



State of New Jersey

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*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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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 09822-21 P.C.

AGENCY DKT. NO. C061955008 (GLOUCESTER COUNTY DIV. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefit, 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 she caused her own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 8, 2020, the Honorable Susan L. Olgiate, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On December 8, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found that Petitioner had been made to leave her permanent housing due to a conflict with her boyfriend, which resulted in a Temporary Restraining Order ("TRO") being placed against her, and thereafter, a Final Restraining Order being issued which prohibited her, among other things, from returning to the boyfriend's residence. See Initial Decision at 2-3; see also Exhibit R-1 at 6. Although Petitioner claimed that the TRO was based on false allegations made against her by her boyfriend, the ALJ found that a court of competent jurisdiction had deemed her to be the perpetrator of domestic violence. See Initial Decision at 3-4. Based on the foregoing, the ALJ concluded that Petitioner had caused her own homelessness, and as such, the Agency's denial of EA benefits to Petitioner, and the imposition of a six-month EA ineligibility penalty, was proper and must stand. *Id.* at 4-5; see also Exhibit R-1 at 1, and N.J.A.C. 10:90-6.1(c)(3)(vi), -6.1(c)(7). 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.

By way of comment, as it appears from the record that Petitioner may have mental health and domestic violence issues, the Agency is directed to refer Petitioner for a Behavioral Health Initiative ("BHI") evaluation, and to the Family Violence Option ("FVO") program for an assessment, if it has not done so already. See Initial Decision at 3. Should Petitioner be found to have mental health and/or domestic violence issues, then Petitioner is required to engage in appropriate programs/treatments, which



requirements shall be incorporated into her Individual Responsibility Plan. See N.J.A.C. 10:90-4.8, -20.1 et seq.

By way of further comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with her 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.

DEC 15 2021

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Natasha Johnson

Assistant Commissioner

