



## State of New Jersey

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*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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*Commissioner*

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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 **09535-24 C.L.**

AGENCY DKT. NO. **C738428007 (ESSEX COUNTY DIVISION OF WELFARE)**

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 because she was not a Work First New Jersey ("WFNJ") cash benefits recipient or a Supplemental Security Income ("SSI") benefits recipient, and also denied Petitioner EA benefits, and imposed a six-month penalty, contending that she caused her homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 17, 2024, the Honorable Patrice E. Hobbs, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On July 18, 2024, the ALJ issued an Initial Decision, affirming in part, and reversing in part, the Agency's determination. Here, the ALJ found that, at the time Petitioner applied for EA benefits she was not a WFNJ or SSI benefits recipient, and therefore, she was ineligible for EA benefits. See Initial Decision at 2; see also N.J.A.C. 10:90-6.2(a). Accordingly, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 3; see also R-1 at Exhibit 1. I agree.

Further, the ALJ found that Petitioner is not homeless, and moreover, found that she has been actively taking all necessary steps to avoid homelessness. See Initial Decision at 2-3. Based on the foregoing, the ALJ found that Petitioner had not caused her own homelessness, and that the Agency had not shown by a preponderance of credible evidence that she had failed to plan and/or caused her homelessness. *Id.* at 3; see also R-1 at Exhibit 2. Accordingly, the ALJ concluded that the Agency's denial of EA benefits, on that basis, and imposition of a six-month EA ineligibility penalty, were improper and must be reversed. See Initial Decision at 3; see also R-1 at Exhibit 1, and N.J.A.C. 10:90-6.1(c)(3). I also 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 in part, REVERSED, in part, as outlined above.



Officially approved final version. July 30, 2024

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Natasha Johnson  
Assistant Commissioner

