



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 **06963-25 K.D.**

AGENCY DKT. NO. **C031300017 (SALEM COUNTY BOARD OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that she refused appropriate housing offered by the Agency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 28, 2025, the Honorable Tricia M. Caliguire, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On April 29, 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 ("DFD"), 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.

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.*

Here, Petitioner became homeless on or about April 16, 2025, following an incident involving her former roommate which resulted in that individual obtaining a temporary restraining order ("TRO") against Petitioner, which terms did not allow her to remain in the home. See Initial Decision at 2; see also Exhibit R-2. Petitioner applied for EA benefits on April 21, 2025, disclosed the TRO against her, informed the Agency that she was a victim of domestic violence ("DV"), and that she had obtained a TRO against another individual who had been residing in the home. See Initial Decision at 2; see also Exhibit P-1. Thereafter, on April 21, 2025, the Agency offered Petitioner placement in a DV shelter, which Petitioner refused, stating she wanted to be placed at the motel where she had been staying. See Initial Decision at 3; see also Exhibit R-3. Petitioner contends that the Agency did not offer her a specific placement, but rather, provided her with a list of shelters to research on her own. See Initial Decision at 3. On April 24, 2025, Petitioner returned to the Agency, was offered a placement at the DV shelter, and again refused such placement. See Initial Decision at 3. Petitioner provided testimony that she refused the shelter placement due to medical issues and proximity to medical providers, however, the ALJ found that Petitioner provided no evidence as to why she could not continue with her medical treatment if she was residing at the DV shelter. See Initial Decision 3-4. Based on the testimony and record presented, the ALJ concluded that Petitioner had refused shelter placements offered by the Agency, without good cause, which placements were the appropriate form of benefits to meet Petitioner's emergent need based on the presented facts, and as such, the Agency's denial



of EA benefits to Petitioner was proper and must stand. See Initial Decision at 4-5; see also Exhibit R-1, and N.J.A.C. 10:90-6.3(a)(1). I agree.

By way of comment, Petitioner may reapply for EA benefits, but is advised that it is the Agency who shall determine the most appropriate form of housing necessary to address her emergency and individual circumstances. See N.J.A.C. 10:90-6.3(a)(1). Petitioner is further advised that if she again refuses appropriate placement offered by the Agency, she may again be denied EA benefits, and a six-month period of ineligibility for EA benefits may be imposed. See N.J.A.C. 10:90-6.1(c)(3).

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. May 07, 2025

Natasha Johnson
Assistant Commissioner

