



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 **12357-25 I.P.**

AGENCY DKT. NO. **S443321002 (BERGEN COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits in the form of back rent. The Agency denied Petitioner EA benefits, contending that she was seeking more than three months back rent and that she failed to provide all required documentation needed to determine EA benefits eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 12, 2025, the Honorable Margaret M. Monaco, Administrative Law Judge ("ALJ"), held an emergent plenary hearing, took testimony, and admitted documents. On August 13, 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.

Here, Petitioner is a Work First New Jersey/General Assistance ("WFNJ/GA") recipient who applied for EA benefits on April 29, 2025, seeking back rent payment. See Initial Decision at 3. At the time of her application, Petitioner owed four months rent, from January 2025 through April 2025. Ibid.; see also Exhibit R-1. On April 29, 2025, the Agency provided Petitioner with a list of documents that needed to be submitted by May 9, 2025, in order to determine her eligibility for EA benefits. Ibid. Among the requested documents was a copy of an eviction notice or notarized letter from her landlord stating that she was behind on her rent, a copy of her full lease, a completed W-9 from her landlord, and proof of the landlord's property ownership. Ibid. The notice requesting the documents further informed Petitioner that the Agency would pay only up to three months back rent and that Petitioner would be responsible for any other amount of back rent due to the landlord. Ibid. On May 5, 2025, Petitioner's landlord filed for an eviction in landlord/tenant court, a copy of which Petitioner brought to the Agency on May 19, 2025. Ibid. On May 19, 2025, the Agency provided Petitioner with a list of documents that must be submitted by May 29, 2025 in order to determine her eligibility for EA benefits, which included a copy of her full lease, a complete W-9 from her landlord, and proof of the landlord's property ownership. Ibid. In addition, the document advised Petitioner that, as she was now five months behind in rent, the landlord would need to agree, in a notarized document, to forgive two months of back rent as the Agency would not be responsible for paying any more than three months of back rent. See Initial Decision at 3-4; see also Exhibit R-1.

Upon review of the documents Petitioner submitted to the Agency, it was discovered that the lease provided was not signed by Petitioner or the landlord. See Initial Decision at 4; see also Exhibits R-1, P-1. None of the documentation requested regarding Petitioner's landlord was submitted and Petitioner testified that the landlord refused to provide the requested documentation to the Agency. See Initial Decision at 4. On June 5, 2025, the Agency denied Petitioner EA benefits, citing that her landlord would not submit the required paperwork to the Agency. Ibid.; see also Exhibit R-1. On



June 27, 2025, the Agency issued an amended denial notice indicating that Petitioner's application for EA benefits was denied not only because her landlord did not submit the required paperwork, but additionally because she owed more than three months back rent. Ibid. The landlord/tenant matter involving Petitioner is pending a court date on August 27, 2025. See Initial Decision at 5.

Based on the foregoing, the ALJ found that Petitioner owed 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, which the ALJ had not found in this matter. See Initial Decision at 6-7; see also Exhibit R-1, and N.J.A.C. 10:90-6.3(a)(5) (i), -6.4(b)(1). Therefore, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 7; see also Exhibit R-1, and N.J.A.C. 10:90-6.3(a)(5). I agree.

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 ADOPTED, and the Agency's determination is AFFIRMED.

Officially approved final version. August 19, 2025

Natasha Johnson
Assistant Commissioner

