



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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STEPHEN CHA, MD, MHSR
Commissioner

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Lt. Governor

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 **15057-26 H.B.**

AGENCY DKT. NO. **C102777018 (SOMERSET COUNTY BOARD OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. The Agency terminated Petitioner's EA benefits, and imposed a six-month EA ineligibility penalty, contending that she violated shelter placement rules, as well as that she caused her own homelessness by refusing to accept appropriate shelter placement. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On September 11, 2026, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On September 11, 2026, the ALJ issued an Initial Decision, affirming the Agency's determinations.

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 determinations, 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.*

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." N.J.A.C. 10:90-6.1(c)(3).

EA benefits shall not be provided for a period of six months to adult recipients who are terminated from an EA placement when the termination is the result of the recipient's actions, without good cause, which may include, but are not limited to, disruptive behavior which affects the operation of the shelter. See N.J.A.C. 10:90-6.3(c)(3).

Here, the record reflects that Petitioner was approved for EA housing in a motel and made aware of the motel rules which did not permit other people to reside with her in her motel room. See Initial Decision at 2. Between August 10, 2026, and August 26, 2026, motel management advised the Agency that Petitioner permitted unauthorized guests to reside in her room, and that her guests' behavior was inappropriate, and in certain instances required involvement of law enforcement. See Initial Decision at 2-6; see also Exhibits R-3, R-4.



Based upon such information from the motel, the Agency offered Petitioner several alternative housing options including other motels, a rooming house, and a one-bedroom apartment. See Initial Decision at 3. Petitioner refused all the housing options offered and on August 27, 2026, the Agency notified Petitioner that her EA placement was being terminated as she had created her own homelessness by not accepting an appropriate shelter placement. Ibid.; see also Exhibit R-1. At the hearing, Petitioner testified that the alternate housing options were not located in the area where she currently resides and, as such, she refused the offers as she needs the community structure where she is currently residing. See Initial Decision at 4-5. Petitioner also produced a letter from a licensed social worker who provides outpatient behavioral-health treatment to Petitioner. See Initial Decision at 3; see also Exhibit P-1. Petitioner, however, testified that her mental health conditions do not prevent her from compliance with the EA program, and that, due to her desire to remain in the same area she was residing in, she attempted to establish her EA case in Middlesex County, rather than Somerset County. See Initial Decision at 5.

As for the Petitioner allowing unauthorized person(s) to reside in her room, and that such person(s) led to issues involving law enforcement, the ALJ concluded that Petitioner had violated the motel/shelter rules regarding guests in her room, which resulted in police involvement affecting the operation of the motel. See Initial Decision at 6; see also N.J.A.C. 10:90-6.3(c)(1), (3), (e)(1)(iii). I agree.

Additionally, based on the foregoing, the ALJ in this matter concluded that the Agency's offer of several alternate 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, the Agency's termination of EA benefits, and the imposition of a mandatory six-month EA ineligibility penalty, were proper and must stand. See Initial Decision at 7-8, see also N.J.A.C. 10:90-6.3(a)(1), -6.1(c)(3). I also agree.

By way of comment, because Petitioner has received continued assistance pending the outcome of this fair hearing, her six-month EA penalty will begin to run as of the date of the issuance of this Final Agency Decision.

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, as outlined above.

Officially approved final version. September 24, 2026

Natasha Johnson
Assistant Commissioner

