



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 **07046-24 R.D.**

AGENCY DKT. NO. **V601411008 (GLOUCESTER COUNTY DIV. 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 he refused appropriate housing placements offered by the Agency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 30, 2024, the Honorable Deirdre Hartman-Zohlman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On May 31, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that the Agency had initially offered Petitioner shelter placement, but Petitioner refused that placement offer, claiming that it was an inappropriate placement due to his numerous medical conditions. See Initial Decision at 2; see also Exhibit R-2. Thereafter, taking into consideration Petitioner's medical issues, the Agency offered Petitioner a residential healthcare facility placement, which Petitioner also refused, without explanation. See Initial Decision at 3; see also Exhibit R-1. The ALJ found that the documentary medical evidence provided by Petitioner failed to substantiate his claim that the housing placements offered by the Agency were inappropriate due to his medical conditions. See Initial Decision at 2-4; see also Exhibit R-2. Based on the foregoing, the ALJ concluded that Petitioner had refused appropriate housing placements, without good cause, and as such, further 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 3-4; see also Exhibit R-4, and N.J.A.C. 10:90-6.1(c)(3), -6.3(a)(1). I agree.

Exceptions to the Initial Decision were filed by Petitioner on June 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 his six-month EA ineligibility penalty shall run from May 22, 2024, the effective date of the Agency's termination, through October 31, 2024, as stated on Exhibit R-4.

By way of further 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.

Also, by way of comment, I have reviewed Petitioner's Exceptions, and find that the arguments made therein do not alter my decision in this matter. Moreover, Petitioner included documents with his Exceptions which were not introduced at the



hearing before the ALJ. Pursuant to N.J.A.C. 1:1-18.4(c), I am not permitted to consider documents as evidence that were not submitted at the hearing for consideration by the ALJ.

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

Officially approved final version. June 18, 2024

Natasha Johnson
Assistant Commissioner

