



State of New Jersey

MIKIE SHERRILL
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

STEPHEN CHA, MD, MHSR
Commissioner

DR. DALE G. CALDWELL
Lt. Governor

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 **18946-25 S.W.**

AGENCY DKT. NO. **C415859007 (ESSEX COUNTY DIVISION OF WELFARE)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits, in the form of Temporary Rental Assistance ("TRA") and past due utility payments. The Agency denied Petitioner EA benefits, contending that he was not homeless or imminently homeless, and that he did not take reasonable steps to resolve a back utility issue. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 5, 2026, the Honorable Bindi Merchant, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On January 6, 2026, the ALJ issued an Initial Decision, affirming the Agency's determinations.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, 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 determinations, 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).

Here, the record reveals that Petitioner applied for EA benefits in the form of temporary rental assistance and utilities, on behalf of himself and his mother, who is his caregiver. See Exhibit R-1. At the time of the application, Petitioner's mother informed the Agency that the utilities were last past as of January, 2025, and that she not attempted to make any repayment arrangement with the utility provider. Ibid. On August 25, 2025, the Agency denied Petitioner EA benefits, including the payment of utilities, indicating that Petitioner was not presently homeless or in imminent threat of homelessness. See Exhibit R-1; see also N.J.A.C. 10:90-6.3(a)(1)(ii). Based on the foregoing, and in accordance with regulatory authority, the ALJ found that Petitioner failed to take the reasonable steps required to pay the outstanding utility bills, and failed to demonstrate that he took any steps to resolve the issue with the utility provider. See Initial Decision at 2-5; see also Exhibit R-1, and N.J.A.C. 10:90-6.1(c)(1). Accordingly, the ALJ concluded that the Agency properly denied Petitioner EA benefits in the form of TRA and past due utility payments. See Initial Decision at 2-5; see also Exhibit R-1. I agree.

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



Officially approved final version. February 18, 2026

Natasha Johnson
Assistant Commissioner

