



State of New Jersey

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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 **20661-25 P.H.**

AGENCY DKT. NO. **C115273011 (MERCER COUNTY BOARD OF SOC. SVCS..)**

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits, contending that he failed to comply with his EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 27, 2026, the Honorable Samantha L. Price, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, admitted documents, and the record was closed. On April 10, 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.

In order to maintain eligibility for EA benefits, the recipient must take reasonable steps to resolve his or her emergent situation. N.J.A.C. 10:90-6.6(a). Reasonable steps include, but are not limited to, the EA benefits recipient participating in the development of, and complying with, a written and signed SP. *Ibid.* Failure to comply with the requirements identified in the SP, without good cause, shall result in the termination of EA benefits and a six-month period of EA ineligibility. *Ibid.*

Here, the record reveals that Petitioner, a Supplemental Security Income ("SSI") benefits recipient, applied for EA benefits on August 22, 2026. See Initial Decision at 2; see also Exhibits R-1, R-9. At or near the time of his application, Petitioner supplied a letter from his physician dated August 8, 2026, indicating that Petitioner's mental and emotional health would be negatively impacted by a placement in a confined space or with a large crowd. See Initial Decision at 2-3; see also Exhibit R-2. Based upon the physician's letter, the Agency placed Petitioner in a motel placement. See Initial Decision at 3.

On August 28, 2025, Petitioner signed an EA SP, which included, among other terms, a condition that Petitioner complete two subsidized housing applications per week and provide a record of housing search logs to his Agency social worker. See Initial Decision at 3; see also Exhibit R-3. Further, the EA SP stated that Petitioner must accept permanent affordable housing if it was offered. *Ibid.* The Agency thereafter presented Petitioner with an application for a rooming house with an available room, however, Petitioner refused to apply for the room, indicating that the rooming home was located in a high-crime area with predominant drug use and that his history of substance abuse/addiction would be negatively impacted by the location of the rooming house. See Initial Decision at 3. Petitioner shared his concerns with his Agency social worker;



however, the priority of the Agency was to find Petitioner permanent affordable housing that took into consideration his physician's recommendation of a private room. Ibid. Following Petitioner's refusal to apply for the rooming home, on November 30, 2025, the Agency issued a termination notice indicating that Petitioner's EA benefits, would terminate and imposing a six-month ineligibility period for receipt of EA benefits as Petitioner had failed to comply with the terms of his SP. Ibid.; see also Exhibit R-10.

In accordance with the terms of his EA SP, Petitioner was aware that he was required to accept permanent affordable housing that was offered by the Agency, and that his EA benefits were contingent upon such acceptance, however, he did not apply for, nor secure, permanent housing. See Initial Decision at 3-5. Based on the foregoing, the ALJ concluded that the Agency had met its burden of proving that Petitioner was not in compliance with his EA SP, such that he caused his own homelessness without good cause, and therefore, the termination of his EA benefits was appropriate, and further that the Agency's imposition of a six-month EA ineligibility penalty was also proper and must stand. See Initial Decision at 4-5; see also Exhibit R-10 and N.J.A.C. 10:90-6.6(a). I agree.

By way of comment, because Petitioner has received continued benefits pending the outcome of this fair hearing, Petitioner is advised that his six-month EA ineligibility penalty shall begin as of the date of 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 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. May 28, 2026

Natasha Johnson
Assistant Commissioner

