



State of New Jersey

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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 **06994-26 A.E.**

AGENCY DKT. NO. **C072534018 (SOMERSET COUNTY BOARD OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits and the imposition of a six-month period of ineligibility for EA benefits. The Agency terminated Petitioner's EA benefits, and imposed a six-month EA ineligibility penalty, contending that he refused appropriate housing. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 23, 2026, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On July 7, 2026, 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 ("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 REVERSE 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 reveals that on April 27, 2026, the Agency sent Petitioner notification that his EA benefits would be terminated effective June 1, 2026, due to his failure to accept subsidized housing and comply with the terms of his EA service plan ("SP"). See Exhibit R-1; see also N.J.A.C. 10:90-6.1(i), -6.6(a).

As to the failure to comply with the terms of his EA SP, the ALJ found that the Agency failed to present any evidence of a failure of Petitioner to attend a mental health treatment program based upon the terms of his March 5, 2026 EA SP. See Initial Decision at 2-3.

With respect to the failure to accept subsidized housing, during January, 2025, Petitioner was referred to Intensive Case Management services through Catholic Charities, in order to pursue a State Rental Assistance Program ("SRAP") voucher. See Exhibit R-1. Catholic Charities presented Petitioner with an apartment that met the standards set forth for a housing voucher issued by the Department of Community Affairs ("DCA"). See Initial Decision at 3; see also Exhibit R-1. An application fee of \$95 was paid for the apartment, and Petitioner went to see the apartment in person. See Initial Decision at 3. Subsequently, an additional fee of \$300 was required for the apartment, however, it is unclear what the fee was for, or when the request for the \$300 was made to Petitioner. Ibid. Before the additional fee could be paid,



Petitioner's DCA housing voucher expired, and he lost the ability to qualify for the apartment. Ibid. At the time of the hearing, a representative from Catholic Charities presented a text message from Petitioner within which she contended that Petitioner had declined the apartment, however, the ALJ did not find the text message substantiated that Petitioner had declined the offered housing. See Initial Decision at 3-4; see also Exhibit R-1.

At the time of the hearing, Petitioner, as well as Petitioner's mother, provided testimony which indicated that he suffers from mental health issues and has recently sought new medical management and treatment for same. See Initial Decision at 4.

Based on the testimony and documentary record provided, the ALJ concluded that the Agency had failed to demonstrate, by a preponderance of the evidence, that Petitioner's EA benefits were properly terminated and that there was no proof presented that Petitioner had refused the housing offered. See Initial Decision at 4-6; see also Exhibit R-1. Accordingly, the ALJ found that the Agency's termination of Petitioner's EA benefits, and the imposition of a six-month period of EA ineligibility, were improper and must be reversed. Ibid. I agree.

By way of comment, the transmittal in this matter indicated that Petitioner had exhausted the lifetime benefit limit for EA benefits, however, at the time of the hearing the Agency representative clarified that Petitioner has not exhausted his EA benefits. See Initial Decision at 2.

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

Officially approved final version. August 13, 2026

Natasha Johnson
Assistant Commissioner

