



State of New Jersey

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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 **15905-25 A.S.**

AGENCY DKT. NO. **C147093001 (ATLANTIC CO. DEPT OF FAM. & COM. DEV)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner's EA benefits in the form of Temporary Rental Assistance ("TRA"), contending that his apartment is over the Fair Market Rent ("FMR") for Atlantic County. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 21, 2025, the Honorable Susan McCabe, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On December 8, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found, and the record substantiates, that at the time of Petitioner's application for EA benefits, his monthly rent was \$1,350, plus monthly utilities estimated to be \$210 average per month, which put Petitioner's total monthly rent over the FMR of \$1,414.00 in Atlantic County for a one-bedroom apartment, and as such, he is ineligible for EA/TRA benefits. See Initial Decision at 2-3; see also Exhibits P-4, P-24, P-32-34, P-40; see also N.J.A.C. 10:90-6.3(a)(7)(i)(1). Based on the foregoing, the ALJ determined that Petitioner is ineligible for EA/TRA benefits. See Initial Decision at 3-4. Accordingly, the ALJ concluded that the Agency's denial of EA/TRA benefits to Petitioner was proper and must stand. *Ibid.*; see also Exhibit P-1-8. I agree.

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 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, should Petitioner's circumstances change, such as securing housing which is within the FMR for Atlantic County, he may reapply for EA benefits. Petitioner is advised, however, that the Agency shall determine the most appropriate form of EA benefits required to address his housing needs, 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 AFFIRMED.

Officially approved final version. January 27, 2026

Natasha Johnson



