



State of New Jersey

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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 **10083-26 S.C.**

AGENCY DKT. NO. **C312533020 (UNION COUNTY DIVISION OF SOC. SVCS.)**

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 26, 2026, the Honorable Gerard Hughes, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On June 29, 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, the record reveals that Petitioner applied to the Agency for Work First New Jersey/General Assistance ("WFNJ/GA") and EA benefits during February, 2026, at which time she was placed on an immediate need basis at a shelter. See Initial Decision at 2. Upon approval of her benefits applications, the Agency extended Petitioner's stay at the shelter placement. Ibid. Petitioner sought a medical accommodation for a single-occupancy room due to her mental health issues, in reliance on a physician's note, however, the Agency denied such accommodation, citing that the Petitioner had not seen the doctor in over one year, which led to Petitioner being placed in a shelter room with roommates. See Initial Decision at 2-3. Subsequently, Petitioner experienced several issues with various roommates at the shelter placement. See Initial Decision at 3. On March 5, 2026, Petitioner requested that the Agency relocate her to a different placement, however, Petitioner ultimately decided to stay at her shelter placement after being moved to a different room. Ibid. On March 24, 2026, the shelter informed the Agency it would be terminating Petitioner's shelter placement, and although Petitioner reported to the Agency for a new placement, when she returned to the shelter to collect her belongings, she was informed that she would be able to remain at the shelter placement. Ibid. On April 6, 2026, the shelter informed the Agency it would be terminating Petitioner, indicating in the notice to the Agency that Petitioner "can't seem to get along with roommates." Ibid.; see also Exhibit R-1. On April 13, 2026, the Agency terminated Petitioner EA benefits, and imposed a six-month



period of ineligibility for EA benefits, citing that she had caused her own homelessness based upon her removal from the shelter placement. Ibid.; see also Exhibit R-2 and N.J.A.C. 10:90-6.1(c), -6.3(a), -6.6(a).

Based upon the testimonial and documentary evidence presented at the hearing, the ALJ found that the Agency failed to produce any evidence that Petitioner had caused her own homelessness. See Initial Decision at 3-4. Further, the Agency contended that Petitioner had refused a shelter placement, however, the ALJ found that Petitioner did not refuse a different placement, but rather than she had been permitted to stay at the shelter and did not have to vacate. See Initial Decision at 4-5.

Based on the foregoing, the ALJ concluded that the Agency's termination of EA benefits, and the imposition of a six-month EA ineligibility period, were improper and must be reversed. See Initial Decision at 4-5. 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).

By way of comment, Petitioner provided the Agency with an additional physician's note on May 11, 2026, which indicated that she needed a single occupancy room due to medical conditions. See Initial Decision at 4. The Agency shall consider such information when determining the most appropriate placement for Petitioner.

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

Officially approved final version. July 07, 2026

Natasha Johnson
Assistant Commissioner

