



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 **17647-25 X.S.**

AGENCY DKT. NO. **C311900020 (UNION COUNTY DIVISION OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that she refused appropriate housing offered by the Agency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 14, 2025 the Honorable Nanci G. Stokes, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, admitted documents, and the record was closed. On the evening on October 14, 2025, Petitioner submitted additional documentation, and the ALJ reopened the record, accepted such documentation, and the record was again closed. The Agency was offered an opportunity to respond to such documentation, but chose not to respond. On October 15, 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." Such emergency housing may include placement in a shelter. Ibid.

Here, the record indicates that Petitioner was provided with a placement at a hotel via a domestic violence program managed by the YMCA in Union County, which was made available for the maximum 60 days allowed under the program, with the placement ending on September 26, 2025. See Initial Decision at 3-4; see also Exhibits P-1, P-2 at 38. Petitioner applied to the Agency for EA benefits, and submitted a form from her medical provider, utilized by the New Jersey Department of Health and Senior Services entitled "Certification of Need for Patient Care In Facility Other than Public Or Private General Hospital," dated September 17, 2025, which indicated that Petitioner required care in a nursing home or public medical institution. See Initial Decision at 3; see also Exhibit R-1. The Agency, being unable to provide such level of care through a housing placement, denied the Petitioner's EA application on September 18, 2025. Ibid. On September 24, 2025, Petitioner's medical provider sent an addendum to the previously submitted documentation, advising that Petitioner did not require care in a nursing home or public health institution, but opining that Petitioner be placed in a "private or semiprivate setting" and that she was "medically appropriate for community-based housing, including placement in a hotel or motel." See Initial Decision at 3-4; see also Exhibit R-1. Following receipt of the September 24, 2025 medical



addendum, the Agency confirmed a rescission of its prior denial via email. See Initial Decision at 4; see also Exhibit P-2 at 31.

On September 26, 2025, Petitioner was advised by the Agency to report in person for evaluation regarding a placement and further informed Petitioner that she had not been approved for EA at her current hotel as the placement had been made through the YMCA, not the Agency, and the hotel was not an approved Agency vendor. See Initial Decision at 4; see also Exhibit P-2 at 29. Petitioner remained at the hotel without any authorization from the YMCA, and the YMCA advised the police of same, as well as advising Petitioner that the hotel could hold her responsible for payment for the hotel room beyond the final date of her authorized placement. See Initial Decision at 4. Petitioner was further advised by the Agency that she cannot remain, nor be placed, at the hotel, as the hotel is not a contracted vendor of the Agency. Ibid. Petitioner did not appear at the Agency to be evaluated for an EA placement. See Initial Decision at 5.

Based on the foregoing, the ALJ found that the Agency acknowledged and considered the documentation, and addendum, submitted by Petitioner's physician and is in agreement with the conclusion that a communal shelter would be inappropriate for Petitioner. See Initial Decision at 5. The Agency representative testified that the Agency contracts with shelters that offer semiprivate accommodations which have resources and protection for individuals with domestic violence and/or medical concerns which are unavailable at hotel placements. Ibid. Petitioner has refused to accept any placement that is not a hotel. Ibid.

Accordingly, the ALJ in this matter determined 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. See Initial Decision at 7. As such, Petitioner remains eligible for EA benefits as the Agency rescinded their prior denial. Ibid.; see also Exhibit R-1, and N.J.A.C. 10:90-6.3(a)(1). I agree. Further, Petitioner is advised that it is the Agency who shall determine the most appropriate form of housing necessary to address her immediate need and individual circumstances. See N.J.A.C. 10:90-6.3(a)(1). Petitioner is advised that if she refuses appropriate placement offered by the Agency, she 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).

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

Officially approved final version. October 22, 2025

Natasha Johnson
Assistant Commissioner

