



## 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 **16182-25 J.V.**

AGENCY DKT. NO. **C282496009 (HUDSON COUNTY DEPT OF FAM SVCS)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that she failed to provide requested documentation necessary to complete her application for benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 22, 2025, the Honorable Julio C. Morejon, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On September 24, 2025, the ALJ issued an Initial Decision, reversing the Agency's determination.

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 hereby ADOPT the Initial Decision, and REVERSE the Agency's determination, based on the discussion below.

Here, the record reveals that Petitioner applied for EA benefits on behalf of herself and her disabled minor child due to a pending eviction from her apartment. See Initial Decision at 2; see also Exhibit R-1. Previously, during March 2025, Petitioner had experienced a domestic violence incident which resulted in the issuance of a Temporary Restraining Order ("TRO") that prevented her husband from returning to the apartment, and thus, he stopped contributing to the rent, leaving Petitioner without sufficient income to pay her rent and resulting in the eviction. See Initial Decision at 2. At the time of the hearing, Petitioner testified that she withdrew her application for a Final Restraining Order ("FRO"). See Initial Decision at 3.

On July 17, 2025, Petitioner received a notice from the Agency requesting that she provide certain documentation on or before August 17, 2025. Ibid.; see also Exhibit R-2. Petitioner provided all of the required documentation, with the exception of "a letter from DCPD social worker explaining your situation." Ibid. At the time of the hearing, Petitioner testified that the Division of Child Protection and Permanency ("DCPP") had become involved due to the March 2025 domestic violence incident, as her minor child was in the home at the time of the incident. See Initial Decision at 3. The ALJ found credible the testimony provided by Petitioner that she repeatedly called and left messages for her DCPD case worker, as well as her supervisor, and that she was unable to obtain any information or documentation from DCPD. Ibid. Petitioner further testified that she did not receive any housing or financial assistance from DCPD. Ibid. As of the date of the hearing, Petitioner testified that she is homeless and she and her child stay with friends or family. Ibid.

At the time of the hearing, the Agency representative testified that he did not communicate with Petitioner after July 29, 2025, when he acknowledged receipt of the documents submitted to the Agency and when he advised that the Agency



was missing the DCPD documentation. See Initial Decision at 4. The Agency representative testified that the DCPD documentation was necessary to determine if DCPD had provided Petitioner with any housing or financial assistance, which may have impacted her eligibility for EA benefits. Ibid. On August 19, 2025, the Agency notified Petitioner that her application for EA was denied due to her failure to provide the requested documentation. See Initial Decision at 2.

Based on the foregoing, and following the presentation of testimonial and documentary evidence, the ALJ found that Petitioner provided all of the documents requested by the Agency, in accordance with N.J.A.C. 10:90-2.2(a)(5), with the sole exception of the DCPD letter, which she made all good faith efforts to obtain. See Initial Decision at 5. Further, based upon the Agency citing to N.J.A.C. 10:90-6.1(a)(1), concerning applicants for EA documenting "other sources of income," the ALJ found the regulation was not applicable to this Petitioner. Ibid. The ALJ further found the Agency's reliance upon N.J.A.C. 10:90-6.3(a)(1)(ii), pertaining to documenting a pending eviction, to be misplaced in this matter. Ibid. Accordingly, the ALJ concluded that Petitioner's failure to submit the requested documentation from DCPD was through no fault of her own and that, based upon the testimony provided at the time of the hearing, Petitioner did not receive any financial assistance from DCPD which may have impacted her eligibility for EA benefits, and thus Petitioner satisfied her burden of proof by a preponderance of the evidence that she provided all of the information requested which she could obtain, and the denial of EA benefits by the Agency was improper. See Initial Decision at 6. Based on the particular circumstances in this matter, I agree, and direct the Agency to provide Petitioner with EA benefits in a form to be determined by the Agency. See N.J.A.C. 10:90-6.1(c)(7).

By way of comment, Petitioner is advised that EA benefits shall be provided to her in a form to be determined by the Agency, which may include shelter placement. See N.J.A.C. 10:90-6.3(a)(1).

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is REVERSED, as outlined above.

Officially approved final version.      October 02, 2025

---

Natasha Johnson  
Assistant Commissioner

