



# State of New Jersey

MIKIE SHERRILL  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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STEPHEN CHA, MD, MHSR  
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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 **00447-26 M.E.**

AGENCY DKT. NO. **C082850015 (OCEAN 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 he refused appropriate housing offered by the Agency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 15, 2026, the Honorable Rebecca C. Lafferty, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On January 15, 2026, 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." Ibid.

Here, the record reveals that on December 3, 2025, Petitioner submitted an application for EA benefits, as well as an application for EA Extension for Specific Groups ("EASG"). See Initial Decision at 2; see also Exhibit R-2. At that time, Petitioner disclosed that he had resided at an inpatient treatment facility from September, 2025 to October 31, 2025, and at a sober living facility from October 31, 2025, to December 2, 2025. See Initial Decision at 2. The reason for Petitioner's departure from the sober living facility is disputed, however, no one from the facility was presented to provide testimony at the time of the hearing. Ibid. Upon the Agency's request for documentation from Petitioner, he produced various drug screen results from the month prior to his EA application. See Initial Decision at 3; see also Exhibit R-3.

The Agency, considering Petitioner's history regarding substance use, determined that a sober living facility was the most appropriate placement for Petitioner. See Initial Decision at 3; see also Exhibit R-3. Petitioner refused the placement determination, and on December 12, 2025, the Agency sent a Notification Form denying Petitioner's EA application for refusing the Agency's determination of the most appropriate form of placement. See Initial Decision at 3; see also Exhibit R-1. At the time of the hearing, Petitioner testified that he has been sober for "the better part of a year, if not more" and under a physician's care to address his addiction issues, however, he did not produce any documentary evidence of same at the hearing. See Initial Decision at 3. Further, Petitioner testified that he refused the sober living placement as he is attempting to obtain custody of his minor children and he will be unable to accomplish same if placed at a sober living facility. Ibid.



Based on the testimony and record provided, the ALJ concluded that Petitioner had refused the sober living facility placement offered by the Agency, without good cause, which placement was an appropriate form of benefits to meet Petitioner's emergent need based on the facts presented, and as such, the Agency's denial of EA benefits was proper and must stand. See Initial Decision at 4-5; see also Exhibits R-1, R-2, R-3, and N.J.A.C. 10:90-6.3(a)(1). I agree.

By way of comment, the denial notification in this matter included the imposition of a six-month disqualification from receipt of EA benefits, which, at the time of the hearing, was rescinded. See Initial Decision at 3.

By way of further 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 his emergency and individual circumstances. See N.J.A.C. 10:90-6.3(a)(1). Petitioner is advised that if he provides the Agency with additional documentation, as detailed within the Initial Decision, the Agency may reevaluate their determination as to whether or not a different placement may be more appropriate for Petitioner. Petitioner is further advised that if he again refuses appropriate placement offered by the Agency, he 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 final comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with his 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. February 03, 2026

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Natasha Johnson  
Assistant Commissioner

