



State of New Jersey

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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 **04830-26 K.P.**

AGENCY DKT. NO. **C294672009 (HUDSON COUNTY DEPT OF FAM SVCS)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. The Agency denied Petitioner EA benefits, and imposed a six-month EA ineligibility penalty, contending that she had caused her own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 27, 2026, the Honorable Barbara Singer, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On March 30, 2026, the ALJ issued an Initial Decision, reversing the Agency's determinations.

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

In order to be eligible for EA benefits, the assistance unit must be in a state of homelessness or imminent homelessness due to circumstances beyond their control or the absence of a realistic capacity to plan. See N.J.A.C. 10:90-6.1(c). Additionally, EA benefits shall not be provided for a period of six months when an applicant "has caused his or her own homelessness, without good cause." See N.J.A.C. 10:90-6.1(c)(3).

Here, Petitioner was involved in an incident at her mother's home on January 7, 2026, which resulted in a verbal and physical altercation between Petitioner and her mother that involved law enforcement and led to Petitioner being forced to leave the home. See Initial Decision at 2-3; see also Exhibit P-4. Thereafter, Petitioner lived with various other family members for short periods of time, however, no family member was able to provide a long-term living arrangement for Petitioner and her child, and they are currently residing at a shelter. See Initial Decision at 3. On March 19, 2026, the Agency denied Petitioner EA benefits, and imposed a six-month period of ineligibility for EA benefits, citing that she had caused her own homelessness after being involved in the incident with her mother. See Exhibit P-1, R-1; see also N.J.A.C. 10:90-6.1(c)(vi), -6.1(c)(3)(ix), -6.3(c)(1-6), -6.6.

Based upon the testimonial and documentary evidence presented at the hearing, the ALJ found that the Agency failed to produce any evidence that Petitioner caused her own homelessness. See Initial Decision at 4. Further, the ALJ found Petitioner's testimony credible that she demonstrated a "history of a tumultuous family dynamic" and that the threat of homelessness loomed at any time when Petitioner attempted to live with her mother. *Ibid.*



Based on the foregoing, the ALJ concluded that the Agency's denial of EA benefits, and the imposition of a six-month EA ineligibility period, were improper and must be reversed. See Initial Decision at 4. I agree, and direct the Agency to provide Petitioner with EA benefits in a form to be determined by the Agency. See N.J.A.C. 10:90-6.1(c)(7).

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

Officially approved final version. April 07, 2026

Natasha Johnson
Assistant Commissioner

