



## State of New Jersey

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*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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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 **06859-26 G.G.**

AGENCY DKT. NO. **C295683009 (HUDSON COUNTY DEPT OF FAM SVCS)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner's application for EA benefits, contending that she had not provided proof of imminent homelessness, and therefore, no emergency presently existed. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for hearing. On May 4, 2026, the Honorable Gerard Hughes, Administrative Law Judge ("ALJ,") conducted a telephonic plenary hearing, took testimony and admitted documents. On May 5, 2026, the ALJ issued an Initial Decision, reversing 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 REVERSE the Agency's determination, based on the discussion below.

In order to be eligible for EA benefits, N.J.A.C. 10:90-6.1(c) provides, in pertinent part, that the individual must have an actual or imminent eviction from prior housing, and the assistance unit is in a state of homelessness or imminent homelessness due to circumstances beyond their control or the absence of a realistic capacity to plan to avoid their emergent situation. Documentation must be presented to the Agency demonstrating that an eviction is pending or has occurred. See N.J.A.C. 10:90-6.3(a)(1)(ii). Such documentation may be in the form of a letter from a landlord or other person, such as a family member or relative, serving in such a capacity. Ibid.

Here, the record reveals that, on February 14, 2025, Petitioner moved into a public assistance housing unit, which was leased by her boyfriend's mother, however, Petitioner is not on the lease and was only able to temporarily reside in the housing unit. See Initial Decision at 3. Petitioner was aware that she would need to vacate the housing unit and thereafter sought to apply for EA benefits, however, she first needed to apply, and be found eligible, for Work First New Jersey/ Temporary Assistance for Needy Families ("WFNJ/TANF") benefits, which she is now receiving. Ibid. Petitioner applied for EA benefits and, on April 21, 2026, the Agency denied Petitioner's EA application because she failed to provide proof documenting a housing emergency. See Initial Decision at 2; see also Exhibits R-2, R-3. Petitioner's boyfriend's mother has provided two letters, one from April 16, 2026, and the other from May 1, 2026, stating that Petitioner must vacate the housing unit by May 25, 2026. See Initial Decision at 3; see also Exhibit R-1.

Based on the testimonial and documentary evidence presented at the time of the hearing, the ALJ found that Petitioner is at risk of becoming homeless, as she is facing a pending eviction, as documented by a letter submitted to the Agency



that she must vacate her current housing by May 25, 2026. See Initial Decision at 4; see also N.J.A.C. 10:90-6.3(a)(1) (ii). Notably, the Agency does not question the veracity of the letters. See Initial Decision at 2, 3. Accordingly, the ALJ found that, at the time of her EA benefits application, Petitioner submitted substantiating documentation of a sufficient emergency under N.J.A.C. 10:90-6.1(c) which warrants the granting of EA benefits. Ibid. I agree.

By way of comment, Petitioner is advised that EA benefits shall be provided in a form to be determined by the Agency, which may include shelter placement. See N.J.A.C. 10:90-6.3(a)(1).

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

Officially approved final version. May 07, 2026

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Natasha Johnson  
Assistant Commissioner

