



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 **15294-24 K.B.**

AGENCY DKT. NO. **C259361020 (UNION COUNTY DIVISION OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that he failed to provide proof of homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 4, 2024, the Honorable Ernest M. Bongiovanni, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On November 6, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found that, not only did Petitioner fail to provide the Agency documentary proof of homelessness, and the circumstances and reasons surrounding his alleged homeless circumstance, requirements for determining EA benefits eligibility, but even more problematic was his refusal of Agency offered shelter placement, without good cause. See Initial Decision at 1-3; see also N.J.A.C. 10:90-6.1(c), -6.3(a)(1), (ii). The ALJ also found that Petitioner could have avoided homelessness by accepting said shelter placement, and continue to work with the Agency to attain more permanent housing, but failed to do so. See Initial Decision at 2-3. Based chiefly on Petitioner's refusal of shelter placement, as well as his failure to provide proof of homelessness, the ALJ ultimately concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. Id. at 3-5; see also Exhibit R-2. I agree. The Agency's determination is modified to include the ALJ's additional basis for the denial of EA benefits. Id. at 4-5; see also Exhibit R-2, and N.J.A.C. 10:90-6.3(a)(1).

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 his current needs, including Social Services for the Homeless.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is MODIFIED, as outlined above.



Officially approved final version. November 14, 2024

Natasha Johnson
Assistant Commissioner

