



State of New Jersey

MIKIE SHERRILL
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

STEPHEN CHA, MD, MHSR
Commissioner

DR. DALE G. CALDWELL
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 **03223-26 J.T.**

AGENCY DKT. NO. **S593950009 (HUDSON COUNTY DEPT OF FAM 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 refused appropriate housing offered by the Agency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 2, 2026, the Honorable Julio C. Morejon, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On March 3, 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 ("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 REVERSE 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, the record reveals that on December 21, 2025, Petitioner was physically assaulted by her neighbors, which resulted in her needing medical attention, and, as a result of the altercation, Petitioner did not return to her rental unit as she feared for her safety. See Initial Decision at 3. On December 30, 2025, Petitioner reported the physical assault to the Agency and informed the Agency that she would not return to her rental unit. *Ibid.* On that same date, the Agency issued a termination of benefits notice to Petitioner, indicating that she had been offered temporary shelter placement, which she had refused. *Ibid.*; see also Exhibit R-1. At the time of the hearing, the Agency representative testified that the Agency agreed with Petitioner that she should not return to the rental unit where the physical assault occurred and that, on December 30, 2025, Petitioner was verbally informed of three available shelters, but that she refused such shelters. See Initial Decision at 3. The Agency provided no documentary proof of the offer of such shelters to Petitioner. *Ibid.*

Based on the testimony and record provided, the ALJ concluded that the Agency failed to demonstrate, by a preponderance of the evidence, that Petitioner's EA benefits were properly terminated and that there was no proof presented that Petitioner had refused the shelter placements offered by the Agency. See Initial Decision at 2-4; see also Exhibit R-1, and N.J.A.C. 10:90-6.3(a)(1). Accordingly, the ALJ found that the Agency's termination of Petitioner's EA benefits, and the imposition of a six-month period of EA ineligibility, were improper and must be reversed. *Ibid.* I agree.



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

Officially approved final version. March 10, 2026

Natasha Johnson
Assistant Commissioner

