



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 **09891-25 J.J.**

AGENCY DKT. NO. **C111819008 (GLOUCESTER COUNTY DIV. OF SOC. 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 EA benefits, and imposed a six-month EA penalty, contending that she caused her own homelessness by being evicted from subsidized housing due to her non-payment of her portion of rent. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 11, 2025, the Honorable Rebecca C. Lafferty, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On June 12, 2025, the ALJ issued an Initial Decision, affirming the Agency's determinations.

Here, Petitioner, a Work First New Jersey/Temporary Assistance to Needy Families ("WFNJ/TANF") and Supplemental Nutrition Assistance Program ("SNAP") benefits recipient, applied for EA benefits on February 24, 2025, in the form of retroactive rental payments in the amount of \$2,900. See Initial Decision at 2-3; see also Exhibit R-1 at 10, 11. Further, during April 2025, Petitioner received a tax refund in the amount of \$3,200, none of which was utilized to pay rental arrears. See Initial Decision at 2.

On February 24, 2025, when Petitioner made her initial EA application, the Agency issued a Pending Documentation letter, requesting various documentation from Petitioner in order to determine her eligibility for benefits. See Initial Decision at 3; see R-1 at 9. Petitioner was given until March 10, 2025, to submit such documentation; however, the Agency never received any of the information requested. Ibid. On March 12, 2025, Petitioner was evicted and went to the Agency, where she was informed that she would be assessed a six-month period of ineligibility for EA benefits, which led Petitioner to decline completing another EA application on that date. See Initial Decision at 3. On March 21, 2025, the Petitioner contacted the Agency and completed an EA application via telephone. Ibid.; see also Exhibit R-1 at 3-6. On that same date, the Agency issued its denial, basing the decision on Petitioner's failure to pay her portion of her subsidized housing rent, which caused her homelessness, and imposed a six-month period of ineligibility for EA benefits. See Initial Decision at 3; see also Exhibit R-1 at 2.

Prior to her eviction, Petitioner resided in a subsidized rental unit with an \$850 per month rental cost. See Initial Decision at 5. Petitioner was responsible for paying \$200 per month towards her rent, while the remaining rental balance was paid for by the Department of Community Affairs. Ibid. Petitioner received WFNJ/TANF payments ranging from \$537 to \$644 per month for June 2024 through August 2024, and then from January 2025 through June 2025, which, the ALJ found would have been sufficient income to pay her rent from at least June 2024 through March 2025. Ibid. At the time of her eviction, Petitioner was \$2,900 in rental arrears, which the ALJ found evidenced a long-term pattern of non-payment of her rental portion. Ibid. Based on the testimony and evidence presented, the ALJ concluded that Petitioner had caused



her own homelessness, without good cause, and that the Agency's denial of EA benefits to Petitioner, as well as the imposition of a six-month period of ineligibility for EA benefits, were proper and must stand. See Initial Decision at 5-6; see also Exhibits R-1, and N.J.A.C. 10:90-6.1(c)(1)(ii), -6.1(c)(3)(vi). I agree.

No Exceptions to the Initial Decision were received.

As the Assistant Commissioner of the 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 concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

By way of comment, Petitioner's six-month EA ineligibility penalty shall run from March 21, 2025, the effective date of the Agency's denial, through September 21, 2025. See Exhibit R-1 at 2.

By way of further 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. June 26, 2025

Natasha Johnson
Assistant Commissioner

