



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 **04587-26 R.I.**

AGENCY DKT. NO. **S966262009 (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's application for EA benefits, and imposed a six-month EA ineligibility penalty, contending that she caused her own homelessness by refusing to accept an appropriate shelter placement. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On March 24, 2026, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was held open until the following day and closed on March 25, 2026. On March 27, 2026, the ALJ issued an Initial Decision, reversing the Agency's determinations.

No Exceptions to the Initial Decision were filed.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby REJECT the ALJ's Initial Decision, and AFFIRM the Agency's determinations, based on the discussion below.

Pursuant to N.J.A.C. 10:90-6.3(a)(1), the "agency shall determine the most appropriate form of emergency housing which is 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." Such emergency housing may include placement in a shelter. Ibid. 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).

The record in this matter reveals that Petitioner applied for EA benefits on December 25, 2025, after having receiving EA benefits, over various periods of time, during the preceding three years. See Initial Decision at 2. The record indicates that Petitioner had located a studio apartment, which information she provided to the Agency, however, the Agency offered her placement at a hotel. Ibid. Petitioner had previously been placed at the same hotel and testified that the living conditions at the hotel were not suitable for habitation. Ibid. Petitioner submitted some medical documentation indicating that she is required to have her own bathroom and not share a room with another shelter resident, however, she contended at the hearing that such medical documentation was not considered when the Agency determined a placement. Ibid. On March 13, 2026, the Agency sent Petitioner a denial notice for EA benefits, indicating that Petitioner had refused appropriate shelter placement, thereby causing her own homelessness, and imposing a six-month disqualification period from receipt of EA benefits. See Exhibit R-1. At the time of the hearing, the ALJ requested that the Agency attempt to find a placement which would accommodate Petitioner's medical needs, and, following a recess in the hearing, the Agency offered Petitioner a different motel placement. See Initial Decision at 3. Petitioner, who had previously been placed at



the motel over the preceding years, refused the placement, indicating that she was "willing to remain homeless" until the Agency evaluated the studio apartment information she had provided. Ibid. Based on the foregoing, the ALJ concluded that Petitioner's refusal of both placements was reasonable and did not constitute Petitioner having caused her own homelessness. Ibid. The ALJ further ordered that the Agency provide, or reimburse Petitioner, for an application fee for the studio apartment, as well as provide, or reimburse, Petitioner if any fee is required for a credit check. See Initial Decision at 4.

I respectfully disagree. Rather, based on the discussion above, as well as the record presented, the Agency's offer of EA placement was an appropriate form of EA benefits to meet Petitioner's emergent need based on the facts presented, and as such, when Petitioner refused said placements, the Agency's denial of EA benefits, and the imposition of a mandatory six-month EA ineligibility penalty, were proper and must stand. See N.J.A.C. 10:90- 6.1(c)(1)(ii), -6.1(c)(3), -6.3(a)(1). Further, the Agency shall not responsible for the payment, nor reimbursement, of any application and/or credit check fees.

By way of comment, Petitioner's six-month EA ineligibility penalty shall run from March 13, 2026, the effective date of the EA denial, to September 13, 2026. See Exhibit R-1; see also N.J.A.C. 10:90-6.1(c)(3) (stating that 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").

By way of further comment, one of the medical documents provided is from a physician in Canada, who authored the letter August, 2019 regarding the need for a private restroom, which I find to be outdated. The other medical document is recent, from March, 2026, however, is all but illegible.

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

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

Officially approved final version. April 23, 2026

Natasha Johnson
Assistant Commissioner

