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STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW **10752-25 J.N.**

AGENCY DKT. NO. **C768723002 (BERGEN 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 left subsidized affordable housing in New York ("NY"), and moved into an unaffordable apartment in New Jersey ("NJ") without a plan to pay for the apartment, thereby causing her own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 19, 2025, the Honorable Aurelio Vincitore, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On June 23, 2025, the ALJ issued an Initial Decision, affirming the Agency's determinations.

Here, the ALJ in this matter issued a very thorough and comprehensive Initial Decision, outlining the procedural history, providing a detailed factual timeline, and rendering a well thought out analysis, applying law to fact. See Initial Decision at 2-5. Specifically, the ALJ found that Petitioner had left her subsidized housing in a borough of NY, and had moved to NJ, into an unaffordable apartment, which is over the Fair Market Rent for Bergen County, without a plan for employment or resources to pay for permanent housing. See Initial Decision at 2-3; see also Exhibit R-1. While Petitioner maintained that she came to NJ due to a domestic violence situation, there was no evidence submitted to substantiate same. See Initial Decision at 4. Further, Petitioner had been employed when she left NY, but ceased working when she moved to NJ and immediately fell behind in paying rent. Id. at 3. The record further shows that the Agency had offered to refer Petitioner to a domestic violence shelter, but Petitioner refused to participate in the required screening for placement. Id. at 3-4. The ALJ concluded that Petitioner left NY without any plan and, based on the foregoing, the ALJ determined that Petitioner had caused her own homelessness, without good cause, and as such, the Agency's denial of EA benefits to Petitioner, and its imposition of a six-month EA ineligibility penalty, were proper and must stand. Id. at 5; see also Exhibit R-1, and N.J.A.C. 10:90-6.1(c)(3)(vii). 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.

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



Officially approved final version. July 01, 2025

Natasha Johnson
Assistant Commissioner

