



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
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 **04608-22 L.L.**

AGENCY DKT. NO. **C714473002 (BERGEN COUNTY BD. 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 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 June 28, 2022, the Honorable Kelly J. Kirk, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On July 6, 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 3-4. The ALJ found that Petitioner had moved to NJ without a plan, other than to apply for Work First New Jersey cash benefits, Supplemental Nutrition Assistance Program benefits, and EA benefits. *Id.* at 4; see also Exhibit R-1 at 1, 3-5. The ALJ also found that Petitioner had not provided convincing testimony, or evidence, to substantiate her claim that she had moved to NJ due to domestic violence. See Initial Decision at 3-4. 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. *Id.* at 5; see also Exhibit R-1 at 2, and N.J.A.C. 10:90-6.1(c)(3). 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, Petitioner's six-month EA ineligibility penalty shall run from February 23, 2022, the effective date of the Agency's denial, through August 22, 2022. See Exhibit R-1 at 2. Petitioner is advised that she may reapply for EA benefits after the expiration of the six-month EA ineligibility penalty. See Initial Decision at 5.



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.

August 18, 2022

Natasha Johnson
Assistant Commissioner

