



State of New Jersey

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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 **14242-25 H.L.**

AGENCY DKT. NO. **C179878003 (BURLINGTON COUNTY BD. OF SOC. SVCS)**

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits in the form of shelter placement, and the imposition of a six-month period of ineligibility for EA benefits. The Agency terminated Petitioner's EA benefits, and imposed a six-month EA ineligibility penalty, contending that he had failed to show up at the Agency offered shelter placement, on two occasions, without good cause. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 21, 2025, the Honorable Susan McCabe, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On August 26, 2025, the ALJ issued an Initial Decision, affirming the Agency's termination of EA benefits to Petitioner and the imposition of a 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 reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determinations, based on the discussion below.

When a WFNJ recipient qualifies for EA benefits, the "county/municipal agency shall determine the most appropriate form of emergency housing which is required to address the need and authorize payment of the costs of adequate emergency shelter/housing, taking into consideration individual/family circumstances and services provided." N.J.A.C. 10:90-6.3(a)(1). Such emergency housing includes placement in a shelter. Ibid.

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

Here, the record reveals that, on July 23, 2025, Petitioner submitted an application for an extension of EA benefits, which was approved by the Agency, and Petitioner was placed at a shelter on that date. See Initial Decision at 2; see also Exhibits R-A at 4-7. Petitioner failed to report to the shelter on July 23, 2025, and as a result, the Agency terminated his EA benefits and imposed a six-month period of EA benefits ineligibility. See Initial Decision at 2; see also Exhibit R-A at 7. On July 31, 2025, Petitioner returned to the Agency to reapply for EA benefits, at which time he provided the Agency with a letter from his medical provider stating that he needed a more stable residential placement due to his allegation that his medications had been stolen at the previous shelter. See Initial Decision at 2; see also Exhibit R-A at 12. The Agency evaluated the letter and lifted the six-month period of EA ineligibility, accepting Petitioner's new application and placing him at a motel, as well as providing a bus ticket to be used to travel to the motel. See Initial Decision at 2-3. Petitioner failed to report to the motel and instead traveled to Camden, New Jersey, where he was arrested several hours



after leaving the Agency, and from where, upon his release, he further did not report to the motel for the night. See Initial Decision at 3.

Based on the foregoing, the ALJ found that Petitioner had caused his own homelessness by failing to report to the shelter/motel placement provided by the Agency, and concluded that the Agency's termination of EA benefits, and the imposition of a mandatory six-month EA ineligibility period, were proper and must stand. See Initial Decision at 3; see also N.J.A.C. 10:90-6.3(a)(1), -6.3(c). I agree.

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 August 1, 2025, the effective date of the Agency's termination, through February 1, 2026. See Exhibit R-B at 25.

By way of further comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with his current needs, including Social Services for the Homeless.

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

Officially approved final version. September 03, 2025

Natasha Johnson
Assistant Commissioner

