



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

TRENTON, NJ 08625-0716

SARAH ADELMAN
Commissioner

TAHESHA L. WAY
Lt. Governor

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 **17214-25 J.J.**

AGENCY DKT. NO. **C137771013 (MONMOUTH COUNTY DIV. 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's application for EA benefits, contending that she 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. On October 8, 2025, the Honorable Rebecca C. Lafferty, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On October 9, 2025, the ALJ issued an Initial Decision, affirming the Agency's determinations.

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 EA benefits on September 9, 2025. See Initial Decision at 2; see also Exhibit R-1 at 1-10. The Agency offered to place Petitioner at a shelter, however, Petitioner refused the shelter asserting that she could not be placed at the shelter on a top bunk due to a medical condition impacting her knee. See Initial Decision at 2-3; see also Exhibit R-1 at 14. Upon such assertion, the Agency requested medical documentation to support Petitioner's claim, however, Petitioner instead provided a self-attestation letter explaining her prior shelter experience, including why she could not climb onto a top bunk and why a shelter environment was not suitable for her needs. See Initial Decision at 3; see also Exhibit R-1 at 12. On September 22, 2025, Petitioner provided a letter from her physician which indicated that she was under his care due to knee pain, however, her physician did not include any statement that Petitioner would be unable to climb into a top bunk due to her condition, and Petitioner testified that he would not write such a letter. See Initial Decision at 3; see also Exhibit R-2. On September 22, 2025, the Agency sent Petitioner a denial notice for EA benefits, indicating that Petitioner had refused appropriate shelter placement, thus causing her own homelessness, and imposing a six-month disqualification from receipt of EA benefits. See Initial Decision at 3; see also Exhibit R-1 at 16-24.



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, that the Agency's denial of EA benefits, and the imposition of a mandatory six-month EA ineligibility penalty, were proper and must stand. See Initial Decision at 5-6; see also Exhibits R-1, R-2, and N.J.A.C. 10:90- 6.1(c)(1)(ii), -6.1(c)(3), -6.3(a)(1). I agree.

By way of comment, Petitioner's six-month EA ineligibility penalty shall run from September 18, 2025, the effective date of the EA denial, to March 18, 2026. See Exhibit R-1 at 19; see also N.J.A.C. 10:90-6.1(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").

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

Officially approved final version. October 16, 2025

Natasha Johnson
Assistant Commissioner

