



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

SARAH ADELMAN
Commissioner

TAHESHA L. WAY
Lt. Governor

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 **09408-25 D.B.**

AGENCY DKT. NO. **C743680002 (BERGEN 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 he was seeking more than three months back rent for a residence where he was not on the lease and which exceeded the Fair Market Rent ("FMR") for the county in which he applied. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 29, 2025, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On August 5, 2025, 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 shows that Petitioner is a Work First New Jersey/General Assistance ("WFNJ/GA") recipient, who applied for EA on September 11, 2024, indicating that he owed back rent from December, 2023 through September, 2024. See Initial Decision at 2. At the time of his application, Petitioner further informed the Agency that he was not on the lease to the apartment where he resides, but that rental arrears were due to the roommate with whom he shares rent. Ibid. Following receipt of his application, the Agency provided Petitioner with a list of items to submit in connection with his application in order to determine if he was eligible for EA benefits. Ibid. Petitioner never submitted any of the requested items to the Agency and the Agency denied his application in October, 2024. Ibid.

The record further reveals that Petitioner applied for EA again on March 19, 2025, indicated that he was residing in the same apartment as his previous application, and that he was not on the lease. Ibid. At that time, Petitioner submitted a "Notice to Pay Rent or Quit" executed by his roommate, not the owner or landlord of the rental property, with an assertion that Petitioner owed \$10,200 in rental payments. Ibid.; see also Exhibit R-7. Upon review of his application, the Agency determined Petitioner was ineligible for EA benefits, as he was seeking retroactive rent for more than twelve months and residing in an apartment where he was not on the lease. See Initial Decision at 2-3. Further, the Agency informed Petitioner that the monthly rent for the apartment in which he resided exceeded the FMR for the county. See Initial Decision at 3.

The ALJ found that Petitioner owes more than three months of past due rent, and regulatory authority only allows for the payment of more than three-months back rent when extraordinary circumstances are proven. See Initial Decision at 3-4;



see also N.J.A.C. 10:90-6.3(a)(5)(i). 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. See Initial Decision at 4; see also Exhibit R-2 and N.J.A.C. 10:90-1.6, -2.2(a)(5), -6.3(a)(1)(ii), -6.6. I agree.

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

Officially approved final version. September 04, 2025

Natasha Johnson
Assistant Commissioner

