



*State of New Jersey*

**PHILIP D. MURPHY**  
*Governor*

**DEPARTMENT OF HUMAN SERVICES**  
**DIVISION OF FAMILY DEVELOPMENT**  
PO BOX 716

**CAROLE JOHNSON**  
*Commissioner*

**SHEILA Y. OLIVER**  
*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 **06353-20 A.R.**

AGENCY DKT. NO. **C092650003 (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 she caused her own homelessness, without good cause. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 14, 2020, the Honorable John S. Kennedy, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On July 15, 2020, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner applied for, and was denied, EA benefits in February 2020. See Initial Decision at 2; see also Exhibit R-1 at 5-11. At that time, the Agency imposed a six-month EA ineligibility penalty through August 25, 2020, upon Petitioner on the basis that her behavior, which resulted in a Temporary Restraining Order being filed against her by her mother, caused her to be evicted from her mother's home, thereby causing her own homelessness. See Initial Decision at 2-3; see also Exhibit R-1 at 5-8, 16-20. Thereafter, in May 2020, Petitioner went into the Agency to again apply for EA benefits, and it appears from the record that at that time, the Agency lifted the EA six-month ineligibility penalty and provided Petitioner with immediate need housing pursuant to COVID-19 protocol. See Initial Decision at 2; see also Division of Family Development Instruction ("DFDI") No. 20-04-07 (subsequently rescinded and replaced by DFDI No. 20-07-03 on July 29, 2020). The record also reflects that Petitioner had abandoned that shelter placement, without any good cause reason appearing in the record. See Initial Decision at 3; see also DFDI No. 20-07-03. Based on the foregoing, the ALJ determined Petitioner had caused her own homelessness in February 2020, and that the Agency's February 25, 2020, denial of EA benefits, and imposition of a six-month EA ineligibility penalty, were proper and must stand. See Initial Decision at 3-4; see also Exhibit R-1 at 5-8; see also N.J.A.C. 10:90-6.1(c)(3). I agree.

No Exceptions to the Initial Decision were received.



As Assistant Commissioner, DFD, 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 record reflects that the six-month EA ineligibility penalty imposed upon Petitioner expires on August 25, 2020. See Exhibit R-1 at 5-8. Petitioner is advised that she may reapply for EA benefits after that date.

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

Officially approved final version. AUG - 6 2020

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Natasha Johnson  
Assistant Commissioner

