



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 **14540-26 S.L.**

AGENCY DKT. NO. **C320349020 (UNION COUNTY DIVISION OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner's application for EA benefits, contending that he moved to New Jersey without a plan, and that he had the capacity to plan to avoid his own homelessness, but failed to do so. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 1, 2026, the Honorable Mindy Gensler, Administrative Law Judge ("ALJ"), held a telephonic 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 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 hereby ADOPT the Initial Decision and AFFIRM the Agency's determination, based on the discussion below.

In order to be eligible for EA benefits, N.J.A.C. 10:90-6.1(c) provides, in pertinent part, that the individual must have an actual or imminent eviction from prior housing, and the assistance unit is in a state of homelessness or imminent homelessness due to circumstances beyond their control or the absence of a realistic capacity to plan to avoid their emergent situation. Documentation must be presented to the Agency demonstrating that an eviction is pending or has occurred. N.J.A.C. 10:90-6.3(a)(1)(ii). 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 reflects that Petitioner left the shelter in California where he had been residing, and came to New Jersey without a plan for housing or employment. See Initial Decision at 2-3. Further, Petitioner has been homeless since 2021 and previously resided in shelters in New York and Nevada. Ibid. On July 24, 2026, the Agency denied Petitioner's application for EA benefits, and imposed a six-month EA ineligibility penalty, on the basis that he had caused his own homelessness by voluntarily leaving his shelter housing in California and coming to New Jersey with no plan for housing. See Initial Decision at 3; see also Exhibit R-1.

Based on the credible evidence presented and applicable regulatory authority, the ALJ concluded that Petitioner had the capacity to plan to avoid his homelessness, but failed to plan for housing prior to his move to New Jersey. See Initial Decision at 2-4; see also Exhibit R-1, and N.J.A.C. 10:90-6.1(c), -6.1(c)(3). The ALJ concluded that Petitioner had failed to plan for his housing prior to leaving California, and therefore, based upon Petitioner's failure to plan for housing, the



Agency's denial of EA benefits to Petitioner, and the imposition of a six-month EA ineligibility penalty, were proper and must stand. See Initial Decision at 2-4; see also N.J.A.C. 10:90-6.1(c), -6.1(c)(3). I agree.

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

