



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716
TRENTON, NJ 08625-0716

CAROLE JOHNSON
Commissioner

SHEILA Y. OLIVER
Lt. Governor

NATASHA JOHNSON
Director

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 13692-18 J.R.

AGENCY DKT. NO. C123147013 (MONMOUTH COUNTY DIV. 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 she caused her own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 25, 2018, the Honorable Carl V. Buck, III, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On September 26, 2018, the ALJ issue an Initial Decision, affirming in part, and reversing in part, the Agency's determination. Here, the ALJ concluded that Petitioner had caused her own homelessness, and therefore, that the Agency's denial of EA benefits to Petitioner was proper and must be affirmed. See Initial Decision at 2-5; see also Exhibits R-14, R-15, R-19, R-22, and N.J.A.C. 10:90-6.1(c)(3). I agree. However, based upon Petitioner's particular circumstances, the ALJ also concluded that Petitioner shall not be subject to the six-month EA ineligibility penalty imposed by the Agency, and reversed the Agency's imposition of same. See Initial Decision at 5-6; see also Exhibits P-2, P-4 through P-7, R-11, R-15, R-17, R-20, R-21, and N.J.A.C. 10:90-6.1(c)(3). I also agree. See N.J.A.C. 10:90-6.3(i)(1).

No Exceptions to the Initial Decision were received.

As the Director of 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, as the record indicates that the Petitioner may have an open case with the Division of Child Protection and Permanency ("DCP and P"), a copy of the Initial and Final Decisions shall be forwarded to DCP and P. See Exhibits R-12 and R-17.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is AFFIRMED in part, and REVERSED in part, as outlined above.



Officially approved final version.

Natasha Johnson

Director

OCT 02 2018

