



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
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NATASHA JOHNSON
Director

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 09833-18 S.O.

AGENCY DKT. NO. C404039004 (CAMDEN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits because she refused to accept shelter placement. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing.

On July 19, 2018, the Honorable Jeffrey N. Rabin, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On July 20, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination.

Exceptions to the Initial Decision were filed by Petitioner on July 24, 2018.

As the Director of the 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.

Pursuant to N.J.A.C. 10:90-6.3(a)(1), the "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." Such emergency housing may include placement in a shelter. *Ibid.*

Based on an independent review of the record, I find that Petitioner applied for EA benefits on June 26, 2018. See Initial Decision at 2; see also Exhibit R-1 at 1-2. On more than one occasion, the Agency offered to place Petitioner in a shelter, including placement in a domestic violence shelter based upon Petitioner's claim of domestic violence perpetrated against her by her ex-boyfriend in 2017, but she refused. See Initial Decision at 3; see also Exhibit R-1 at 1-2. On July 9, 2018, the Agency denied EA benefits to Petitioner because she declined shelter placement. See Initial Decision at 3; see also Exhibit R-1 at 3-4, and N.J.A.C. 10:90-6.3(a)(1). Petitioner is now seeking to appeal the Agency's determination to provide her with EA benefits in the form of shelter placement. See Initial Decision at 2. Based on the foregoing, I concur with the ALJ's ultimate conclusion that the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 4-5; see also Exhibit R-1 at 3-4, and N.J.A.C. 10:90-6.3(a)(1).



By way of comment, Petitioner's Work First New Jersey/General Assistance ("WFNJ/GA") benefits are currently sanctioned, with an appeal pending before the OAL. See Initial Decision at 2 n.1. Petitioner is advised that if her WFNJ/GA benefits have been terminated due to a sanction, and she is not a Supplemental Security Income benefits recipient, that she is also ineligible for EA benefits. See N.J.A.C. 10:90-6.2(a).

By way of further comment, I have reviewed Petitioner's Exceptions, and I find that the arguments made therein do not alter my decision in this matter.

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

Officially approved final version.

JUL 26 2018

Natasha Johnson
Director

