



State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT
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Commissioner

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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 **06542-26 L.W.**

AGENCY DKT. NO. **S448720014 (MORRIS CO. OFFICE OF TEMP ASSISTANCE)**

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. The Agency terminated Petitioner's 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 June 2, 2026, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On June 8, 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 MODIFY 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, the record reveals that Petitioner voluntarily turned herself in following contact with law enforcement, due to a bench warrant being issued for a missed court date, which required her to be housed in a correctional facility for a short period of time. See Initial Decision at 2-3. Based upon her incarceration, the Agency terminated Petitioner's EA benefits, contending that she caused her own homelessness, and imposing a six-month ineligibility period for receipt of EA benefits. See Initial Decision at 3; see also N.J.A.C. 10:90-6.1(c)(3). Based on the record presented, the ALJ concluded that the Agency's termination of Petitioner's EA benefits, and the imposition of a six-month EA ineligibility period, were improper and must be reversed. See Initial Decision at 2-4. 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).

Additionally, I note that the Initial Decision in this matter makes reference to Petitioner having children, however, this is a factual inaccuracy, as the records of this office reflect that Petitioner is, in fact, a recipient of Work First New Jersey/General Assistance ("WFNJ/GA") benefits, not Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Initial Decision is modified to reflect this finding.



Also, the Initial Decision in this matter makes reference to an apartment rent exceeding fair market value, which is not at issue in this matter, and has been therefore disregarded. The Initial Decision is further modified to reflect this finding.

By way of comment, because it appears from the record that Petitioner has been the victim of domestic violence, the Agency is to refer Petitioner for a Family Violence Option risk assessment, pursuant to N.J.A.C. 10:90-20.1 et seq., if it has not already done so.

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

Officially approved final version. July 07, 2026

Natasha Johnson
Assistant Commissioner

