



## State of New Jersey

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*Governor*

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 **07242-22 S.S.**

AGENCY DKT. NO. **C280061009 (HUDSON COUNTY DEPT OF FAM SVCS)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that she had been terminated from two previous jobs due to her own actions. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. An initial telephonic hearing was scheduled for July 22, 2022, but was rescheduled to July 26, 2022. Petitioner failed to appear at both telephonic hearings, and a telephonic hearing was again rescheduled for August 24, 2022. On that date, the Honorable Thomas R. Betancourt, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On August 25, 2022, 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 MODIFY the ALJ's Initial Decision, and MODIFY the Agency's determination, based on the discussion below.

N.J.A.C. 10:90-6.1(c)(3) states, in pertinent part, that EA benefits shall not be provided for a period of six months "when an EA applicant or recipient has caused his or her own homelessness, without good cause . . . ."

Here, the ALJ found, and the record substantiates, that Petitioner had been terminated from two jobs for cause, specifically, due to lateness, abusive language, and cellphone use violations. See Initial Decision at 2-3; see also Exhibits R-2 and R-3. Petitioner did not dispute that she had been terminated for cause. See Initial Decision at 2. Based on the testimony and evidence presented, the ALJ found that Petitioner had been terminated from her two places of employment for cause, and as such, 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. 10:90-6.1(c)(3). I agree.



Further, because the ALJ concluded that Petitioner had been terminated from employment for cause, I find that she caused her own homelessness, without good cause, and as such, I hereby impose upon Petitioner a six-month period of ineligibility for EA benefits. See Initial Decision at 5; see also N.J.A.C. 10:90-6.1(c)(3). The Initial Decision, as well as the Agency's determination, are modified to reflect this finding.

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 MODIFIED, and the Agency's action is MODIFIED, as outlined above.

Officially approved final version.

August 31, 2022

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Natasha Johnson  
Assistant Commissioner

