



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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TRENTON, NJ 08625-0716

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 **06573-25 S.W.**

AGENCY DKT. NO. **C020596010 (HUNTERDON COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits in the form of Temporary Rental Assistance ("TRA") for payment of back rent. The Agency denied Petitioner EA/TRA benefits, contending that she was seeking more than three-months back rent. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. The hearing in this matter was initially scheduled for June 10, 2025, and adjourned, with the consent of both parties, until June 16, 2025. On June 16, 2025, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. At the conclusion of the hearing, the record was held open to allow counsel for Petitioner to make a closing submission, which was received, and the record closed on June 20, 2025.

On July 1, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that, at the time Petitioner applied for EA/TRA benefits in the form of back rent, she was already more than twelve months behind in her rent, and regulatory authority only allows for the payment of more than three months back rent when extraordinary circumstances are proven. See Initial Decision at 2-3; see also Exhibit R-1, and N.J.A.C. 10:90-6.3(a)(5)(i), -6.4(b)(1). As testified to at the hearing by the Agency representative, at the time of Petitioner's application, it was determined that she had received unemployment benefits, as well as financial support from family and friends, none of which she had included in her income, nor used to attempt to pay any amount of her rental arrears. See Initial Decision at 2-3. At the hearing, Petitioner testified that she believed her rent was being paid and was unaware of the significant arrears that were accruing, however, the ALJ found such testimony to not be credible and further, that the evidentiary documentation entered into the record by Petitioner demonstrated that she was aware of arrears accruing as early as May, 2024. See Initial Decision at 3. The ALJ found that Petitioner had failed to provide credible evidence showing that extraordinary circumstances existed such that the three-month EA/TRA limit on the payment of back rent should be expanded. See Initial Decision at 3-4; see also Exhibits P-1, R-1. Based on the foregoing, the ALJ found that Petitioner owed more than three months of past due rent, and regulatory authority only allows for the payment of more than three months back rent when extraordinary circumstances are proven, which the ALJ had not found in this matter. See Initial Decision at 4; see also Exhibit R-1, and N.J.A.C. 10:90-6.3(a)(5)(i), -6.4(b)(1). Therefore, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 4; see also Exhibit R-1, and N.J.A.C. 10:90-6.3(a)(5). I agree.

Exceptions to the Initial Decision were received from Petitioner's counsel on July 8, 2025.



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 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, I have reviewed Petitioner's Exceptions, and I find that the arguments made therein do not alter my decision in this matter.

By way of additional comment, a review of the official records of this office indicate that Petitioner was not in receipt of Work First New Jersey/Temporary Assistance to Needy Families ("WFNJ/TANF") from July, 2024 through October, 2024, which would have rendered her ineligible for receipt of any EA benefits during that time frame. See N.J.A.C. 10:90-6.2(a) (limiting eligibility for EA benefits to WFNJ and Supplemental Security Income benefits recipients).

By way of further comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with her 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. August 20, 2025

Natasha Johnson
Assistant Commissioner

