



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 16379-24 A.S.

AGENCY DKT. NO. S620334012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA") benefits, and the denial of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's WFNJ/GA benefits, contending that he failed to attend a required Agency scheduled Comprehensive Social Assessment ("CSA"). The Agency denied EA benefits to Petitioner, contending that he failed to provide documentation indicating that he had accepted Agency offered housing, or that he complied with the process necessary to obtain said Agency offered placement. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 27, 2024, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record remained open to allow the parties the opportunity to submit additional documents, and then closed on November 29, 2024.

Also on November 29, 2024, the ALJ issued an Initial Decision, affirming the Agency's denial of EA benefits, and reversing the Agency's termination of WFNJ/GA benefits. Here, the ALJ in this matter issued a very thorough and comprehensive Initial Decision, outlining the procedural history, providing a detailed factual timeline, and rendering a well thought out analysis, applying law to fact. See Initial Decision at 2-8. Regarding the Agency's termination of Petitioner's WFNJ/GA benefits, the ALJ found that Petitioner had good cause for failing to attend the required CSA meeting with the Agency, finding specifically, that Petitioner had been hospitalized during the time in question, yet there was no evidence in the record indicating that the Agency had addressed whether or not Petitioner had good cause for missing his appointment. *Id.* at 2, 8; see also Exhibit R-3. Additionally, Petitioner testified that he had never received an October 15, 2024, call from the Agency, advising of the rescheduling of the CSA meeting, and there is no sufficient documentation in the record, other than the Agency's case notes, to show that the Agency had sent Petitioner a letter advising of the rescheduled CSA meeting. See Initial Decision at 2; see also Exhibit R-3. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/GA benefits was improper and must be reversed. See Initial Decision at 5-8; see also Exhibits R-1, R-2, and N.J.A.C. 10:90-4.9(a), (b), and -4.11(a)(1). I agree. Moreover, in accordance with N.J.A.C. 10:90-4.9, and -4.13, I find that Petitioner's failure to attend the required CSA meeting, would be a sanctionable violation rather than one resulting in a termination of Petitioner's WFNJ/GA benefits, yet the record indicates that the Agency had not imposed a sanction. See Initial Decision at 2 fn 1.

Regarding the Agency's denial of EA benefits to Petitioner, the ALJ found that the Agency had located an appropriate rooming house placement for Petitioner, that he was directed to visit the placement, was provided with the forms to be completed by the landlord, and was provided with transportation to said rooming house, yet Petitioner had failed to follow through with the process required to apply for tenancy at said rooming house, without good cause. See Initial Decision at 3-4; see also Exhibits EA R-1, EA R-2, EA R-5, EA R-9. Although Petitioner claimed that he had completed the



rooming house application, and had emailed the Agency regarding his acceptance of such placement, the ALJ found that Petitioner had failed to provide any documentation to substantiate those claims. See Initial Decision at 3-5. Accordingly, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. Id. at 5, 8; see also Exhibit EA R-6, and N.J.A.C. 10:90-2.2(a)(5), (d), -6.6(a). 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, Petitioner is advised that he may reapply for EA benefits, but is further advised that it is the Agency who "shall determine" the most appropriate form of emergency housing required to address the needs of an EA recipient, which may include shelter placement. See N.J.A.C. 10:90-6.3(a)(1).

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is REVERSED in part, and AFFIRMED in part, as outlined above.

Officially approved final version. December 12, 2024

Natasha Johnson
Assistant Commissioner

