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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 **15153-26 S.D.**

AGENCY DKT. NO. **S789978009** (**HUDSON COUNTY DEPT OF FAM SVCS**)

Petitioner challenges the correctness of the amount of Emergency Assistance ("EA") benefits approved by the Respondent Agency. The Agency approved Petitioner's application for EA benefits, in the form of relocation assistance including a security deposit and first month's rent, for housing that fell within the Fair Market Rent ("FMR") for Hudson County for a studio or one bedroom housing unit, and not for Petitioner's current apartment. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 10, 2026, the Honorable Patrice E. Hobbs, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On September 11, 2026, the ALJ issued an Initial Decision, affirming the Agency's determination.

Here, the ALJ found, and the record substantiates, that Petitioner applied for EA benefits, which were approved by the Agency on July 2, 2026, in the form of relocation assistance to include security deposit and first month's rent within the FMR for Hudson County, either for a studio housing unit ($2,307 rent inclusive of utilities per month) or a one-bedroom housing unit ($2,358 rent inclusive of utilities per month). See Initial Decision at 2; see also Exhibit R-1. Petitioner faced eviction proceedings from her current housing, after her lease expired in July, 2026. See Initial Decision at 2. Petitioner negotiated an option, along with a new lease, with her landlord to remain in her current housing so long as she could pay the rental arrears to the landlord. See Initial Decision at 3. The current rent for Petitioner's housing exceeds the FMR for Hudson County by $450. Ibid. At the hearing, Petitioner argued that she needs to remain in her current residence as it will assist her in finding new employment and maintain housing stability. Ibid.

Based on the foregoing, the ALJ determined that Petitioner is eligible for EA benefits in the form of relocation assistance only for a unit within the FMR. See Initial Decision at 3-4. The ALJ found that Petitioner's assertions that she can repay any EA benefits received were unpersuasive. Ibid. Further, the ALJ found that Petitioner undertook no efforts to locate or obtain housing which would fall within the approved relocation assistance amounts under the FMR. See Initial Decision at 4. In addition, the ALJ found that Petitioner has been unsuccessful in obtaining new employment for almost a year following her prior termination from employment, such that the argument that she needs to remain in her current housing for purposes of employment search is unpersuasive, and Petitioner's reliance on a 2020 case from another county was misplaced, given the distinguishing facts presented in that matter. Ibid. Accordingly, the ALJ concluded that the Agency's approval of EA benefits, in the form of relocation assistance including a security deposit and first months rent within the FMR for Hudson County, to Petitioner on July 2, 2026, was correct. Ibid.; see also Exhibit R-1. I agree.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

By way of comment, should Petitioner's circumstances change, such as securing housing which is within the FMR for Hudson County, she may reapply for EA/TRA benefits.

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

Officially approved final version. September 16, 2026

Natasha Johnson
Assistant Commissioner