



State of New Jersey

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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 **00686-26 E.J.**

AGENCY DKT. NO. **C143177020 (UNION COUNTY DIVISION 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's application for EA benefits, and imposed a six-month EA ineligibility penalty, contending that he caused his own homelessness by refusing to accept two appropriate shelter placements. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On March 17, 2026, the Honorable Lubna Qazi-Chowdhry, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On April 22, 2026, the ALJ issued an Initial Decision, affirming the Agency's determinations.

No Exceptions to the Initial Decision were filed.

As Assistant Commissioner, Division of Family Development ("DFD"), 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 AFFIRM the Agency's determination, based on the discussed 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.*

The record in this matter reveals that Petitioner initially applied for EA benefits on October 31, 2025. See Initial Decision at 2. On that date, the Agency offered Petitioner two different placements—one at a shelter and the other within a rooming house—both of which Petitioner refused. *Id.* at 2-3. On November 3, 2025, Petitioner again applied for EA benefits, at which time the Agency denied Petitioner's application for EA benefits, indicating that Petitioner had previously refused appropriate shelter placement, thus causing his own homelessness, and imposing a six-month disqualification from receipt of EA benefits. *Id.* at 3; see also Exhibit R-2.

Based on the foregoing, the ALJ in this matter concluded that the Agency's offers of EA placements were the appropriate form of EA benefits to meet Petitioner's emergent need based on the facts presented, and as such, when Petitioner refused said placements, that the Agency's denial of EA benefits, and the imposition of a mandatory six-month EA ineligibility penalty, were proper and must stand. See Initial Decision at 4; see also Exhibits R-1, R-2, and N.J.A.C. 10:90-6.1(c)(1)(ii), -6.1(c)(3), -6.3(a)(1). I agree.



By way of comment, Petitioner's six-month EA ineligibility penalty began November 3, 2025, the effective date of the EA denial, and ended on May 3, 2026. See Exhibit R-2; see also N.J.A.C. 10:90-6.1(c)(3) (stating that 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"). As the six-month EA ineligibility period has now ended, Petitioner is without prejudice to apply for EA benefits, should his circumstances warrant application for same, and the Agency shall evaluate any new application regarding eligibility for such benefits. Petitioner is reminded that, 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. As such, if Petitioner is offered EA placement, which he again refuses, such refusal may result in another denial of EA benefits, and the imposition of another six-month ineligibility period for EA benefits.

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

Officially approved final version. May 20, 2026

Natasha Johnson
Assistant Commissioner

