



State of New Jersey

MIKIE SHERRILL
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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STEPHEN CHA, MD, MHSR
Commissioner

DR. DALE G. CALDWELL
Lt. Governor

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 **06084-26 M.K.**

AGENCY DKT. NO. **S667062012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits in the form of Temporary Rental Assistance ("TRA") and back rent. The Agency denied Petitioner EA/TRA benefits, contending that she was residing in an unlicensed rooming house. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. This matter was initially scheduled for May 20, 2026, at which time the matter was adjourned as Petitioner was hospitalized. The matter was rescheduled for June 4, 2026, at which time Petitioner requested an adjournment to seek legal counsel. On June 17, 2026, the Honorable Kathleen M. Calemme, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. The record was then held open to allow for the submission of additional documentation and then closed on June 18, 2026. On June 22, 2026, the ALJ issued an Initial Decision, affirming 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 reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

Here, the record reveals that Petitioner applied for EA benefits on December 16, 2025, indicating that she paid \$950 per month rent for a room in an apartment. See Initial Decision at 2; see also Exhibit R-1. Petitioner was seeking back rent beginning September, 2025. Ibid. The Agency conducted a telephone interview with Petitioner, after which the Agency sent Petitioner an EA Verification List, requesting a copy of her current lease, as well as documentation from her landlord. See Initial Decision at 3; see also Exhibit R-3. Petitioner provided the Agency with a copy of her lease, which indicated that the lease began September 1, 2025, and was for a one-year term with a total monthly rent of \$3,960. See Initial Decision at 3; see also Exhibit R-4. The Agency informed Petitioner that her landlord would need to complete a back rent form, and, upon its submission, the form indicated that Petitioner's portion of the rent was \$950, plus utilities. See Initial Decision at 3; see also Exhibit R-5. On October 27, 2025, the landlord confirmed that Petitioner was one of his tenants and confirmed the monthly rent amount of \$950. See Initial Decision at 3; see also Exhibit R-7. On November 26, 2025, Petitioner emailed the Agency and provided various information, including that her landlord had filed for an eviction. See Initial Decision at 3; see also Exhibit P-1.

On January 8, 2026, the Agency sent a housing inspector to the property, who met with Petitioner and inspected the property. See Initial Decision at 3-4. The inspector indicated the property is a second-floor apartment which is shared by four individuals, with each bedroom having its own lock. Ibid. Following the inspection, on January 16, 2026, the Agency



notified Petitioner that she was ineligible to receive EA benefits, as she was residing in an unlicensed rooming house. Ibid.; see also Exhibit R-9. At the time of the hearing, Petitioner testified that she had no knowledge that her landlord was required to obtain a license prior to renting her a room and that she was fearful of being evicted and having no place to live. See Initial Decision at 4.

Based on the testimonial and documentary evidence presented, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand, as she was residing in an unlicensed boarding house. See Initial Decision at 5; see also N.J.A.C. 10:90-6.3(a), N.J.A.C. 5:27-1.6, N.J.S.A. 55:13B-1 et seq. I agree, and emphasize the ALJ's further conclusion that the Agency has not denied other forms of EA benefits to Petitioner. The ALJ correctly cites to N.J.A.C. 10:90-6.3(a), which allows the Agency to provide assistance when no other source of support is available. See Initial Decision at 5. In fact, the Agency shall determine the most appropriate form of EA benefits, which may include shelter placement, that are "required to address the need and authorize payment of the costs of adequate emergency shelter/housing, taking into consideration individual/family circumstances and services provided." N.J.A.C. 10:90-6.3(a)(1). As such, Petitioner is without prejudice to reapply for EA benefits.

By way of comment, the documentary record in this matter indicates that Petitioner has not paid rent for at least nine months, and is in rental arrears exceeding \$10,000, and regulatory authority only allows for the payment of more than three-months back rent when extraordinary circumstances are proven. See N.J.A.C. 10:90-6.3(a)(5)(i).

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

Officially approved final version. August 06, 2026

Natasha Johnson
Assistant Commissioner

