



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 17491-24 S.T.

AGENCY DKT. NO. C615210007 (ESSEX COUNTY DIVISION OF WELFARE)

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 refused shelter placement, thereby causing her own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 17, 2024, the Honorable Matthew G. Miller, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was held open until to December 18, 2024, to allow for the submission of additional documents and argument, and then closed on that date.

On December 19, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination. Of note, the record reflects that Petitioner agreed that the Agency's denial of EA benefits was proper, and accordingly, both parties agreed that the only issue in dispute was the imposition of a six-month EA ineligibility penalty. See Initial Decision at 3. 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 2-15. Specifically, the ALJ found that the Agency had offered Petitioner shelter placement on two separate occasions, but Petitioner refused those placement offers, claiming that "she is not shelter material," and then claiming that she had not refused said shelter placement offers. See Initial Decision at 4-7; see also Exhibits R-1, R-4. The ALJ also found that Petitioner's testimony was inconsistent, lacked credibility, and the record provided did not substantiate her claims. See Initial Decision at 3-7, 11-14; see also Exhibits P-1 through P-9. The ALJ found that the Agency's testimony, and substantiating documentation, in this matter clearly supported its determination that Petitioner had refused offered shelter placements, and as such, had caused her own homelessness. See Initial Decision at 6-7, 12-13; see also Exhibits R-1, R-4. Based on the testimony and record provided, the ALJ concluded that Petitioner had refused shelter placements offered by the Agency, without good cause, and as such, further concluded that the Agency's December 5, 2024, denial of EA benefits to Petitioner, and the imposition of a six-month EA ineligibility penalty, were proper and must stand. See Initial Decision at 14-15; see also Exhibit R-2, and N.J.A.C. 10:90-6.1(c)(3), -6.3(a)(1). 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 is advised that her six-month EA ineligibility penalty shall run from December 5, 2024, the effective date of the Agency's denial, through May 5, 2025. See Exhibit R-2.



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By way of further 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. January 03, 2025

Natasha Johnson
Assistant Commissioner

