



## 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 **14756-24 S.G.**

AGENCY DKT. NO. **C055683005 (CAPE MAY 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's EA benefits, and imposed a six-month EA ineligibility penalty, contending that she failed to provide a requested verification to determine eligibility, as well as that she caused her own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing as an emergent contested case. On October 23, 2024, the Honorable William T. Cooper III, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, admitted documents, and the record was closed. Also on that date, the ALJ issued an Initial Decision, affirming the Agency's determination.

In order to be eligible for EA benefits, the assistance unit must be in a state of homelessness or imminent homelessness due to circumstances beyond their control or the absence of a realistic capacity to plan. See N.J.A.C. 10:90-6.1(c). Additionally, EA benefits shall not be provided for a period of six months when an applicant "has caused his or her own homelessness, without good cause." See N.J.A.C. 10:90-6.1(c)(3).

Here, Petitioner applied for EA on September 16, 2024, and was placed in a motel based upon "immediate need" while her EA eligibility was evaluated by the Agency. See Initial Decision at 2; see also Exhibit P-1 at 23-44. Petitioner was given thirty days to provide six verifications, requested by the Agency, needed to determine her EA eligibility. See Initial Decision at 3. Petitioner failed to provide a letter explaining why she could not reside with her adopted mother. Ibid. In addition to failing to provide the requested verification, Petitioner had been involved in a criminal activity incident involving law enforcement at her prior residence on September 7, 2024. Ibid.; see also Exhibit R-1 at 21-22. Petitioner did not appear for her scheduled Superior Court hearing on September 24, 2024, and the status of the criminal complaint is unknown. See Initial Decision at 3. The ALJ found, and the record substantiates, that Petitioner was required to leave her prior residence due to her being charged with a criminal violation. Ibid. Based on the foregoing, the ALJ concluded that the Agency's denial of EA benefits, and the imposition of a six-month EA ineligibility period, were proper and must stand. See Initial Decision at 5; see also Exhibit R-1 at 13, 15. 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, 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, if it has not already done so.



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

Officially approved final version.      October 29, 2024

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Natasha Johnson  
Assistant Commissioner

