



## State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
PO BOX 716

SARAH ADELMAN  
*Commissioner*

TAHESHA L. WAY  
*Lt. Governor*

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 **15490-24 M.S.**

AGENCY DKT. NO. **C141355003 (BURLINGTON COUNTY BD. 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 Petitioner voluntarily quit employment. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 7, 2024, the Honorable Tricia M. Caliguire, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On November 8, 2024, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the Agency denied Petitioner EA benefits, and imposed a six-month EA ineligibility penalty, contending that he voluntarily quit his employment, without good cause, thereby causing his own homelessness. See Initial Decision at 3-4; see also Exhibits R-D, R-E, and N.J.A.C. 10:90-6.1(c)(3). However, the ALJ found that Petitioner quitting his employment was not the direct cause of his homelessness, but rather his homelessness occurred a month later as a direct result of his now ex-girlfriend asking him to leave "her" home. See Initial Decision at 2-4. Thereafter, Petitioner was living in a van parked in a friend's driveway for four months, and was allowed to eat, shower, and sometimes sleep in that friend's home. Id. at 2-3, 5. However, Petitioner's friend was no longer able to accommodate him due to her changed circumstances, and he was required to leave her property in November 2024. Id. at 3; see also Exhibit R-C. Based on the foregoing, the ALJ concluded that Petitioner had not caused his own homelessness when he voluntarily quit of employment, and as such, determined that the Agency improperly denied EA benefits to Petitioner, and also improperly imposed a six-month EA ineligibility penalty. See Initial Decision at 3-4; see also Exhibit R-E, and N.J.A.C. 10:90-6.1(c)(3). Accordingly, the ALJ reversed the Agency's determination. See Initial Decision at 4; see also Exhibit E. Based on an independent review of the record, I agree.

Exceptions to the Initial Decision were filed by the Agency on November 12, 2024.

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 the Agency shall determine the most appropriate form of EA benefits required to address his housing needs, which may include shelter placement. See N.J.A.C. 10:90-6.3(a)(1).

By way of further comment, I have reviewed the Agency's Exceptions, and find that the arguments made therein do not alter my decision in this matter.



Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is REVERSED.

Officially approved final version. November 14, 2024

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Natasha Johnson  
Assistant Commissioner

