



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 **08579-25 C.S.**

AGENCY DKT. NO. **C087193012 (MIDDLESEX 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 penalty, contending that she caused her own homelessness by being evicted from subsidized housing due to her non-payment of her portion of rent. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 20, 2025, the Honorable Carl V. Buck III, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On May 21, 2025, the ALJ issued an Initial Decision, affirming the Agency's determinations.

Here, Petitioner, a Work First New Jersey/Temporary Assistance to Needy Families ("WFNJ/TANF") benefits recipient, applied for EA benefits on April 7, 2025, on behalf of her household which consists of herself, and her two minor children, both of whom are Supplemental Security Income ("SSI") benefits recipients. See Initial Decision at 2; see also Exhibit R-1. The ALJ found that Petitioner had caused her own homelessness due to nonpayment of her rental contribution, of \$342 per month, for subsidized housing. See Initial Decision at 2; see also Exhibits R-5, R-7. The Agency received a "Consent to Enter Judgment" Order filed on March 17, 2025, from the Superior Court, which entered a judgment of possession against Petitioner if outstanding rent was not paid by April 15, 2025. See Initial Decision at 3-5; see also Exhibit R-5. Accompanying the "Consent to Enter Judgment" was a rental ledger indicating that Petitioner had failed, on multiple instances since October 30, 2020, to pay her portion of the rent, thus leading the Agency to conclude that Petitioner was responsible for her own homelessness, and the emergency being experienced was due to her nonpayment of her rental portion. See Initial Decision at 3; see also Exhibit R-7. Petitioner acknowledged the amounts indicated within the eviction documentation, as well as testifying that she was being evicted due to damage done by one of her minor children, who is autistic. See Initial Decision at 3. Petitioner did put forth documentation including bills and receipts to the Agency; however, such documentation was found insufficient to evidence why her portion of the rent was unpaid. Ibid. Based on the testimony and evidence presented, the ALJ concluded that Petitioner had caused her own homelessness, without good cause, and that the Agency's denial of EA benefits to Petitioner, as well as the imposition of a six-month period of ineligibility for EA benefits, were proper and must stand. See Initial Decision at 5-6; see also Exhibits R-5, R-7, and N.J.A.C. 10:90-6.1(c)(1)(ii), -6.1(c)(3)(vi). I agree.

No Exceptions to the Initial Decision were received.

As the Assistant Commissioner of the 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's six-month EA ineligibility penalty shall run from April 7, 2025, the effective date of the Agency's denial, through October 7, 2025. See Exhibit R-8.

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

Officially approved final version. May 29, 2025

Natasha Johnson
Assistant Commissioner

