



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 **16455-25 J.O.**

AGENCY DKT. NO. **C089295015 (OCEAN COUNTY BOARD OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that he refused appropriate housing offered by the Agency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 25, 2025, the Honorable Rebecca C. Lafferty, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On September 26, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), 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." Ibid.

Here, Petitioner had been previously approved for EA benefits on October 25, 2024, and was receiving such benefits, when in June 2025, he suffered a drug relapse and was hospitalized and then incarcerated. See Initial Decision at 2. Effective June 8, 2025, Petitioner's EA case was closed due to him vacating his shelter placement due to his hospitalization and incarceration for more than seven days. Ibid.; see also Exhibit R-1. On July 3, 2025, Petitioner again applied for EA benefits. See Initial Decision at 2; see also Exhibit R-6. The Agency, considering Petitioner's history of drug addiction, including incarceration related to drug possession, as determined that a sober living facility was the most appropriate placement for Petitioner. See Initial Decision at 2; see also Exhibits R-2, R-3, R-4, and R-5. Petitioner expressed to the Agency that, due to the medication he was taking for his condition, he was unable to live in a sober living facility, however, Petitioner provided no documentary evidence to support this assertion prior to, nor during, the hearing. See Initial Decision at 2-3. Further, Petitioner refused to explore medication adjustments with his medical providers. See Initial Decision at 3. On August 4, 2025, the Agency issued a Notification Form denying Petitioner's application for EA benefits due to his refusing the most appropriate form of housing determined by the Agency. Ibid.; see also Exhibit R-7. At the hearing, Petitioner presented a short document from his physician indicating Petitioner was capable of independent living. See Initial Decision at 3; see also Exhibit P-1.

Based on the testimony and record provided, the ALJ concluded that Petitioner had refused the shelter placement offered by the Agency, without good cause, which placement was an appropriate form of benefits to meet Petitioner's emergent



need based on the facts presented, and as such, the Agency's denial of EA benefits was proper and must stand. See Initial Decision at 4; see also Exhibits R-2, R-3, R-4, R-5, and N.J.A.C. 10:90-6.3(a)(1). I agree.

By way of comment, Petitioner may reapply for EA benefits, but is advised that it is the Agency who shall determine the most appropriate form of housing necessary to address his emergency and individual circumstances. See N.J.A.C. 10:90-6.3(a)(1). Petitioner is further advised that if he again refuses appropriate placement offered by the Agency, he may again be denied EA benefits, and a six-month period of ineligibility for EA benefits may be imposed. See N.J.A.C. 10:90-6.1(c)(3).

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.

Officially approved final version. October 09, 2025

Natasha Johnson
Assistant Commissioner

