



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 **09384-25 W.R.**

AGENCY DKT. NO. **C065437005 (CAPE MAY 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 his emergency was not beyond his control, and as such, he had caused his own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 2, 2025, the Honorable Dean J. Buono, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, admitted documents, and the record closed. On June 3, 2025, the ALJ issued an Initial Decision, affirming the Agency's determinations.

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 determination, based on the discussion below.

N.J.A.C. 10:90-6.1(c)(3) states, in pertinent part, EA benefits shall not be provided for a period of six months "when an adult EA applicant or recipient has caused his or her own homelessness, without good cause[.]" Specifically, an applicant/recipient is ineligible for EA benefits for a period of six months when the applicant's behavior directly caused the emergent situation. See N.J.A.C.10:90-6.1(c)(3)(vii).

Here, the ALJ found, and the record substantiates, that Petitioner's emergent circumstances were not beyond his control, and that he had thereby caused his own homelessness. See Initial Decision at 2-4; see also Exhibit R-1, and N.J.A.C. 10:90-6.1(c)(3)(vii). Specifically, the ALJ found that Petitioner's emergent situation was a result of his failure to comply with the rules of the sober living home where he had previously been residing, which resulted in an altercation, and in Petitioner having to be removed from the sober living home by law enforcement. See Initial Decision at 2-3, see also Exhibit R-1. Based on the foregoing, the ALJ concluded that Petitioner's behavior directly caused his eviction from his housing, and as such, that he had caused his own homelessness. See Initial Decision at 3-4; see also N.J.A.C. 10:90-6.1(c)(3)(iv). Accordingly, 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. See Initial Decision at 3-4. I agree.

By way of comment, Petitioner's six-month EA ineligibility penalty shall run from April 3, 2025, the effective date of the Agency's denial, through October 3, 2025. See Exhibit R-1 at 39.



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.

Officially approved final version. June 13, 2025

Natasha Johnson
Assistant Commissioner

