



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 **06954-25 N.L.**

AGENCY DKT. NO. **S592263012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. The Agency terminated Petitioner's EA benefits, and imposed a six-month EA ineligibility penalty, contending that he refused appropriate shelter offered and failed to comply with his EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 28, 2025, the Honorable Tricia M. Caliguire, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On April 29, 2025, the ALJ issued an Initial Decision, affirming the Agency's determinations.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

Pursuant to N.J.A.C. 10:90-6.3(a)(1), the "agency shall determine the most appropriate form of emergency housing which is required to address the need and authorize payment of the costs of adequate emergency shelter/housing, taking into consideration individual/family circumstances and services provided." Such emergency housing may include placement in a shelter. *Ibid.*

Here, Petitioner became homeless and applied for EA benefits on February 13, 2025, via telephone, at which time he verbally executed an SP wherein he agreed, among other things, to accept placements as offered by the Agency and to verify his ongoing treatment with a mental health professional. See Initial Decision at 2; see also Exhibits R-1, R-2 and N.J.A.C. 10:90- 6.3(a)(1), -6.6(a). On February 13, 2025, Petitioner was placed at a motel as the Agency determined there were no available shelter placements. See Initial Decision at 3. Also on February 13, 2025, the Agency mailed Petitioner a Verification List, wherein the Agency indicated that Petitioner needed to submit a "mental health treatment compliance letter" by March 15, 2025, which Petitioner did not provide, in violation of his SP. See Initial Decision at 3; see also Exhibit R-3. On February 27, 2025, the Agency offered Petitioner placement at a shelter, to which he refused to be relocated as it was not a motel. See Initial Decision at 3. Thereafter, by notice dated March 19, 2025, the Agency terminated Petitioner's EA benefits, and imposed a six-month EA ineligibility penalty due to his EA placement refusal and failure to comply with the terms of his SP. See Initial Decision at 3; see also Exhibit R-8. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits, and the imposition of a six-month period of ineligibility for EA benefits, were proper and must stand. See Initial Decision at 4-5; see also Exhibit R-8, and N.J.A.C. 10:90- 6.3(a)(1), -6.6(a). I agree.



By way of comment, Petitioner is advised that the six-month EA ineligibility period shall run from April 19, 2025, through October 19, 2025. See Exhibit R-8.

By way of further comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with his 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. May 07, 2025

Natasha Johnson
Assistant Commissioner

