



State of New Jersey

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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 **05608-26 N.U.**

AGENCY DKT. NO. **C189304003 (BURLINGTON COUNTY BD. OF SOC. SVCS)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, 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 July 22, 2026, the Honorable Carl V. Buck III, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. The record was held open until the following day and then closed on July 23, 2026. On August 7, 2026, the ALJ issued an Initial Decision, affirming the Agency's determination as to the denial of EA benefits and reversing the Agency's determination as to a six-month period of ineligibility for EA benefits.

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 MODIFIED the ALJ's Initial Decision, and MODIFY 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.

EA benefits are limited to 12 months, plus limited extensions for an "extreme hardship" where the recipient has taken "all reasonable steps to resolve the emergent situation but the emergency nonetheless continues or a new emergency occurs, which causes extreme hardship to the family." N.J.A.C. 10:90-6.4(b); see also N.J.S.A. 44:10-51. Specifically, a Work First New Jersey/General Assistance ("WFNJ/GA") recipient may qualify for an additional six months of EA when an "extreme hardship" exists. Ibid. Thus, the maximum amount of EA that a WFNJ/GA benefits recipient may receive is 18 months.

Here, on January 12, 2026, Petitioner completed an EA hardship extension application, as she had already received the lifetime limit of twelve months of EA benefits as of February 1, 2026, which hardship extension application was denied by the Agency on February 17, 2026. See Initial Decision at 2-3; see also Exhibit R-1. On March 12, 2026, Petitioner completed a new application for a hardship extension of EA benefits, and on March 17, 2026, the Agency notified her that the application for a hardship extension of EA benefits was denied due to her refusal of shelter placement offered and that a six-month period of EA benefits ineligibility was being imposed due to such refusal. Ibid.



At the time of the hearing, Petitioner testified that she did not want to be placed at the suggested shelter placement due to its location and the potential of experiencing a relapse from sobriety. See Initial Decision at 3-4; see also Exhibit P-1. Petitioner testified that a motel placement would be preferable, however, the Agency representative testified that no motel placements were available at that time, and that, at the time offered, the shelter located in Camden was the only available shelter. Ibid.

Based on the testimony and record provided, the ALJ in this matter concluded that the Agency's denial of EA benefits was appropriate, due to Petitioner refusing the shelter offered. I agree. Further, the ALJ found that good cause was presented by Petitioner for such refusal, and as such, the imposition of a six-month EA ineligibility was improper. See Initial Decision at 4-5; see also Exhibit P-1. I also agree. As such, Petitioner is without prejudice to reapply for an extension of EA benefits. The Agency shall take into consideration Petitioner's particular circumstances in evaluating Petitioner's application and any potential placement. However, Petitioner is reminded that it is the Agency that determines the appropriate form of EA placement. See N.J.A.C. 10:90-6.3(a)(1). The Initial Decision and Agency's determination are both modified to reflect the above findings.

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

Officially approved final version. September 30, 2026

Natasha Johnson
Assistant Commissioner

