



## 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 17480-24 A.K.

AGENCY DKT. NO. C116526008 (GLOUCESTER COUNTY DIV. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial 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 refused shelter placement on two occasions, thereby causing her own homeless emergent situation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 17, 2024, the Honorable Allison Friedman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On December 18, 2024, the ALJ issued an Initial Decision, affirming the Agency's denial of EA benefits to Petitioner, and reversing the Agency's imposition of a six-month EA ineligibility penalty. Here, the ALJ in this matter issued a very thorough and comprehensive Initial Decision, outlining the procedural history, providing a detailed factual timeline, and rendering a well thought out analysis, applying law to fact. See Initial Decision at 2-4. Specifically, the ALJ found, and Petitioner acknowledged, that she violated the curfew policy at her initial immediate need shelter placement, was then placed in a motel until another shelter became available, and thereafter, that she had refused being placed again at the same initial shelter when offered by the Agency. See Initial Decision at 2-3; see also Exhibits R-8 through R-12. Based on Petitioner's refusal of said shelter placement, the ALJ found that Petitioner had caused her own homelessness. See Initial Decision at 3. However, the ALJ also found that Petitioner had good cause for her curfew violation and shelter refusal, finding that Petitioner had missed her curfew due to being treated at a hospital, and that she had refused her placement at the same shelter where she had initially been placed because it did not accommodate her child's food allergy, causing him to suffer, and be hungry. Id. at 3-4. Accordingly, the ALJ concluded that Petitioner's denial of EA benefits to Petitioner was proper and must stand, and reversed the Agency's imposition of a six-month EA ineligibility penalty. Id. at 4; see also Exhibit R-1, and N.J.A.C. 10:90-6.1(c)(3)(vi). I agree. The Agency's determination is modified to reflect the reversal of the six-month EA ineligibility penalty.

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 is advised that she may reapply for EA benefits, and the Agency is directed that upon Petitioner's reapplication, it is to process such application on an expedited basis, and provide Petitioner with immediate need housing pending the review of such application, if appropriate. See N.J.A.C.10:90-1.3.



By way of comment, as the record indicates that Petitioner has an open case with the Division of Child Protection and Permanency ("DCP&P"), the Agency is directed to forward a copy of the Initial and Final Decisions to DCP&P. See Initial Decision at 2-3; see also Exhibit R-6.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is MODIFIED, as outlined above.

Officially approved final version. January 03, 2025

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Natasha Johnson  
Assistant Commissioner

