



## 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 **10354-24 L.M.**

AGENCY DKT. NO. **C047894011 (MERCER COUNTY BOARD OF SOC. SVCS..)**

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. The Agency terminated Petitioner's 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. A hearing was initially scheduled for September 30, 2024, but Petitioner failed to appear due to illness. The hearing was rescheduled for October 7, 2024, however, at that time Petitioner advised that she wanted to seek legal representation, and the hearing was rescheduled for October 16, 2024. On that date, the hearing was again rescheduled due to the Agency representative becoming suddenly ill. On October 28, 2024, the Honorable Mamta Patel, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On November 14, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination. 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 3-6. Specifically, based on the testimony of the parties, and the record provided, the ALJ found that an eviction complaint had been filed against Petitioner due to having unauthorized guests stay in her apartment, having an unauthorized dog residing with her, and due to several police involvements because of domestic violence issues. See Initial Decision at 4-6; see also Exhibits R-3, R-8, R-10. The ALJ also found that, as Petitioner had shown no willingness to ameliorate her landlord's concerns, the eviction had moved forward, and on July 31, 2024, Petitioner signed a "Consent to Enter Judgment," thereby agreeing to vacate her apartment. See Initial Decision at 5-6; see also Exhibit P-1. Additionally, the ALJ found that Petitioner had known since 2023, that her landlord wanted her out of the apartment, yet she failed to take affirmative steps to find alternate housing, other than to ask the Agency for assistance, which it did in the form of back utility and rent payments in May 2024, in order to assist her in avoiding eviction. See Initial Decision at 4-6; see also Exhibits R-2, R-7, R-9. Based on the foregoing, the ALJ concluded that Petitioner's behavior had directly caused her eviction from said housing, and as such, she had caused her own homelessness. See Initial Decision at 6; see also N.J.A.C. 10:90-6.1(c)(3)(vi). Accordingly, the ALJ concluded that the Agency's termination of Petitioner's EA benefits, and the imposition of a six-month EA ineligibility penalty, were proper and must stand. See Initial Decision at 6; see also Exhibit R-4. 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.



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By way of comment, because Petitioner has received continued assistance pending the outcome of this fair hearing, her six-month EA ineligibility penalty will begin to run as of the date of the issuance of this Final Agency Decision.

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 in this matter is hereby ADOPTED and the Agency's determination is AFFIRMED, as outlined above.

Officially approved final version. December 26, 2024

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Natasha Johnson  
Assistant Commissioner

