and must stand. *Id.* at 4-5; N.J.A.C. 10:90-6.1(c)(3). I agree.

By way of comment, Petitioner's six-month EA ineligibility penalty shall run from March 21, 2024, the effective date of the Agency's denial of EA benefits to Petitioner, to September 21, 2024. See Exhibit R-1 at 13.



By way of further 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 in this matter is hereby ADOPTED and the Agency's determination is AFFIRMED, as outlined above.

Officially approved final version. April 23, 2024

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Natasha Johnson  
Assistant Commissioner

