



## 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 17160-24 V.E.

AGENCY DKT. NO. C675795007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of her application for Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that she failed to check-in to the Agency referred shelter placement. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 13, 2024, the Honorable Daniel J. Brown, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On December 16, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that EA benefits were provided to Petitioner in the form of shelter placement. See Initial Decision at 2; see also Exhibit R-5 at 3. However, Petitioner failed to check into that shelter placement, choosing to temporarily reside with her friend instead. See Initial Decision at 3; see also Exhibits R-1, R-2. As a result, the Agency determined that Petitioner had caused her own homelessness, and accordingly, denied Petitioner's application for EA benefits, and imposed a six-month EA ineligibility penalty. See Initial Decision at 3; see also Exhibit R-3, and N.J.A.C. 10:90-6.1(c)(3). The record also reflects that, despite numerous out-reach attempts to contact Petitioner, with voicemails left for her regarding shelter placement, Petitioner failed to respond. See Initial Decision at 2-4; see also Exhibits R-1, R-2. Rather, Petitioner testified that she had failed to report to her shelter placement on November 25, 2024, claiming that she was not made aware that she was being placed at a shelter, and when she was made aware that she was being placed in a shelter, she was only given 20 minutes to report there, which she consequently was unable to do. See Initial Decision at 3-4; see Exhibit R-5 at 1-2. The Agency rebutted this claim, testifying that Petitioner was given at least two hours to report to her shelter placement, but failed to do so. Id. at 4; see also Exhibits R-1, R-2. The record also reflects that Petitioner had not contacted the Agency until eight days after she was due to arrive at the shelter to discuss any concerns, or to explain why she had not gone to her assigned shelter placement. See Initial Decision at 3. Based on the credible testimony of the Agency, and finding that Petitioner's testimony was not credible, the ALJ concluded that Petitioner had caused her own homelessness, without good cause. Id. at 3-4. Accordingly, the ALJ concluded that the Agency's denial of EA benefits to Petitioner, and the imposition of a six-month ineligibility penalty were proper and must stand. Id. at 4; see also Exhibit R-3, and N.J.A.C. 10:90-6.1(c)(3). 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, 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 is hereby ADOPTED, and the Agency's determination is AFFIRMED, as outlined above.

Officially approved final version. December 20, 2024

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Natasha Johnson  
Assistant Commissioner

