



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
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 **12969-26 R.H.**

AGENCY DKT. NO. **C081227003 (BURLINGTON COUNTY BD. OF SOC. SVCS)**

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF"), and Emergency Assistance ("EA"), benefits. The Agency denied Petitioner's application for WFNJ/TANF benefits, contending that it was unable to verify Petitioner's residence. The Agency denied Petitioner's application for EA benefits, contending that she failed to appear at the immediate need motel placement offered. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 14, 2026, the Honorable Jeffrey N. Rabin, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On August 17, 2026, the ALJ issued an Initial Decision, affirming the Agency's determinations.

Exceptions to the Initial Decision were received from Petitioner on August 20, 2026.

As Assistant Commissioner, Division of Family Development ("DFD"), 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 determinations, based on the discussion below.

For WFNJ, "A permanent residence is not an eligibility requirement. If an applicant expresses an intent to reside in the county or municipality, by providing verification of residence or by affirmatively stating his or her intent to reside in the jurisdiction, for purposes of WFNJ eligibility, the applicant shall be deemed to be a resident of such county and/or municipality." See N.J.A.C. 10:90-2.12(c).

Only WFNJ benefits recipients, including those determined eligible for WFNJ benefits based upon immediate need, and Supplemental Security Income benefits recipients, are eligible for EA benefits. N.J.A.C. 10:90-6.2(a).

Here, the record reflects that Petitioner submitted an application for WFNJ/TANF benefits on July 1, 2026, as well as an application for Supplemental Nutritional Assistance Program ("SNAP") benefits. See Initial Decision at 3; see also Exhibit R-1. On July 29, 2026, Petitioner's SNAP application was denied, as it was determined that Petitioner had withdrawn her application due to her having an open SNAP case in Pennsylvania and had failed to provide the Agency with a closing letter. Ibid. Also on July 29, 2026, the Agency notified Petitioner that her WFNJ/TANF application was denied, as her residency was questionable due to her having an open SNAP case in Pennsylvania, where she had resided for twenty years, and where her minor child continued to attend school. Ibid.; see also N.J.A.C. 10:90-2.1(b), -2.2(a)(5). Petitioner testified at the hearing that she was living temporarily with her sister but was unable to provide the Agency with verification as to her residency within Burlington County, nor any documentation that she planned to reside within



New Jersey. See Initial Decision at 3. Based on the foregoing, the ALJ concluded that the Agency's denial of Petitioner's WFNJ/TANF benefits application was proper and must stand. See Initial Decision at 5; see also Exhibit R-1. I agree.

On July 7, 2026, Petitioner completed an application for EA benefits, and placement was approved for a motel beginning on that date under immediate need. See Initial Decision at 3. N.J.A.C. 10:90-1.3(a) states, "All applicants for [Work First New Jersey] WFNJ shall be evaluated for immediate need at the time of application. If the county or municipal agency determined that immediate need exists, based upon an applicant's written statement signed under oath and subject to the applicant appearing to meet all other program eligibility requirements, the agency shall ensure that the needs of the assistance unit are met until such time as the final eligibility determination is made." In relevant part, immediate need "means the assistance unit lacks shelter or is at imminent risk of losing shelter." See N.J.A.C. 10:90-1.3(a)(1). Of note, immediate need assistance is not EA, and the denial/termination of immediate need assistance is not appealable.

On July 21, 2026, the motel informed the Agency that Petitioner had never appeared for her placement and, on that same date, the Agency sent Petitioner notification that her EA benefits application was denied, due to her failure to appear at the provided placement. See Initial Decision at 3; see also Exhibit R-1. At the time of the hearing, Petitioner testified that she did not appear for the motel placement as it was "not conveniently located for her," and she did not own a vehicle for transportation. See Initial Decision at 3. At the time of the hearing, Petitioner testified that the Agency had provided her with a bus pass. Ibid.

Based on the foregoing, the ALJ found that Petitioner had caused her own homelessness by failing to report to the motel placement provided by the Agency, and concluded that the Agency's denial of EA benefits was proper and must stand. See Initial Decision at 4; see also N.J.A.C. 10:90-6.1(c). I also agree. Further, it should be noted that upon the denial of WFNJ/TANF benefits on July 29, 2026, Petitioner became ineligible for receipt of EA benefits pursuant to regulatory authority. See Initial Decision at 3-5; see also N.J.A.C. 10:90-6.2(a).

By way of comment, I have reviewed Petitioner's Exceptions, and I find that the arguments made therein do not alter my decision in this matter.

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

Officially approved final version. August 26, 2026

Natasha Johnson
Assistant Commissioner

