



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 **07297-26 J.P.**

AGENCY DKT. NO. **C073210006 (CUMBERLAND COUNTY BD 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 had the capacity to plan, and sufficient funds to pay for housing, but failed to do so, thereby causing his own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 3, 2026, the Honorable Samantha L. Price, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On June 17, 2026, the ALJ issued an Initial Decision, affirming the Agency's determinations.

Here, the record reveals that Petitioner was released from incarceration in January, 2025, and thereafter began to reside in a transitional housing program on March 18, 2025. See Initial Decision at 2; see also Exhibit R-1. On January 22, 2026, the transitional housing program informed Petitioner that his twelve months in the program would expire on March 22, 2026, at which point he would be discharged from the program. Ibid. Additionally, in January, 2026, Petitioner began to receive Supplemental Security Income ("SSI") of \$1,025.25 per month. See Initial Decision at 3; see also Exhibit R-1. In February, 2026, Petitioner received his monthly SSI benefit, as well as a retroactive SSI benefits payment in the amount of \$2,994.75. Ibid. Thus, during February, 2026, Petitioner received a total of \$4,020 in SSI benefits payments. Ibid.

On March 26, 2026, Petitioner had been discharged from his transitional housing program and applied for EA benefits, at which time the Agency requested documentation evidencing the spenddown of the SSI benefits that he had received in the prior months. See Initial Decision at 3; see also Exhibit R-1. Petitioner sent a letter to the Agency stating he had spent approximately \$2,000 of the SSI funds on "clothing, food, transportation, and religious items" and that he maintained \$1,800 to \$2,000 in his bank account. Ibid.; see also Exhibit R-2. Of note, on May 27, 2026, Petitioner entered into a settlement agreement with the management company for the transitional housing program, which resulted in a payment to him of \$2,800 on or about June 26, 2026. See Initial Decision at 3; see also Exhibit P-7.

Notably, Petitioner is diagnosed with mental health issues, for which he has been actively receiving treatment since March, 2025; however, the ALJ in this matter did not find that the mental health diagnosis impacted Petitioner's realistic capacity to plan for alternate housing once he was discharged from his transitional housing following his incarceration and as such, Petitioner did not demonstrate a functional incapacity that would have prevented him from planning for or securing housing. See Initial Decision at 3-4; see also Exhibits P-5, P-6, and N.J.A.C. 10:90-6.1(c)(1).

Based on the foregoing, the ALJ found that Petitioner had the realistic capacity to plan to secure housing between the time he was noticed of his discharge from the transitional housing program and the time he actually left the program, and that he had the available monetary resources to secure housing, and continue to afford housing, based upon the lump-



sum and monthly SSI benefits received in January, 2026 to March, 2026. See Initial Decision at 4-5; see also N.J.A.C. 10:90-6.1(c)(1). As such, the ALJ concluded that the Agency's denial of EA benefits to Petitioner, and the imposition of a six-month EA ineligibility penalty, was proper and must be upheld. Ibid.; see also N.J.A.C. 10:90-6.1(c)(3)(v).

No Exceptions to the Initial Decision were filed.

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, the six-month period of ineligibility for receipt of EA benefits began as of the date of denial in this matter, March 26, 2026, and will end on September 26, 2026. See Exhibit R-1.

By way of further comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with his current needs, including Social Services for the Homeless.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is AFFIRMED.

Officially approved final version. August 04, 2026

Natasha Johnson
Assistant Commissioner

