



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 **07705-26 T.J.**

AGENCY DKT. NO. **C153589003 (BURLINGTON COUNTY BD. OF SOC. SVCS)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, and imposed a six-month period of EA benefits ineligibility, contending that her behavior directly caused her eviction, thereby causing her own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 10, 2026, the Honorable Mamta Patel, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On August 17, 2026, the ALJ issued an Initial Decision, affirming the Agency's determinations.

Here, the record reflects that Petitioner executed a lease for an apartment, effective August 1, 2025 through July 31, 2026, with a monthly rent of \$1,551 per month. See Initial Decision at 3; see also Exhibit R-C. Petitioner's rent for the apartment was subsidized by the Division of Mental Health and Addiction Services ("DMHAS") through the Projects for Assistance in Transition from Homelessness ("PATH") program. See Initial Decision at 3. On October 17, 2025, Petitioner was arrested on several charges which led to her incarceration from October 17, 2025, through January 7, 2026. *Ibid.*; see also Exhibit R-E. Petitioner never advised DMHAS that she had been incarcerated. See Initial Decision at 3.

On January 29, 2026, Petitioner was served with a Notice of Removal for non-payment of rent for January, 2026, as well as a Notice to Vacate. See Initial Decision at 3; see also Exhibit R-D. The Notice indicated that her housing subsidy had ended on December 31, 2025. *Ibid.* Following mediation on March 3, 2026, a Warrant of Removal was issued ordering that Petitioner vacate the apartment by March 30, 2026. See Initial Decision at 4; see also Exhibit R-C. On April 10, 2026, Petitioner emailed the Agency requesting retroactive rental assistance. See Initial Decision at 4; see also Exhibit R-A. On April 13, 2026, Petitioner was served with a lockout notice and went to the Agency seeking emergency housing. See Initial Decision at 4; see also Exhibit R-C. On that date, the Agency provided Petitioner with a Request for Information. See Initial Decision at 4; see also Exhibit R-B. On April 14, 2026, DMHAS sent Petitioner notification terminating her subsidy, effective April 27, 2026. See Initial Decision at 5; see also Exhibit R-E. On April 22, 2026, Petitioner applied for EA benefits under Emergency Assistance for Special Groups ("EASG"). See Initial Decision at 5; see also Exhibit R-F. On that same date, the Agency denied her application, citing that Petitioner's behavior had caused her own homelessness as she failed to advise DMHAS of her incarceration and her housing subsidy was terminated. *Ibid.*

Based on the foregoing, the ALJ found that Petitioner had caused her own homelessness by directly causing her eviction from housing by not advising DMHAS of her incarceration, which led to rental arrears, and the termination of her housing subsidy, and concluded that the Agency's denial of EA benefits, and the imposition of a mandatory six-month EA ineligibility period, were proper and must stand. See Initial Decision at 2, 6; see also N.J.A.C. 10:90-6.1(c)(3)(vi). I agree.



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, Petitioner's six-month EA ineligibility penalty shall run from April 22, 2026, the effective date of the Agency's denial, through October 22, 2026. See Exhibit R-F.

By way of further comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with her current needs, including Social Services for the Homeless.

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

Officially approved final version. September 24, 2026

Natasha Johnson
Assistant Commissioner

