



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 **04595-26 J.D.**

AGENCY DKT. NO. **C315567020 (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 in the form of payment of back rent and Temporary Rental Assistance ("TRA"), contending that her current rent and utility expenses would not be affordable based upon her anticipated Social Security payments. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 25, 2026, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On March 27, 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, Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I hereby MODIFY the ALJ's Initial Decision and REVERSE the Agency's determination, based on the discussion below.

Here, the record reflects that Petitioner applied for EA benefits, and that, at the time of her application, her monthly rent was \$1,735.00, and that she owed \$6,424.16 in back rent, late fees, and legal costs associated with a pending landlord/tenant eviction filing, which will be heard in the Superior Court on April 27, 2026. See Initial Decision at 2; see also Exhibit R-1. On March 5, 2026, the Agency notified Petitioner that her application for EA benefits was denied, indicating that her current rent and utility expenses would not be affordable based upon her anticipated Social Security payments. Ibid. Prior to the hearing in this matter, the Agency indicated that Petitioner's application for EA benefits may be reconsidered if she had an offer of gainful employment which would allow her to pay her housing costs. Ibid. Petitioner thereafter obtained employment and will begin such employment on June 1, 2026, as confirmed via letter from the employer dated March 24, 2026, where her monthly income will be \$1,500. Ibid.; see also Exhibit P-2. In addition, Petitioner has applied for Retirement, Survivors, and Disability Insurance ("RSDI"), and, if such benefits are approved, she would be able to afford her housing. See Initial Decision at 3. Further, on March 27, 2026, the Petitioner's property management office authored a letter indicating that her monthly rent would be reduced to \$1,650.00 per month. See Exhibits P-1, P-3.

Based the testimony and record, the ALJ concluded that, due to the offer of employment, the Agency's denial of EA benefits to Petitioner was improper and must be reversed. See Initial Decision at 3-6; see also Exhibit R-1. I agree, however, the Initial Decision references a termination of EA benefits, when the adverse action at issue is a denial of EA benefits, and as such, the Initial Decision is modified to reflect this finding. Accordingly, I direct the Agency to provide Petitioner with EA benefits in an amount required to bring her current. See N.J.A.C. 10:90-6.3(a)(5)(i). Further, I find that



Petitioner is eligible for prospective EA benefits, provided she continues to need said benefits, and remains otherwise eligible for same. See N.J.A.C. 10:90-6.1 et seq.

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

Officially approved final version. April 16, 2026

Natasha Johnson
Assistant Commissioner

