



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 **08649-25 C.K.**

AGENCY DKT. NO. **C065703005 (CAPE MAY COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that she moved to New Jersey without a plan, and that she had the capacity to plan to avoid her own homelessness, but failed to do so. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 20, 2025, the Honorable Carl V. Buck III, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On May 21, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination.

Here, based on the credible evidence and the application of the relevant law, the ALJ concluded that Petitioner had the capacity to plan to avoid her homelessness, but failed to plan for housing prior to her move to New Jersey. See Initial Decision at 2-4; see also Exhibit R-1, and N.J.A.C. 10:90-6.1(c), -6.1(c)(3). Specifically, the ALJ found that Petitioner left the shelter where she had been residing, with her infant child, in Florida and then went to Pennsylvania, where her mother resides. See Initial Decision at 3. Following Petitioner's arrival in Pennsylvania, she was admitted to a psychiatric hospital for approximately twenty-five days, and upon her discharge in mid-March 2025, she moved in with a friend in Pennsylvania. Ibid. On April 10, 2025, Petitioner traveled to her grandmother's home in Cape May County, and the following day she applied for EA benefits. Ibid. On April 17, 2025, a police report was filed and Petitioner left her grandmother's residence. Ibid.; see also Exhibit R-1. Following receipt of documentation from Petitioner's family members regarding their direction that Petitioner not move to New Jersey, the Agency denied Petitioner's EA application on April 30, 2025. Ibid. Based on the foregoing, the ALJ concluded that the Petitioner failed to plan for her housing prior to leaving Florida, as well as while she resided in Pennsylvania, and thus, based upon Petitioner's failure to plan for housing, the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 4; see also N.J.A.C. 10:90-6.1(c), -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.

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



Officially approved final version. June 05, 2025

Natasha Johnson
Assistant Commissioner

