



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 **05320-24 T.B.**

AGENCY DKT. NO. **C034353018 (SOMERSET COUNTY BOARD 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 she caused her own homelessness by failing to pay her portion of rent for her subsidized housing. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 26, 2024, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. The record remained open until April 29, 2024, to allow Petitioner the opportunity to provide additional documents and then closed on that date.

On April 29, 2024, the ALJ issued an Initial Decision, affirming the Agency's denial of EA benefits to Petitioner, and the imposition of a six-month EA ineligibility penalty. Here, the ALJ found, and record substantiates, that she had failed to pay her portion of her Section 8 subsidized housing rent, and also subsequently failed to pay her past due rent pursuant to an agreement with the Agency, who agreed to then provide a \$1000 amount in assistance to Petitioner's landlord after Petitioner had paid her respective amount. See Initial Decision at 2-3; see also Exhibits R-1 at D, H. Due to Petitioner's failure to pay the agreed upon amount, nor paying her required portion of rent going forward, Petitioner was evicted from her subsidized housing in November, 2023. See Initial Decision at 2. Thereafter, Petitioner applied for EA benefits on April 3, 2024, and was denied, and a six-month EA ineligibility penalty imposed, on the basis that Petitioner had caused her own homeless by being evicted from subsidized housing for nonpayment of rent. See Exhibit R-1 at C; see also N.J.A.C. 10:90-6.1(c)(3)(ii). Based on the foregoing, the ALJ concluded that Petitioner had caused her own homelessness, and as such, the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 3-4; see also Exhibit R-1 at C, and N.J.A.C. 10:90-6.1(c)(3)(ii). 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, Petitioner's six-month EA ineligibility penalty shall run from April 3, 2024, the effective date of the EA denial, through October 3, 2024. See Exhibit R-1 at C.

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



Officially approved final version. May 02, 2024

Natasha Johnson
Assistant Commissioner

