



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 **04925-26 J.B.**

AGENCY DKT. NO. **C124760015 (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 he failed to provide requested documentation necessary to complete his application for benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 30, 2026, the Honorable Gauri Shirali Shah, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On March 31, 2026, the ALJ issued an Initial Decision, reversing the Agency's determination.

Exceptions to the Initial Decision were received from the Agency on April 6, 2026.

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 hereby ADOPT the Initial Decision, and REVERSE the Agency's determination, based on the discussion below.

Here, the record reveals that Petitioner, a Supplemental Security Income ("SSI") benefits recipient, applied for EA benefits on behalf of himself and his caregiver, C.W., on February 17, 2026. See Initial Decision at 2; see also Exhibit R-3. Petitioner previously resided with C.W., and her father, however, during November, 2025, C.W.'s father passed away and C.W. was no longer receiving caregiver benefits for caring for her father, which had previously allowed her to afford the rent. See Initial Decision at 3. On February 17, 2026, Petitioner received a notice from the Agency requesting that he provide certain documentation, necessary to complete his EA application, on or before March 17, 2026. Ibid.; see also Exhibit R-3. Petitioner provided all of the required documentation, with the exception of 1) a W-9 from the landlord and 2) "notarized statements from each property owner (if more than one) designating one payee, payees address." Ibid.

Petitioner provided the Agency with a copy of the verified complaint from the landlord/tenant matter in Superior Court and landlord/tenant trial notice for February 25, 2026. See Initial Decision at 3; see also Exhibit R-4. The verified complaint named the property owners, and within the complaint, one of the individuals identified themselves as the landlord who owns the premises in which Petitioner and C.W. reside. Ibid. On February 25, 2026, Petitioner and C.W. entered into a settlement agreement with the landlord which would allow them to remain in the property so long as unpaid rent was paid by March 15, 2026. See Initial Decision at 3-4; see also Exhibit R-4. On that same date, in the presence of the landlord/tenant mediator, the landlord completed a W-9 form which was emailed to the Agency, which identified one property owner (K.D.). See Initial Decision at 4.



Petitioner, C.W., and the Agency representative all attempted to contact the landlord/property owners on multiple occasions to obtain the required W-9 and notarized statements, however, there has been no response. See Initial Decision at 4. There is a discrepancy between the property ownership records, which lists an individual (F.A.) and a corporation name, and the submitted W-9 which lists a different individual (K.D.). See Initial Decision at 4. Faced with this discrepancy, the Agency was allegedly unable to issue payment, as there was no payee identified, and denied Petitioner's application for EA benefits. Ibid.

The ALJ in this matter found that C.W. has lived at the residence since 2018 and that, from 2018 to 2022, C.W. paid rent through her checking account to a corporation "in care of" K.D. See Initial Decision at 4; see also Exhibit R-6. Since 2022, K.D. has requested that C.W. make rental payments in cash, which C.W. kept a receipt ledger to document. Ibid. In addition, following the February 25, 2026 landlord/tenant settlement agreement, C.W. paid \$3,000 to K.D. Ibid.; see also Exhibit R-4. The ALJ found Petitioner's testimony credible that the Petitioner was unable to obtain any further information or documentation from the landlord. See Initial Decision at 4, 6.

Based on the foregoing, and following the presentation of testimonial and documentary evidence, the ALJ found that Petitioner had provided all of the documents requested by the Agency, in accordance with N.J.A.C. 10:90-2.2(a)(5), with the exception of the notarized property ownership letter, which he made all good faith efforts to obtain. See Initial Decision at 6-7. Accordingly, the ALJ concluded that Petitioner's failure to submit the requested documentation was through no fault of his own and thus Petitioner had satisfied his burden of proof by a preponderance of the evidence that he provided all of the information requested which he could obtain, and therefore, the denial of EA benefits by the Agency was improper. See Initial Decision at 6-7. Based on the particular circumstances presented in this matter, I agree, and direct the Agency to provide Petitioner with EA benefits, and expedite same, using the W-9 produced at the landlord/tenant settlement, and addressing such payment to K.D., as there is sufficient evidence to indicate that he has previously been, and remains, an appropriate payee as payments had historically been paid in his care, that he filed the eviction preceding, and that he participated in the creation and signing of the settlement agreement.

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

Officially approved final version. April 08, 2026

Natasha Johnson
Assistant Commissioner

