



## State of New Jersey

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*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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SARAH ADELMAN  
*Commissioner*

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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 **08005-22 A.B.**

AGENCY DKT. NO. **C284508009 (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 September 20, 2022, the Honorable Matthew G. Miller, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On September 21, 2022, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner moved to NJ from another state without an offer of employment or without a plan for permanent housing. See Initial Decision at 3-7, 13-14; see also Exhibits R-2, R-7. The ALJ found that Petitioner had left secure housing in California, moved to NJ without a viable plan for self-sufficiency, and that she had adequate time to secure housing and employment prior to her move to NJ, but failed to do so, thereby causing her own homeless situation. *Ibid.* Petitioner claimed that she had been compelled to leave California, without a more sufficient plan, because of an abusive living environment, and health issues. See Initial Decision at 5, 7; see also Exhibit R-2. However, the ALJ found that Petitioner had not provided convincing testimony, or evidence, to substantiate her claims. See Initial Decision at 12-13; see also Exhibit R-6. 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 ineligibility penalty, were proper and must stand. See Initial Decision at 8-12, 14-15; see also Exhibit R-1, N.J.A.C. 10:90-6.1(c)(1)(i), (3), and Division of Family Development Instruction ("DFDI") 08-05-04. I agree.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, DFD, 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's six-month EA ineligibility penalty shall run from August 30, 2022, the effective date of the Agency's denial, through February 28, 2023. See Exhibit R-1.



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 is hereby ADOPTED, and the Agency's determination is AFFIRMED.

Officially approved final version.

September 27, 2022

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Natasha Johnson  
Assistant Commissioner

