



State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT
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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 **02128-26 Z.M.**

AGENCY DKT. NO. **S979385009 (HUDSON COUNTY DEPT OF FAM 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 she was not presently homeless or imminently homeless and therefore, no emergency presently existed. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for hearing. On February 9, 2026, the Honorable Danielle Pasquale, Administrative Law Judge ("ALJ,") conducted a telephonic plenary hearing, took testimony and admitted documents. On February 9, 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 reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's 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. See N.J.A.C. 10:90-6.3(a)(1)(ii). Such documentation may be in the form of a letter from a landlord or other person, such as a family member or relative, serving in such a capacity. Ibid.

Here, the record reveals that, at the time Petitioner completed the application for EA benefits, she did not provide any documentary evidence that any landlord had filed for an eviction or warrant of removal. See Initial Decision at 4. Further, the Agency representative testified that the only documentation received was a lease, and that Petitioner was not listed a lessee for the apartment. Ibid.; see also Exhibit R-1. Based on the testimonial and documentary evidence presented at the time of the hearing, the ALJ found that Petitioner was not currently homeless or at risk of becoming so at the time of her EA benefits application and thus there was no sufficient emergency under N.J.A.C. 10:90-6.1(c) which would warrant the granting of EA benefits. See Initial Decision at 2-5. I agree.

By way of comment, Petitioner is advised that she may reapply for EA benefits, but that she must provide the Agency with all documents requested/required to determine eligibility for said benefits, including proof of eviction/homelessness. See N.J.A.C. 10:90-6.3(a)(1)(ii).

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

