



State of New Jersey

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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 **06552-25 F.T.**

AGENCY DKT. NO. **C117445003 (BURLINGTON 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 denied Petitioner's application for EA benefits, contending that he caused her own homelessness by refusing to accept an appropriate shelter placement. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. The matter was initially scheduled for a hearing on June 24, 2025 at which time Petitioner failed to appear and the matter was rescheduled. On July 7, 2025, the hearing was adjourned by the tribunal until August 12, 2025, to allow both parties to submit additional documents. On August 12, 2025, the hearing was again adjourned by the tribunal to allow Petitioner to secure a witness for the hearing. On September 8, 2025, the Honorable Advia Knight Foster, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On September 18, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were filed.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I hereby ADOPT the Initial Decision and AFFIRM the Agency's determination, based on the discussed 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.

The record in this matter reveals that Petitioner applied for, and was granted, EA benefits on October 4, 2024. See Initial Decision at 2; see also Exhibit G. Petitioner had previously been placed at two different motel placements, however, he had been terminated from both motel placements. See Initial Decision at 2. The Agency offered to place Petitioner at a shelter, however, Petitioner refused the shelter placement, asserting that he could not be placed at the shelter due to his mental illness. Ibid. Upon such assertion, the Agency requested medical documentation to support Petitioner's claim, however, no such documentation was provided. Ibid. Thereafter, on March 20, 2025, the Agency sent Petitioner a notice terminating his EA benefits, indicating that Petitioner had refused shelter placement, and imposing a six-month ineligibility period from receipt of EA benefits. See Initial Decision at 3; see also Exhibit D.

Based on the foregoing, the ALJ in this matter concluded that the Agency's offer of EA placement was the appropriate form of EA benefits to meet Petitioner's emergent need based on the facts presented, and as such, when Petitioner



refused said placement, the Agency's termination of EA benefits, and the imposition of a mandatory six-month EA ineligibility penalty, were proper and must stand. See Initial Decision at 3-4; see also Exhibit D, and N.J.A.C. 10:90- 6.1(c) (1)(ii), -6.1(c)(3) (stating that EA benefits shall not be provided for a period of six months when an applicant "has caused his or her own homelessness, without good cause"), -6.3(a)(1). I agree.

By way of comment, as Petitioner has received continued assistance pending the outcome of this hearing, Petitioner's six-month EA ineligibility penalty shall begin as of the date of issuance of this Final Agency Decision.

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

Officially approved final version. November 06, 2025

Natasha Johnson
Assistant Commissioner

