



State of New Jersey

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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 **12887-26 B.G.**

AGENCY DKT. NO. **C160699015 (OCEAN COUNTY BOARD 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 August 10, 2026, the Honorable William T. Cooper III, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On August 11, 2026, the ALJ issued an Initial Decision, affirming the Agency's denial of EA benefits.

No Exceptions to the Initial Decision were filed.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I hereby MODIFY the Initial Decision and AFFIRM the Agency's determination, based on the discussed 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."

Here, the record reveals that Petitioner applied for EA benefits on June 10, 2026, at which time a social worker performed an assessment as to the appropriate placement for Petitioner. See Initial Decision at 2; see also Exhibit R-2. On August 3, 2026, the Agency received information from a mental health provider and the Agency social worker performed an additional assessment. See Initial Decision at 2; see also Exhibit R-3. At that time, the Agency social worker determined that the most appropriate placement for Petitioner would be a residential healthcare facility. See Initial Decision at 2; see also Exhibit R-4. At the time of the hearing, the Agency social worker provided testimony regarding Petitioner's untreated mental illness, and indicated that Petitioner does not take her prescribed mental health medication, which led her to conclude that a residential healthcare facility would be most beneficial for Petitioner as she "lacks insight into how her illness affects her behavior." See Initial Decision at 2-3. Further, the social worker testified that a residential healthcare facility would offer medication management and counseling in combination with other services that would be beneficial to Petitioner. See Initial Decision at 3. Petitioner also provided testimony at the hearing that she does not feel a residential healthcare facility placement is appropriate and that she refused the Agency's housing recommendation of a residential treatment facility. Ibid.



Based upon the testimonial and documentary evidence presented, the ALJ found that the Agency's determination to deny Petitioner EA benefits, based on her refusal of the appropriate form of EA placement by the Agency, was proper and must stand. See Initial Decision at 5. Based upon an independent review of the record, I agree, however, I am modifying the Initial Decision in this matter to indicate that the proper legal authority is N.J.A.C. 10:90-6.3(a)(1), as cited in the Agency's notice, rather than N.J.A.C. 10:90-6.1(c), as cited by the ALJ which relates to a realistic capacity to plan to avoid homelessness.

By way of comment, Petitioner may reapply for EA benefits, but is advised that it is the Agency who shall determine the most appropriate form of housing necessary to address her individual circumstances. See N.J.A.C. 10:90-6.3(a)(1). Petitioner is further advised that if she again 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 MODIFIED, and the Agency's determination is AFFIRMED, as outlined above.

Officially approved final version. August 18, 2026

Natasha Johnson
Assistant Commissioner

