



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 **00786-25 A.N.**

AGENCY DKT. NO. **C286535009 (HUDSON COUNTY DEPT OF FAM SVCS)**

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. The Agency terminated Petitioner's EA benefits, and imposed a six-month EA ineligibility penalty, contending that she failed to comply with her EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 2, 2025, the Honorable Patrice E. Hobbs, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On May 7, 2025, 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, following an independent review of the record, I hereby ADOPT the Initial Decision and AFFIRM the Agency's determinations, based on the discussion below.

The purpose of EA is to meet the emergent needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work activities without disruption and continue on a path to self-sufficiency. N.J.A.C. 10:90-6.1(a). In order to maintain eligibility for EA benefits, the recipient must take reasonable steps to resolve his or her emergent situation. N.J.A.C. 10:90-6.6(a). Reasonable steps include, but are not limited to, the EA benefits recipient participating in the development of, and complying with, a written and signed SP. Ibid. Failure to comply with the requirements identified in the SP, without good cause, shall result in the termination of EA benefits and a six-month period of EA ineligibility. Ibid.

Here, the ALJ found, and the record substantiates, that Petitioner applied, was approved for EA benefits, and signed an EA service plan ("SP") on August 1, 2024. See Initial Decision at 2; see also Exhibit R-1. Petitioner subsequently executed an updated SP on August 22, 2024, wherein she agreed, among other things, to submit employment searches, to apply for utility assistance, and to provide her utility bills to the Agency. See Initial Decision at 2; see also Exhibit R-4 and N.J.A.C. 10:90-6.6(a). On September 4, 2024, the Agency requested Petitioner's completed job searches, application for utility assistance, and utility bills. See Initial Decision at 2; see also Exhibit R-2. On December 4, 2024, having not received any of the required documentation, the Agency terminated Petitioner's benefits. See Initial Decision at 2; see also Exhibit R-1. Additionally, on January 7, 2025, the Agency became aware that Petitioner was being evicted from her housing due to her failure to pay her required portion of her rent. See Initial Decision at 3; see also Exhibit R-3. Petitioner testified that she was unable to comply with the terms of her SP as she has two small children and no available child care. See Initial Decision at 3. Further, Petitioner testified that her landlord was not permitted to charge her any rent as her rent



was paid for by EA benefits. Ibid. The ALJ found that the mandatory activities of Petitioner's EA SP were minimal and that the requirements could all be accomplished while at home and submitted via online application and/or email. Id. at 4. The ALJ also found, and the record reflects, that Petitioner failed to submit any utility bills or proof of application for utility assistance as of the date of the hearing. Ibid. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits, for failure to comply with the requirements contained in her SP, with no good cause credibly shown, and the imposition of a six-month EA ineligibility penalty, were proper and must stand. See Initial Decision at 4; see also N.J.A.C. 10:90-6.1(c), -6.6(a). I agree.

By way of comment, because Petitioner has received continued assistance pending the outcome of this fair hearing, Petitioner is advised that her six-month EA ineligibility penalty shall begin to run as of the date of the issuance of this Final Agency Decision.

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 determinations are AFFIRMED, as outlined above.

Officially approved final version. May 29, 2025

Natasha Johnson
Assistant Commissioner

