



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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SARAH ADELMAN
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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 11343-24 A.G.

AGENCY DKT. NO. C092439015 (OCEAN COUNTY BOARD 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 she was evicted from her prior residence for violating the terms of her lease, thereby causing her own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 21, 2024, the Honorable Joan M. Burke, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On August 22, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, in relevant part, the record reflects that Petitioner resided in subsidized housing since August 2021. See Initial Decision at 4; see also Exhibit R-2. Petitioner's landlord sent her a Notice of Lease Violation on February 26, 2024; her landlord's attorney filed a Notice to Quit on March 1, 2024, and then filed a Landlord/Tenant Complaint in Superior Court on May 8, 2024, against Petitioner alleging various violations of the terms of her lease during November 2022, March 2023, April 2023, November 2023, December 2023, January 2024, February 2024, and April 2024, several of which involved law enforcement. See Initial Decision at 4-5; see also Exhibits R-3, R-4, R-5, R-6, and R-10. Following such filings, Petitioner signed an agreement with her landlord on June 17, 2024, that she would vacate the property by August 19, 2024. See Initial Decision at 2; see also Exhibit R-7. On July 15, 2024, Petitioner applied for EA benefits and on August 14, 2024, the Agency issued a denial notice. See Initial Decision at 5; see also Exhibits R-1, R-2. Petitioner testified that she did not dispute any of the allegations made regarding violating the terms of her lease agreement. See Initial Decision at 6. Based on the foregoing, the ALJ concluded that Petitioner had caused her own homelessness, and accordingly, 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 7; see also N.J.A.C. 10:90-6.1(c)(3)(ii). 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, 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.

August 28, 2024

Natasha Johnson

Assistant Commissioner

