



State of New Jersey

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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 **14541-26 R.P.**

AGENCY DKT. NO. **C148053020 (UNION COUNTY DIVISION 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 he caused his own homelessness by refusing to accept an appropriate shelter placement. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On September 1, 2026, the Honorable Mindy Gensler, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On September 2, 2026, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were filed.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I hereby ADOPT the Initial Decision and AFFIRM the Agency's determination, based on the discussed 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).

Here, the record reveals that Petitioner applied for EA benefits on July 6, 2026, at which time the Agency placed him at a shelter, based upon his immediate need. See Initial Decision at 2. Subsequently, on August 5, 2026, Petitioner was approved for EA benefits and placed in a shelter. See Initial Decision at 3. On August 17, 2026, the shelter terminated Petitioner's placement due to his failure to comply with shelter rules. Ibid. Although the Agency had the option to terminate Petitioner's EA benefits following his shelter placement termination, instead, he was offered placement at a different shelter. Ibid. On August 25, 2026, Petitioner refused the offered shelter placement and was informed that his EA benefits would close effective September 23, 2026, and that a six-month period of ineligibility for receipt of EA benefits would be imposed. Ibid. At the time of the hearing, Petitioner affirmed that he refused to go to the shelter offered by the Agency and testified that he would "prefer to be homeless." Ibid.



Based on the foregoing, the ALJ in this matter concluded that the Agency's offer of EA placement was the appropriate form of EA benefits to meet Petitioner's emergent need based on the facts presented, and as such, when Petitioner refused said placement, 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 3-5; see also Exhibit R-1, and N.J.A.C. 10:90-6.3(a)(1), -6.1(c)(3). I agree.

By way of comment, as Petitioner has received continued assistance pending the outcome of this hearing, Petitioner's six-month EA ineligibility penalty shall begin as of the date of issuance of this Final Agency Decision.

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

Officially approved final version. September 03, 2026

Natasha Johnson
Assistant Commissioner

